

## GUIDANCE NOTE

# Regulatory update – Coronavirus

This Guidance Note provides updated information on regulatory reporting requirements during the coronavirus pandemic

This guidance note contains:

1. A regulatory update following the Housing Registrar's coronavirus guidance in April 2020, May 2020 and August 2020.
2. Reportable event and communication requirements following the extension of the *COVID-19 Omnibus (Emergency Measures) Act 2020* (Omnibus Act).

## Regulatory update

Cases of coronavirus have decreased significantly in Victoria and restrictions in both metropolitan Melbourne and regional Victoria have begun to ease. This has seen a reduction in coronavirus cases reported by registered agencies, however registered agencies must remain on high alert for any potential outbreaks. Registered agencies that have reported recent outbreaks in multi-dwelling accommodation in the Northern suburbs have been quick to act, in collaboration with the Department of Health and Human Services and have effectively contained the spread.

Information on what to do in the event of an outbreak at your organisation (among staff and residents) as well as guidance for managing high-risk accommodation and to support coronavirus preparedness is provided below. If your registered agency's capability to follow the guidance and recommended precautionary measures is restricted due to financial, resourcing and staffing capacity constraints, please contact your lead regulator to discuss any known unmitigated risks.

Registered agencies must continue to report confirmed cases of coronavirus, including precautionary measures in place to reduce spread and any actual or projected material impacts on financial position, workforce and service delivery. The *COVID-19 Omnibus (Emergency Measures) Act 2020* (Omnibus Act) has been extended up until **28 March 2021**, and therefore, registered agencies must continue to report any plans or decisions made to end a tenancy or increase market rent or rent payable as described in further detail below.

Registered agencies must continue to comply with Government restrictions and guidance in place in response to the impacts of coronavirus.

## Outbreaks of coronavirus at your organisation

If an outbreak occurs at your organisation (including a single confirmed case of coronavirus in a resident, staff member or frequent attendee of supported residential services), DHHS guidance is to immediately contact the coronavirus hotline (1800 675 398 for questions and 1300 651 160 for reporting identified positive cases). Further information and any updates about reporting coronavirus outbreaks to DHHS can be found at:

<https://www.dhhs.vic.gov.au/coronavirus>.

## Guidance for managing high-risk accommodation and to support coronavirus preparedness arrangements

DHHS' High Risk Accommodation Response (HRAR) as part of Operation Benessere leads coronavirus-related assistance in public housing and other high-risk accommodation settings to ensure appropriate public health measures are in place to prevent outbreaks and mitigate their impacts. High-risk accommodation includes Supported Residential Services, rooming houses, high-risk community housing and other high-density settings with vulnerable populations and compliance issues. The team can be contacted at:

[CovidHomelessResponse@dhhs.vic.gov.au](mailto:CovidHomelessResponse@dhhs.vic.gov.au).

Registered agencies that are managing high-risk accommodation need to have appropriate risk management strategies in place specific to that organisation and the risks that are being managed. DHHS and CHIA Vic have issued guidance for registered agencies on preparedness arrangements. Following the easing of Government restrictions, an update to DHHS's *Multi-dwelling Properties with Shared Facilities Guidelines* will be released shortly.

We have received queries from tenants in relation to wearing masks in shared facilities in rooming houses. While this is not currently mandated, it is recommended that registered agencies communicate with tenants that precautionary measures, including the wearing of masks, should be observed in communal areas in shared facility environments.

## Reportable events and communication to the Housing Registrar

Registered agencies must report any event that has, or may have, an adverse impact on a registered agency's compliance with Performance Standards and/or other regulatory obligations under the Housing Act 1983. During the coronavirus pandemic, this includes reporting:

- **any confirmed cases of coronavirus** within your organisation or tenancies under your management and action taken (please also report the address of the tenant's property and outline factors that increase risk or consequence of the viral spread);
- the **measures implemented to reduce coronavirus spread** in high density and high-risk accommodation; and
- **any material impact** to your organisation's financial position, workforce and service delivery.

Following the extension of *the COVID-19 Omnibus (Emergency Measures) Act 2020* (Omnibus Act), registered agencies must also continue to report:

- any plans or decisions made to end a tenancy from 29 March 2020 until **28 March 2021** for any reason. This includes any application made to VCAT with the intention of seeking and executing a warrant of possession. If a termination application is made as a means of seeking compliance with tenancy obligations but without any intention to end the tenancy, a report is not required. If an organisation subsequently decides to seek a possession order which they plan to execute, the report should be made as soon as that decision is made. There is no requirement to report to the Housing Registrar when a tenancy is ended with the consent of the tenant; and
- any plans to increase market rent or rent payable from 29 March 2020 until the 28 March 2021 (if registered agencies believe this is legislatively compliant).

Registered agencies are responsible for notifying the Housing Registrar as soon as practicable of any reportable event that may impact a registered agency's capacity to comply with the Act and Performance. Reportable events are to be lodged in CHIMES. Serious issues which are reportable events should be reported to the Housing Registrar within 72 hours.