



6 June 2018



Your Ref: [REDACTED]  
Our Ref: GIPA18/[REDACTED]  
Matter No: [REDACTED]

Dear [REDACTED]

**Formal Access Application – Notice of Decision**

I refer to your Formal Access Application under the *Government Information (Public Access) Act 2009* (the GIPA Act), that you lodged with the Department of Family and Community Services (FACS), and your subsequent email dated 10 May 2018, where you reduced the scope of your request to the following information:

- 1) *“In regards to incidents of client fraud involving public housing tenants:
  - i. The number of incidents uncovered each year;
  - ii. The cost of fraud each year; and
  - iii. A breakdown of which region they occurred in.excluding unsubstantiated allegations of client fraud and fraud which is subject to current legal action.*
- 2) *The 20 most recent final reports of substantiated client fraud incidents involving FACS which have occurred in the greater Sydney area where there is no legal action pending.”*

Please be advised that I have liaised with the Tenant Fraud Unit (TFU) within FACS, which was able to source and extract the relevant information from FACS' information technology systems – RM8 and Open Practice.

I have carefully considered your request in view of the objectives of the GIPA Act where you have a legally enforceable right to obtain information, unless there is an overriding public interest against disclosure of the subject information. Further, I have also considered the requirements of section 74 of the GIPA Act, which provides that an agency may delete information from a record to which access is provided if the deleted information is not relevant, or within the scope of the information applied for, or an agency has decided to refuse access to that information.

In deciding which information to withhold in full or in part, I was required to conduct a “public interest test” where the public interest considerations favouring disclosure of government information were weighed against those factors that do not favour disclosure. The following are a number of public interest factors I considered which favour disclosure of the information requested:

- Disclosure of the information could reasonably be expected to promote open discussion of public affairs, enhance Government accountability or contribute to positive and informed debate on issues of public importance.
- Disclosure of the information could reasonably be expected to inform the public about the operations of agencies and, in particular, their policies and practices for dealing with members of the public.
- Disclosure of the information could reasonably be expected to ensure effective oversight of the expenditure of public funds.
- The information is personal information of the person to whom it is to be disclosed.
- Disclosure of the information could reasonably be expected to reveal or substantiate that an agency (or a member of an agency) has engaged in misconduct or negligent, improper or unlawful conduct.
- Disclosure of the information could reasonably be expected to advance the fair treatment of individuals in accordance with the law in their dealings with agencies.
- Disclosure of the information could reasonably be expected to reveal the reason for a government decision and any background or contextual information that informed the decision.
- Disclosure of the information could reasonably be expected to contribute to the administration of justice generally, including procedural fairness.

I have decided to provide you with a copy of the information requested in your access application in accordance with section 58 of the GIPA Act, with the exception of a number of pages, which contain information that is subject to an overriding public interest consideration against disclosure under the GIPA Act. The decision schedule attached lists the documents that contain information where there is an overriding public interest consideration against disclosure. In the decision schedule, (P) means that a document has been withheld in part from disclosure.

I will now respond to each point of your request in turn:

- 1) In regards to incidents of client fraud involving public housing tenants:**
  - i. The number of incidents uncovered each year;***
  - ii. The cost of fraud each year; and***
  - iii. A breakdown of which region they occurred in.******excluding unsubstantiated allegations of client fraud and fraud which is subject to current legal action.***

**Answer to Point 1:**

The table below provides a summary of client fraud by public housing tenants.

<b>Calendar Year</b>	<b>Number of substantiated allegations of client fraud</b>	<b>Total amount of debt added to tenants' rent accounts</b>
2017	268	\$1,070,499
1 January 2018 to 30 April 2018	114	\$215,629

The below table provides a breakdown of the total number of substantiated allegations of client fraud by district. In 2017 there were 268 allegations of tenant fraud that were substantiated as non-disclosure or fraud. This represents .002% of a total of 112,332 NSW public housing tenancies.

The TFU has advised that the Open Practice database (which is a legal practice management software system that records information relating to FACS Legal matters) from which these figures are derived, does not reflect the current number or structure of districts within FACS. Therefore, I am only able to provide a breakdown by the following districts, which currently exist in Open Practice:

<b>Calendar Year</b>	<b>Greater Western Sydney</b>	<b>Central Sydney</b>	<b>Northern NSW</b>	<b>Southern and Western NSW</b>	<b>Total</b>
2017	117	52	52	47	268
1 January 2018 to 30 April 2018	49	28	28	9	114

- 2) *“The 20 most recent final reports of substantiated client fraud incidents involving FACS which have occurred in the greater Sydney area where there is no legal action pending.”*

**Answer to Point 2:**

The TFU has conducted an extensive search of FACS' records management system (RM8), where they were able to locate a number of documents that fall within the scope of Point 2 of your request. This information has been folioed 1 to 63 inclusive.

Please be advised that a number of documents have been partially withheld from disclosure as they contain information where a public interest factor against disclosure, outweighs the factors in favour of disclosure.

Information that has been withheld from disclosure in accordance with clause 3(a) of the table to section 14 of the GIPA Act, is information that would reveal an individual's personal information. An individual's personal information may include, but is not limited to, their identity and residential address, contact telephone number, information relating to their tenancy, etc. I am of the view that there is an overwhelming public interest against disclosing information that reveals an individual's personal information.

Where an allegation of fraud or non-disclosure of income is substantiated, FACS requires the tenant to immediately pay the new higher rent, based on their real income. The tenant will incur a debt based on the rent that they should have been paying before, unless there are mitigating circumstances. FACS will also consider prosecuting the tenant.

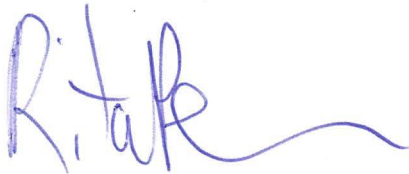
Further attached are receipts for the amounts of \$30 and \$690 that represent the fees for processing your Formal Access Application.

If you are aggrieved by any of the reviewable decisions in this notice of decision, you may seek a review under Part 5 of the GIPA Act, by requesting any one of the following:

- An internal review which must be lodged with the Right to Information Unit within 20 working days of this notice of decision. You must lodge your internal review at the address shown at the bottom of the first page and must be accompanied by the appropriate application fee of \$40.
- Alternatively, a request for an external review may be lodged with either the Information and Privacy Commission, or the NSW Civil and Administrative Tribunal. Please note that you must lodge your request for an external review within 8 weeks of this notice of decision.

If you have any questions regarding this notice, please contact me on telephone (02) 8753 8386.

Yours sincerely



Rita Peci  
**Manager**  
**Right to Information Unit**  
**Department of Family and Community Services, Legal**

# Decision Schedule

ACCESS APPLICANT'S NAME		DECIDING OFFICER	<b>Rita Peci</b>
FACS REFERENCE	<b>GIPA18/273</b>	INTERNAL REVIEW OFFICER	

## INFORMATION THAT WAS NOT DISCLOSED

PAGE NUMBER	PUBLIC INTEREST CONSIDERATIONS AGAINST DISCLOSURE					DESCRIPTION OF FOLIO / REASON FOR NON-DISCLOSURE
	Schedule 1 information	Table to Section 14 of the GIPA Act 2009				
		Clause 10	Clause 1(d)	Clause 1(f)	Clause 1(g)	
1 – 8, 10 – 23, 25 – 30, 33 – 59, 61 – 63					P	File notes, internal email transmissions, letters, etc, which reveal an individual's personal information, for example, their name, residential address, tenancy reference numbers, etc.



Sub Folder Date Registered 23/01/2018 at 8:43 AM

**Clients / Cases – Investigation - [REDACTED] - [REDACTED] - [REDACTED] -  
Matter-[REDACTED]**

Assignee In container [REDACTED] (Digital) since 23/01/2018 at 8:43 AM

Container  
Notes

"Tuesday, 20 March 2018 at 12:01:07 PM (GMT-11:00) Duffus, Scott:"  
TFU notes that the CST has investigated and the tenant has added the alleged additional occupant to the HH and the subsidy has been adjusted. Matter is closed as substantiated.

"Wednesday, 14 March 2018 at 12:48:38 PM (GMT-11:00) NGUYEN, NAM (Mr):"  
12/03/2018 - [REDACTED] submitted application for additional occupant and subsidy application form.  
14/03/2018 - Additional Occupant application is approved, Rent subsidy updated, approval letter are issued. Responded to Fraud unit. CSO NN

"Tuesday, 13 March 2018 at 10:54:40 AM (GMT-11:00) NGUYEN, NAM (Mr):"  
06/03/2018, CSV and a face to face interview with [REDACTED] were completed at her property. At the interview [REDACTED] advised that:  
[REDACTED] has been going out with her fiance, [REDACTED] for about 2 years and he has spent a lot of time here with the family.  
- [REDACTED] and wanted her fiance to move in.  
Additional occupant and subsidy form were issued to the tenant.

"Sunday, 25 February 2018 at 10:10:12 PM (GMT-11:00) MATARAARACHCHI, KULANGANI (Mrs):"  
A/SCSO G CH to work with the CSO investigate and provide the final outcome to TFU

"Tuesday, 23 January 2018 at 10:42:35 AM (GMT-11:00) TAGILIMA, MEL (Ms):"  
Forwarded and assigned to CSO (NN) and SCSO (CH) for action.

"Tuesday, 23 January 2018 at 8:43:53 AM (GMT-11:00) Ashraf, Hasnat M. (Mr):"  
Alleged complaint (of Unauthorised Additional Occupant/s) against the tenant of HNSW property at [REDACTED] forwarded to CST [Team - T506/T109] to investigate and provide TFU with outcome within 40 days please.

Scott Duffus

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**From:** Nam Nguyen  
**Sent:** Wednesday, 14 March 2018 12:55 PM  
**To:** tenantfraud  
**Subject:** HPE Records Manager Sub Folder : [REDACTED] : Clients / Cases – Investigation - [REDACTED] - [REDACTED] - [REDACTED] - Matter-[REDACTED]  
**Attachments:** Clients Cases – Investigation - [REDACTED] - [REDACTED] - [REDACTED] - Matter[REDACTED].tr5

Hi Team,

06/03/2018, a CSV and a face to face interview with [REDACTED] were completed by CSO Nam Nguyen at her property. At the interview [REDACTED] advised that: [REDACTED] has been going out with her fiancé, [REDACTED] for about 2 years and he has spent a lot of time here with the family.

[REDACTED] and wanted her fiancé to move in.

Additional occupant and subsidy form were issued to the tenant.

12/03/2018 - [REDACTED] submitted application for an additional occupant and subsidy application form.

14/03/2018 - Additional Occupant application is approved, Rent subsidy updated, approval letter are issued.

End of report,

Nam Nguyen | Client Service Officer

Inner West Tenancy Team

Sydney, South Eastern Sydney and Northern Sydney Districts Family & Community Services /Housing Services Phone

02 8372 4700 | F 02 8372 4860 E [Nam.Nguyen@facs.nsw.gov.au](mailto:Nam.Nguyen@facs.nsw.gov.au) W [www.facs.nsw.gov.au](http://www.facs.nsw.gov.au)

-----< HPE Records Manager record Information >-----

Record Number [REDACTED]

Title:Clients / Cases – Investigation - [REDACTED] - [REDACTED] - [REDACTED] - Matter-[REDACTED]



Records - Basic Plus Notes

Page 1  
Date 11/05/2018  
Time 1:36:54 PM  
Login Name Duffus, Scott

Sub Folder

Date Registered 19/01/2018 at 2:47 PM

Clients / Cases – Investigation - [redacted] - [redacted] - [redacted] -  
Matter- [redacted]

Assignee  
Container  
Notes

In container [redacted] (At home: Digital) since 19/01/2018 at 2:47 PM

"Friday, 9 March 2018 at 11:17:11 AM (GMT-11:00) Duffus, Scott:"  
TFU notes that CST investigated and substantiated the allegation. HH and subsidy adjusted and matter closed.

"Tuesday, 6 March 2018 at 5:38:19 PM (GMT-11:00) Falcone, Paul:"  
TFU matter has been investigated, allegations of extra income for the tenant can not be substantiated. Grandson has been added to the family complement and the subsidy will be adjusted to include the grandson and backdated to 10 June 2018. No further action re this matter.

"Monday, 5 March 2018 at 3:41:31 PM (GMT-11:00) Alpay, Ersel (Mr):"  
TFU investigated with outcome response noted on the form. For your action.

"Monday, 22 January 2018 at 11:04:36 AM (GMT-11:00) Falcone, Paul:"  
Sel, please investigate this anonymous complaint regarding possible additional occupant (Grandson) residing with her also allegations that tenant works part time at [redacted] Speak to the SCSOSA re this matter first. I require you to complete your investigations and complete the attached Tenant Fraud Allegation Referral Form by 19/2/18.

"Monday, 22 January 2018 at 10:43:25 AM (GMT-11:00) Devlin, Melissa:"  
Forwarded to Paul, Please see attached for your appropriate action and note a response is due back by 19/3/18.

"Friday, 19 January 2018 at 2:47:06 PM (GMT-11:00) Ashraf, Hasnat M. (Mr):"  
Alleged complaint (of Unauthorised Additional Occupant/s) against the tenant of HNSW property at [redacted] forwarded to CST [Team - T603] to investigate and provide TFU with outcome within 40 days please.





Part 2: Investigator's Action and Report Returned to the Tenant Fraud Unit

This section is to be completed by the investigating officer, approved by their line manager, placed within the relevant HOG file, and returned to the Tenant Fraud Unit (TenantFraud@fac.s.nsw.gov.au)

Investigating Officer Details

User Name: Sel Alpay
Position: Client Service Officer
Phone: 97546818

Approving Line Manager Details

User Name:
Position:
Phone:
Date outcome approved and referred back to Tenant Fraud Unit:

Investigation Details

Provide details of action taken to investigate this allegation:

2/2/18, Natural Justice letter sent out to tenant requesting she attend an office interview to discuss allegations made against her. 9/2/18, [redacted] and her daughter [redacted] attended Fairfield Housing and interviewed by Client Service Officer Sel Alpay and Senior Client Service Officer Aboriginal Lance Young. The allegations were put forward to [redacted] regarding her grandson living with her at the property. [redacted] advised that she had filled out the paperwork in June 2017 and handed it into Housing at Fairfield Office advising that her grand son [redacted] had moved into the property. I advised [redacted] that there was no paperwork on file advising Housing that he moved in. The last Subsidy handed in was on 10 November 2017 but there was no grandson on the Subsidy. [redacted] said that [redacted] had moved in on the June weekend 2017 and that he had started to pay extra rent around this time. There are periods of extra payments made on the account however, they are not continuous. In regards to her grand-son using recreational drugs and him going up and down the street at night yelling and shouting - [redacted] denied this and stated that [redacted] does not use drugs and that he is a respectful person who has his own business and he does not go up and down the street screaming. In regards to any extra income received by [redacted] tenant said she only receives the Age Pension which is declared income from Centrelink. [redacted] said [redacted] and that though as a member she is entitled to receive a small income, she does not take any money as this would effect her Centrelink. [redacted] went on to advise anything she does for the [redacted] is volunteer work. An arrangement was made for [redacted] to attend a second office interview on 2/3/18 when she has all her paperwork. 2/3/18, [redacted] attended the Fairfield Office with her daughter [redacted] and provided documents ( subsidy and Additional Occupant Form ) requesting to add her grand son [redacted] onto the household. The Subsidy filled out advised that [redacted] has been living there since 10 June 2017 and provided proof of his income. [redacted] also provided a support letter from the [redacted] advising that she does not receive any remuneration for being a board member, signed by the Interim Chief Executive Officer.

Provide details of outcome: (If subsidy adjustment or cancellation has been undertaken, provide monetary details)

[redacted] grandson [redacted] will be approved to move into the household as an additional occupant and his income will be taken into consideration when assessing the subsidy. It would be recommended that [redacted] subsidy be backdated to 10 June 2017, when [redacted] moved into the property. Subsidy will be forwarded to the Specialist Subsidy Assessment Team for processing

Outcome Summary:

- Allegation unsubstantiated
Rent Subsidy Non-Disclosure substantiated
Subsidy adjustment
Suspected fraud (referred back to TFU)



## Records - Basic Plus Notes

Page 1  
 Date 11/05/2018  
 Time 1:43:32 PM  
 Login Name Duffus, Scott

Sub Folder

Date Registered 22/11/2017 at 5:31 PM

### Clients / Cases - Investigation -

#### Matter

Assignee  
 Container  
 Notes

In container (Digital) since 22/11/2017 at 5:30 PM

"Wednesday, 4 April 2018 at 11:35:52 AM (GMT-10:00) VAN BAAL, CARLIJN (Mrs):"  
 Client interviewed at PLO by T/L and SCSO BC. Client admitted that [REDACTED] has been at her house on and off over the years, but never long enough to declare him on her subsidy. Client admitted to understanding that if her household or income changes she must advise FACS HS. Client advised that [REDACTED] would not provide income information to her, etc and that there was DV (AVO's taken as far back as 2011/12) in the relationship. Client advises [REDACTED] uses address as a mailing address and mostly resides with his mother in [REDACTED]. Client advised re appeal and appeal time frame and required documentation to dispute the debt placed on her account.

"Tuesday, 27 March 2018 at 11:11:46 AM (GMT-11:00) Minns, Diane:"  
 Noted. Please ensure that NOT issued asap.  
 thanks Di

"Monday, 26 March 2018 at 1:57:07 PM (GMT-11:00) VAN BAAL, CARLIJN (Mrs):"  
 Ben,  
 Please ensure correct fraud outcome letter is issued, record the fraud on the spread sheet and issue an NOT please.  
 Carlijn

"Friday, 23 March 2018 at 12:02:28 PM (GMT-11:00) ESPOSITO, ROCCO (Mr):"  
 Noted - no objections - please ensure that the debt is reflected as fraud and non disclosure

"Friday, 23 March 2018 at 11:03:33 AM (GMT-11:00) Minns, Diane:"  
 Rocco,  
 Carlijn place the large debt onto the account. The system allowed for her to authorise the adjustment, and therefore this amount is now on the account. This has been thoroughly investigated by the TFU, and i would agree with debt. If you have any objections, can you please advise ASAP, so we can reverse the adjustment. An NOT is being issued next week for the debt. Thanks

"Thursday, 22 March 2018 at 10:54:51 AM (GMT-11:00) Duffus, Scott:"  
 TFU notes that CST has backdated subsidy cancellation placing \$57934 onto rental account. Matter closed as substantiated

"Wednesday, 21 March 2018 at 6:41:43 PM (GMT-11:00) VAN BAAL, CARLIJN (Mrs):"  
 Please note: T/L created the unauthorised adjustment for \$57,934.10 in HOMES for the DHS to authorise. However HOMES placed it on the account as an authorised adjustment. MHS and DHS advised.

"Tuesday, 20 March 2018 at 5:32:48 PM (GMT-11:00) VAN BAAL, CARLIJN (Mrs):"  
 Diane,  
 The delegation of the cancellation of this subsidy sits with the DHS. The cancellation is supported by TFU - Scott Duffus and calculations are attached. Please refer to Rocco to approve the unauthorised adjustment in Homes.  
 Carlijn

"Tuesday, 20 March 2018 at 3:58:18 PM (GMT-11:00) HEARNE, CAROLINE (Mrs):"  
 20/3/2018 - SSAT has reviewed HOMES and TRIM and rent subsidy calculation have been worked out for the period 11/09/2006 to 24/7/2016, see TRIM ref [REDACTED]. SSAT's workflow has been completed and now referred to TL T811 Cariljn. Email has been sent also which will be included in TRIM.

"Tuesday, 13 March 2018 at 3:01:39 PM (GMT-11:00) VAN BAAL, CARLIJN (Mrs):"  
 Noted, Authority for cancellation of subsidy work flowed to GWS SSAT Team.

"Monday, 12 March 2018 at 12:09:45 PM (GMT-11:00) Duffus, Scott:"  
 TFU notes that the CST has investigated this matter and based on the information provided by [REDACTED]



## Records - Basic Plus Notes

Page 2  
 Date 11/05/2018  
 Time 1:43:34 PM  
 Login Name Duffus, Scott

unauthorised additional occupant since the tenancy commenced. As the tenant has not responded to the Natural Justice letter sent asking her to respond to this allegation it is appropriate to take action to backdate the cancellation of the rent subsidy as recommended.

"Monday, 26 February 2018 at 11:42:27 AM (GMT-11:00) VAN BAAL, CARLIJN (Mrs):"

Scott,

Please refer to notes below and information attached. The team would now like to proceed with cancellation of the subsidy. Can you please advise the next steps and/or delegation. The Subsidy Failure to Disclose form is completed and attached. Thanks.

Carlijn

"Friday, 23 February 2018 at 2:17:35 PM (GMT-11:00) Stevenson, Robyn (Mrs):"

Tenant is unable to provide proof of residential address for [REDACTED] during the period of her tenancy. Subsidy Failure to Disclose Change of circumstances now completed along with Rent Subsidy Authority to Terminate

"Wednesday, 7 February 2018 at 2:05:37 PM (GMT-11:00) VAN BAAL, CARLIJN (Mrs):"

Robyn,

Please ask client to provide proof of residential address for [REDACTED] for the duration of her tenancy excepting the period 01/10/2016 to 02/01/2018. Meanwhile, please prepare a subsidy cancellation form for the period stated above for me to complete. This is to be recorded as fraud. Thank you.

Carlijn

"Wednesday, 7 February 2018 at 10:33:15 AM (GMT-11:00) Stevenson, Robyn (Mrs):"

Tenant has responded to Nat Jus Letter and interview held 21/1/18. Tenant denied allegation that [REDACTED] had been residing with her since T/C. She stated that he had only been living with her since Oct 16 till 2/1/18 at which point he left the property. She has advised he is living at [REDACTED] (private rental) with other people.

"Wednesday, 7 February 2018 at 9:57:12 AM (GMT-11:00) Duffus, Scott:"

TFU notes that tenant has not responded to NJL and recommends cancellation of subsidy.

"Thursday, 28 December 2017 at 10:38:18 AM (GMT-11:00) Stevenson, Robyn (Mrs):"

Natural Justice Letter issued with response date of 21/1/18

"Friday, 22 December 2017 at 4:42:02 PM (GMT-11:00) VAN BAAL, CARLIJN (Mrs):"

T/L spoke with client's ex-partner today re this matter. T/L refused to provide information to client due to privacy issues and absence of consent forms.

"Wednesday, 20 December 2017 at 2:10:10 PM (GMT-11:00) VAN BAAL, CARLIJN (Mrs):"

Have requested SCSO NLS to issue natural justice letter this week.

"Wednesday, 20 December 2017 at 12:31:30 PM (GMT-11:00) Duffus, Scott:"

It appears that the evidence is very strong that the tenant, [REDACTED] has failed to declare her partner for 11 years. The subsidy was cancelled in middle of last year and the tenant does not appear to have appealed this decision.

TFU recommends that you issue a Natural Justice letter asking the tenant to respond to the allegation that her partner has been living with her since the tenancy commenced. In the letter advise her that failure to respond will result in her subsidy will be cancelled back to tenancy commencement date and state the amount that will be generated as a debt (as per cancellation calculation)

If she fails to respond or denies the allegation after you have presented the evidence please get back in touch with us and we will provide details of next step

"Monday, 18 December 2017 at 2:23:55 PM (GMT-11:00) VAN BAAL, CARLIJN (Mrs):"

Tenant Fraud Unit,

Can you please register this case based on the information provided and advise how the tenancy team should proceed.

Carlijn

**Scott Duffus**

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**From:** Carlijn Vanbaal  
**Sent:** Wednesday, 20 December 2017 2:09 PM  
**To:** Neale Leary-Smith  
**Cc:** Robyn Stevenson  
**Subject:** FW: HPE Records Manager Sub Folder : [REDACTED] : Clients / Cases - Investigation - [REDACTED]

**Importance:** High

Hi,

Please refer to directions from Scott below. Please issue the NJ letter this week and ask for a response date in the first week of January.

Thanks.

Kind Regards

Carlijn van Baal | Team Leader | Housing Operations  
 Department of Family and Community Services  
 Western Sydney Nepean Blue Mountains District A Suit 2, Lvl 3, 6 Station Street, Penrith, NSW, 2751 T 02 4721 6401 | M [REDACTED] E [carlijn.vanbaal@facns.nsw.gov.au](mailto:carlijn.vanbaal@facns.nsw.gov.au)

-----Original Message-----

**From:** Scott Duffus  
**Sent:** Wednesday, 20 December 2017 12:32 PM  
**To:** Carlijn Vanbaal; tenantfraud  
**Cc:** Diane Minns; Robyn Stevenson  
**Subject:** RE: HPE Records Manager Sub Folder : [REDACTED] : Clients / Cases - Investigation - [REDACTED]  
 [REDACTED]

Hi Carlijn

It appears that the evidence is very strong that the tenant, [REDACTED] has failed to declare her partner for 11 years. The subsidy was cancelled in middle of last year and the tenant does not appear to have appealed this decision.

TFU recommends that you issue a Natural Justice letter asking the tenant to respond to the allegation that her partner has been living with her since the tenancy commenced. In the letter advise her that failure to respond will result in her subsidy will be cancelled back to tenancy commencement date and state the amount that will be generated as a debt (as per cancellation calculation)

If she fails to respond or denies the allegation after you have presented the evidence please get back in touch with us and we will provide details of next step.

Thanks  
 Scott

Scott Duffus  
 Manager – Tenant Fraud Unit and Vacated Accounts Management Team Housing Statewide Services Contact phone 8753 8544 [scott.duffus@facns.nsw.gov.au](mailto:scott.duffus@facns.nsw.gov.au) To find out more about Housing Statewide Services please visit the

[REDACTED]

Enquiries: [REDACTED]  
Office Location: Suite 2, LV 3  
2-6 Station St  
Penrith NSW 2750  
Telephone: (02) 4721 6422  
Reference Number: [REDACTED]  
Date of Issue: [REDACTED]

## YOUR RENT SUBSIDY

### *Section 57 of the Housing Act 2001*

Dear [REDACTED]

This letter is about your rent subsidy assessment.

As you are aware, Housing NSW has received information that:

- Your partner [REDACTED] has been residing at the property since your tenancy commenced on 11 September 2006.

Under section 58 of the *Housing Act 2001*, Housing NSW may conduct an investigation to determine the weekly income of:

- Any person who is an applicant for, or who receives, a rent subsidy, and
- Any other person in the household.

After considering all of the circumstances, we have decided that you have failed to disclose the following information:

- Your partner [REDACTED] has been residing at the property since your tenancy commenced on 11 September 2006.

As a result, we have reassessed your rent subsidy. Housing NSW has the right to vary or cancel your subsidy under Section 57(1) of the *Housing Act 2001*, which states:

*The corporation may, after conducting an investigation under Section 58, vary or cancel any rental rebate granted under this part.*

Your current rent is now \$225.05 per week effective from 8 January 2018.

Due to your subsidy reassessment, effective from 11 September 2006, a total debt of \$57934.10 has been placed on your rental account. As at 3 April 2018, your current balance is now \$57102.66 in debit.

Please contact us to arrange to repay any debit owing on your rental account.

In addition to the above, we may also take further appropriate action at the Consumer, Trader and Tenancy Tribunal.

In future, you must remember to tell us within 28 days if your household circumstances change. We will ask you to confirm the changes in writing. You may also need to fill out a new Application for Rental Subsidy Form so that we can adjust your rent immediately.

If you disagree with our decision, you should first discuss your concerns with a Client Service Officer. If you still believe we made the wrong decision, you can ask for a formal review of the decision. For information on how a formal review works, read the *Appeals and Reviewing Decisions* fact sheet or the *Client Service Delivery and Appeals* policy available from our website [www.housing.nsw.gov.au](http://www.housing.nsw.gov.au).

If you have any questions, or you would like to discuss this matter further, please contact us on 98310866 and ask for your Client Service Officer.

For independent and free advice you can:

- Western Sydney tenant's service on (02) 8833 0911
- Call the Department of Fair Trading, Renting Services on 133 220
- Call the Tenants Hotline, operated by the Tenants Union of NSW on (02) 8117 3750 or 1800 251 101.
- Look at the Tenants NSW website, operated by the Tenants, Union of NSW at [www.tenants.org.au](http://www.tenants.org.au), or
- Call Law Access on 1300 888 529.

Yours sincerely



Ben O'Leary  
Senior Client Service Officer  
Penrith Office T811



## Records - Basic Plus Notes

Page 1  
 Date 11/05/2018  
 Time 1:42:05 PM  
 Login Name Duffus, Scott

Sub Folder

Date Registered 1/12/2017 at 3:22 PM

### Clients / Cases - Investigation -

#### Matter-

Assignee  
 Container  
 Notes

In container (At home: Digital) since 1/12/2017 at 3:22 PM

"Friday, 9 March 2018 at 11:23:06 AM (GMT-11:00) Duffus, Scott:"

TFU notes that CST investigated and found the allegation of additional occupant substantiated. HH and subsidy has been adjusted.

"Tuesday, 6 March 2018 at 11:40:35 AM (GMT-11:00) JOBSON, DEREK (Mr):"  
 household updated and subsidy completed. matter closed.

"Monday, 5 February 2018 at 4:46:29 PM (GMT-11:00) Tarawa, Vaughna (Ms):"  
 has submitted subsidy/add occ forms for to be added to household. This is approved and letters have been sent out. Subsidy adjusted and full market rent applies. Matter resolved.

"Thursday, 18 January 2018 at 4:28:04 PM (GMT-11:00) Tarawa, Vaughna (Ms):"  
 disregard notes added 18/1/18@ 4.27pm

"Thursday, 18 January 2018 at 4:27:18 PM (GMT-11:00) Tarawa, Vaughna (Ms):"  
 additional occupant form and subsidy handed in. T/L has requested proof of previous address from additional occupant. CSO C Stoakes is following this up

"Thursday, 18 January 2018 at 2:45:15 PM (GMT-11:00) Tarawa, Vaughna (Ms):"  
 18/1/18- tried to contact tenant but unsuccessful, have sent her a messgnet req urgent contact.

"Monday, 15 January 2018 at 10:58:17 AM (GMT-11:00) Tarawa, Vaughna (Ms):"  
 T/L is requesting info no later than 22/1/18

"Monday, 15 January 2018 at 10:56:12 AM (GMT-11:00) Tarawa, Vaughna (Ms):"  
 called tenants mobile as we are waiting for her to bring subsidy form and additional occupant forms back, no answer on mobile and unable to leave a message. have sent the following mssgnet: FACS Housing: URGENT. Please contact FACS Housing Mt Druitt Office regarding your subsidy application. Our Office number is 96758937. Thank you

"Friday, 5 January 2018 at 10:05:05 AM (GMT-11:00) Tarawa, Vaughna (Ms):"  
 4/1/18- tenant called to advise that she will be adding to the tenancy as he stays over frequently. CSO K Jones has posted out forms

"Friday, 22 December 2017 at 4:59:00 PM (GMT-11:00) Tarawa, Vaughna (Ms):"  
 tenant called will provide info of residence by 8/1/2018. He doesnt live there

"Monday, 18 December 2017 at 2:27:38 PM (GMT-11:00) Tarawa, Vaughna (Ms):"  
 Natural justice letter sent, tenant to respond by COB 28/12/17 to arrange an interview

"Monday, 18 December 2017 at 12:06:55 PM (GMT-11:00) Tarawa, Vaughna (Ms):"  
 18/12/17- tried calling tenants mobile however call not going through. mssgnet sent- FACS Housing: URGENT. Please contact FACS Housing Mt Druitt Office in regarding tenancy issues. Our Office number is 96758937. Thank you

"Monday, 4 December 2017 at 3:03:31 PM (GMT-11:00) JOBSON, DEREK (Mr):"  
 Vaughna

please investigate and issue a NJL to the tenant outlining the allegations. please submit to me by due date.

thanks



## Records - Basic Plus Notes

Page 2  
Date 11/05/2018  
Time 1:42:06 PM  
Login Name Duffus, Scott

Alleged complaint (of Unauthorised Additional Occupant/s) against the tenant of HNSW property at [REDACTED] forwarded to CST [Team - T809] to investigate and provide TFU with outcome within 30 days please.

NB. Please advise TFU for RMS Search (If required) if CST may find any unauthorised person/s living at this property.





## Records - Basic Plus Notes

Page 1  
 Date 11/05/2018  
 Time 1:40:55 PM  
 Login Name Duffus, Scott

Admin Folder

Date Registered 9/09/2016 at 10:15 AM

## CLIENT MANAGEMENT (HNSW) - Clients / Cases - Investigation -

## Matter-

Assignee In container (Digital) since 12/02/2017 at 9:26 PM

Container  
Notes

"Friday, 23 March 2018 at 1:25:00 PM (GMT-11:00) Duffus, Scott:"  
 TFU notes that the CST investigated and found that the allegation has been substantiated. Matter is closed with S32035 debt place on rent account

"Tuesday, 13 March 2018 at 1:22:56 PM (GMT-11:00) Duffus, Scott:"  
 TFU have requested confirmation once subsidy has been adjusted.

"Thursday, 1 March 2018 at 9:09:31 AM (GMT-11:00) BLOK, DEBBIE (Mrs):"  
 Matter has been finalised and referred to TFU for closure.

"Tuesday, 27 February 2018 at 1:08:05 PM (GMT-11:00) Barbe, Sebastien (Mr):"  
 Non-disclosure substantiated. Matter referred to SSAT to process the subsidy under non-disclosure

"Monday, 26 February 2018 at 4:26:13 PM (GMT-11:00) Barbe, Sebastien (Mr):"  
 Mel, please seek assistance from SSAT to process this subsidy under non-disclosure. CST has received confirmation that the tennat has been working since Sept 2014.

"Thursday, 7 December 2017 at 9:38:33 AM (GMT-11:00) MALUPO, MELISSA (Ms):"  
 EID provided by T and employment start date states that the T started employment on 30/08/2012. Refer to

"Friday, 1 December 2017 at 12:30:54 PM (GMT-11:00) Barbe, Sebastien (Mr):"  
 Mel,

Please follow TFU recommendations accordingly:

Tenant Fraud Unit Recommendation:

1. Issue NJL and interview tenant advising the nondisclosure of income from 17 August 2015 to date;
2. Tenant to provide proof of documentary evidence of his notification of changes his income in the form of subsidy application form or Employment Income details form which was stamped by HNSW;
3. Failure to provide the proof result in backdating/adjust the subsidy from 17 August 2015 to date;
4. Tenant should be advised of the debt in writing and the letter should set out the right of appeal and the appeals process;
5. Any debt raised should be coded as NON-DISCLOSURE within HOMES; and
6. Please report back to TFU with the details of any decisions made, amounts debited to the rent account and/or changes to the subsidised rent, if applicable.

"Friday, 1 December 2017 at 11:28:02 AM (GMT-11:00) UDDIN, MUHAMMAD JASHIM (Mr):"  
 Refer to TFU made recommendation backdating subsidy from 17 August 2015 to date.

"Friday, 3 November 2017 at 9:31:35 AM (GMT-11:00) MALUPO, MELISSA (Ms):"  
 T has attended LO providing payslips backdating to 2014 and has advised that he advised of his employment to CSO at counter although nothing was put in writing. T also provided a incomplete EID and CSO has advised that the EID will need to be filled out correctly by employer and returned to LO as soon as possible. T has advised will have the EID returned and filled out on 10/11/2017.

"Tuesday, 31 October 2017 at 5:38:34 PM (GMT-11:00) MALUPO, MELISSA (Ms):"  
 Natural Justice letter has been posted out to Tenant requesting contact for an interview regarding the allegation.

"Monday, 30 October 2017 at 3:08:09 PM (GMT-11:00) UDDIN, MUHAMMAD JASHIM (Mr):"  
 Follow Up email sent to CSO. Refer to

"Monday, 9 October 2017 at 11:19:32 AM (GMT-11:00) MALUPO, MELISSA (Ms):"  
 CSO spoke with T following up on information required and T advised will attend LO this week with the

**Records - Basic Plus Notes**

Page 2  
Date 11/05/2018  
Time 1:40:56 PM  
Login Name Duffus, Scott

letter posted out to T incase information is not received.

"Tuesday, 29 August 2017 at 2:08:11 PM (GMT-10:00) Uddin, Muhammad (Jashim) (Mr):"

E-mail sent to Team T804 to follow up the subsidy form. TFU made call to [REDACTED] Pty Ltd and spoke to [REDACTED] who introduced [REDACTED] as the [REDACTED] and advised that [REDACTED] still works with them. TFU requested employment details with deadline of 8 September 2017.

"Saturday, 18 March 2017 \_svctrirm8:" Migrated Record.

"Monday, 21 November 2016 at 3:11:06 PM (GMT+11:00) Uddin, Muhammad (Jashim) (Mr):"  
CST to issue subsidy letter.

"Friday, 9 September 2016 at 10:15:20 AM (GMT+10:00) ASHRAF, HASNAT (Mr):"

Alleged complaint (of Undeclared Wages or Salary) from anonymous complainant against the tenant of HNSW property at [REDACTED]  
Forwarded to TFU (JZU) for investigation.



## Memo

<b>To</b>	Housing Director	cc	Rocco Esposito
	Team Leader		Sebastian Barbe
<b>From</b>	Jashim Uddin		
<b>Title/Division</b>	Advocate/Investigator Tenant Fraud Unit		
<b>Date</b>	1/12/2017		
<b>Reference</b>	[REDACTED]		
<b>Subject</b>	Investigation Report		

**Re: Tenant:** [REDACTED]

In September 2016 anonymous has called in to report HNSW that [REDACTED] has undeclared income and falsifying income details to be eligible for housing assistance. It is also alleged that [REDACTED] is employed at [REDACTED] in [REDACTED], and earns roughly \$2,000 a week as income.

**Tenant Fraud Unit Findings & Evidence:**

TFU investigation found the evidence which support the allegations. TFU obtained evidence from tenant's employer [REDACTED]. Employer supplied the below information [REDACTED]:

Date of employment commencement: 17/09/2012; Ceased employment : 8/06/2015  
Date of employment commencement: 17/08/2015 to date.

Payment Summary shows the income earned as follows:

1/07/2014 to 30/06/2015: \$122,743;  
1/07/2015 to 30/06/2016: \$102,736; and  
1/07/2016 to 30/06/2017: \$127,655.

Weekly payments were received in his CBA Bank account [REDACTED] with reference to [REDACTED]

**Summary:**

During the Amnesty 2014 tenant declared that he commenced employment in 2013. Subsidy was adjusted from 14 July 2014 and tenant was paying Market Rent.

During the lease review in January 2015 tenant was ineligible for lease extension due to higher income. Tenant appealed the decision and the lease was extended when tenant ceased the employment in June 2015 [REDACTED]. Tenant was paying subsidised rent from 6 July 2015 onwards.

TFU is under the impression that tenant may have ceased the employment only to extend the lease because two months later on 17 August 2015 tenant joined the former employer. But tenant failed to notify the changes to his household income that he again commenced employment on 17 August 2015.

Similar initiative tenant took during the earlier lease extension in late 2010. Tenant ceased the employment in December 2010 and once the lease was extended he again commenced employment with the former employer in January 2011.

On 6 September 2017 tenant completed Rent Subsidy Application upon request made by the CST but failed to inform about the employment [REDACTED]. Tenant completed another Rent Subsidy Application dated 18 October 2017 which was received by HNSW on 3 November 2017 [REDACTED]. In this application tenant declared that he began working without mentioning any specific date.

TFU believes tenant only declared the employment income as he may have been tipped off by his employer. On 3 November 2017 tenant completed a Housing Statement stating that he informed the Parramatta Office when he started employment again. But there is no documents including any Subsidy Application or Employment Income Details Form submitted to support his claim. TFU also unable to find any such documents in TRIM.

[REDACTED] has been a HNSW tenant for more than ten years and is well aware that his rent goes up as with the income increases. Also tenant has received numerous HOMES generated auto subsidy letter advising his weekly rent and instructions to let HNSW know if the information were incorrect. [REDACTED] did not take any action to rectify the fact that he was paying reduced rent. Tenant only notified HNSW in 2014 when there was a time to take opportunity of Amnesty which indicate tenant is aware of how the rent subsidy is calculated. So his argument of informing Parramatta Office about the changes of his income without any proof or any reference to at least any staff is not satisfactory.

#### **Tenant Fraud Unit Recommendation:**

1. Issue NJL and interview tenant advising the nondisclosure of income from 17 August 2015 to date;
2. Tenant to provide proof of documentary evidence of his notification of changes his income in the form of subsidy application form or Employment Income details form which was stamped by HNSW;
3. Failure to provide the proof result in backdating/adjust the subsidy from 17 August 2015 to date;
4. Tenant should be advised of the debt in writing and the letter should set out the right of appeal and the appeals process;
5. Any debt raised should be coded as NON-DISCLOSURE within HOMES; and
6. Please report back to TFU with the details of any decisions made, amounts debited to the rent account and/or changes to the subsidised rent, if applicable.

Jashim Uddin  
Advocate/Investigator  
Tenant Fraud Unit, Ashfield  
(02) 87538209



## Records - Basic Plus Notes

Page 1  
Date 11/05/2018  
Time 1:39:35 PM  
Login Name Duffus, Scott

Admin Folder

Date Registered 15/01/2016 at 11:18 AM

## CLIENT MANAGEMENT (HNSW) - Clients / Cases - Investigation - [REDACTED]

## Matter-[REDACTED]

Assignee In container [REDACTED] (Digital) since 12/02/2017 at 12:40 PM

Container  
Notes

"Tuesday, 13 March 2018 at 1:40:06 PM (GMT-11:00) Duffus, Scott:"

TFU notes that following investigation and subsequent appeal that evidence existed that the tenant was sub-letting her dwelling for the period from April 2013 to Aug 2014. Subsidy was adjusted.

"Sunday, 12 February 2017 at 12:40:23 PM (GMT-11:00) \_svctrirm8:"

Migrated Record.

"Monday, 25 January 2016 at 11:53:30 AM (GMT+11:00) ASHRAF, HASNAT (Mr):"

Alleged complaint (of Non-Occupancy; Sub-Letting; Unauthorised Additional Occupant/s) from [REDACTED]

[REDACTED] against the tenant of HNSW property at [REDACTED]

Forwarded to TFU for investigation.



Family &  
Community  
Services



Enquiries:  
Client Ref No: [REDACTED]  
Office Location: 6 LITHGOW ST  
CAMPBELLTOWN NSW  
2560  
Telephone: 0246293222  
Reference Number: [REDACTED]  
Date of Issue: 23 September 2016

Dear [REDACTED]

### APPEAL OUTCOME

This letter is about your application for a review of Housing NSW's decision to terminate your subsidy from 14 December 2009.

Your application has been considered and we believe that the original decision was partly correct.

For more information on the reasons for our decision, please see the attached 'Reasons for Decision' assessment form.

If you believe this decision is not correct, you can ask the Housing Appeals Committee to review the decision. To do this, you will need to fill out the enclosed Housing Appeals Committee Appeal Application Form. For more information on the Housing Appeals Committee, you may phone them on 1800 629 794 or visit their web site [www.hac.nsw.gov.au](http://www.hac.nsw.gov.au).

If you have any questions, or you would like to discuss this matter further, please contact us on 0246293222 and ask for Jaime Marquez, Team Leader.

  
Housing NSW

If you have difficulties understanding English, please contact the All Graduates Interpreting and Translating Service on 1300 652 488. If you have difficulty speaking or hearing, please contact the TTY Service on 133 677 for voice calls or 1300 555 727 for speak and listen calls. These free services will help you to communicate with your housing provider.

REVOUTCM1 0413

**Decision maker's final decision**

Appeal upheld?



Yes



No

**Reasons**

It is recommended that this appeal is upheld in part. Based on the evidence outlined in this appeal there is evidence which supports [REDACTED] claims that she did disclose her children were residing with her and back into her care. Although, [REDACTED] is responsible to notify HNSW of any changes in household it can be argued that HNSW was aware the children were living there, but failed to follow this up, either by sending [REDACTED] an Application for Rent Subsidy or natural justice correspondence requesting current income details. Furthermore, HNSW charged [REDACTED] rent for herself and the children since 23 April 2012. As mentioned there are at least 3 separate occasions where [REDACTED] advised HNSW her children were residing with her, but HNSW failed to action this.

The allegations of subletting and non occupancy are evident. There is evidence on file that [REDACTED] was a joint tenant at [REDACTED] with her partner [REDACTED] partner [REDACTED] states that [REDACTED] signed the lease with him to help him secure accommodation. However, there is a statement from [REDACTED] sublettee, which claims he resided at the HNSW property and paid rent to [REDACTED] for the exact period she held a tenancy at [REDACTED]. The Real Estate Agent has also stated [REDACTED] herself paid the rent at the office and attended all property inspections. It is not plausible that [REDACTED] would pay rent for the [REDACTED] premises and attend inspections if she were not living at the premises. Furthermore the Origin Energy account was placed solely in [REDACTED] name for the time she resided at [REDACTED]. Again, it is not likely that someone (unknown) knew all of [REDACTED] personal details to change an energy account into her name of the exact address she had signed a lease for. Origin Energy sends quarterly statements to account holders which would have been received by [REDACTED].

It is recommended that [REDACTED] subsidy be reinstated for the period 14 December 2009 until 21 April 2013. There is evidence on file that [REDACTED] did disclose to HNSW that her children resided at the premises.

Based on the evidence provided the cancellation of [REDACTED] subsidy from 22nd April 2013 to the 1st August 2014 is valid and should remain. It is evident [REDACTED] was subletting during this period and resided in private rental accommodation with her partner.

Reinstatement for subsidy from 2nd August 2014 is recommended.

Name of decision maker (please print)

Janet Vickers

Position

District Director Central Coast

Signature

Janet Vickers

Digitally signed by Janet Vickers  
DN: cn=Janet Vickers, o=FACS, ou=District Director,  
email=janet.vickers@facs.nsw.gov.au, c=AU  
Date: 2016.09.06 12:51:12 +10'00'

Date

06-09-2016



## Records - Basic Plus Notes

Page 1  
 Date 11/05/2018  
 Time 1:58:43 PM  
 Login Name Duffus, Scott

Sub Folder

Date Registered 29/08/2017 at 10:34 AM

## Clients / Cases - Investigation - [REDACTED] - [REDACTED]

## Matter- [REDACTED]

Assignee  
 Container  
 Notes

In container [REDACTED] (Digital) since 29/08/2017 at 10:34 AM

"Tuesday, 6 February 2018 at 10:29:42 AM (GMT-11:00) Duffus, Scott:"

TFU notes that CST investigated and found that the tenant had not declared her daughter. HH and subsidy updated and matter closed as substantiated.

"Wednesday, 20 September 2017 at 2:27:07 PM (GMT-10:00) JOBSON, DEREK (Mr):"

Matter resolved. tenant declared additional occupants and subsidy now updated to reflect correct household.

TFU closed.

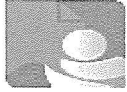
"Wednesday, 20 September 2017 at 9:34:04 AM (GMT-10:00) Devine, Caitlin:"

Additional occupants added to property as received additional occupant forms - subsidy has been done with tenant declaring income of additional occupants rent increase and tenant is paying.

"Thursday, 14 September 2017 at 2:23:09 PM (GMT-10:00) Ashraf, Hasnat M. (Mr):"

Alleged complaint (of Unauthorised Additional Occupant/s; Sub-Letting) against the tenant of HNSW property at [REDACTED] forwarded to CST [Team - T811] to investigate and provide TFU with outcome within 30 days please.





## Records - Basic Plus Notes

Page 1  
 Date 11/05/2018  
 Time 1:57:44 PM  
 Login Name Duffus, Scott

Admin Folder

Date Registered 18/10/2016 at 3:28 PM

## CLIENT MANAGEMENT (HNSW) - Clients / Cases - Investigation - [REDACTED]

Matter: [REDACTED]

Assignee In container [REDACTED] (Digital) since 13/02/2017 at 4:13 AM

Container  
Notes

"Wednesday, 21 February 2018 at 11:28:12 AM (GMT-11:00) Duffus, Scott:"

TFU notes that CST investigated and found that the tenant could not refute the allegation resulting in the subsidy being cancelled. Matter closed as substantiated.

"Monday, 28 August 2017 at 11:23:27 AM (GMT-10:00) CEVHER, GULAY (Miss):"

Subsidy has been cancelled, letter has been issued.

"Friday, 18 August 2017 at 9:47:44 AM (GMT-10:00) Bernhardt, Deborah (Ms):"

18/08/17 Forwarded to D Jobson Rent Subsidy Authority for Termination & Statement of Reasons for subsidy termination. Request received from Tenant Fraud requesting that investigation of fraud - request for subsidy to be terminated as per request 26/07/17

"Wednesday, 26 July 2017 at 10:22:14 AM (GMT-10:00) Chouman, Fadi:"

TFU referring matter back to CST for completion. CST has satisfactorily managed investigation and has followed the process of issuing Natural Justice Letters, interviewing tenant, seeking evidence of [REDACTED] alternate residential address and notifying tenant and pending cancellation of rental subsidy for failing to do so. To date, the tenant has not provided CST with sufficient proof of [REDACTED] alternate residential address. CST need to complete process and cancel rental subsidy an provide tenant with notification. In addition, as CST have declined tenant's request to include [REDACTED] as an additional occupant, they should consider managing situation under ASB guidelines to prevent [REDACTED] from accessing the HNSW property. E.g. the implementation of visitor sanctions.

"Monday, 13 February 2017 at 4:13:02 AM (GMT-11:00) \_svetrimrm8:"

Migrated Record.

"Monday, 14 November 2016 at 4:17:41 PM (GMT+11:00) ASHRAF, HASNAT (Mr):"

Forwarded to TFU (FXC) for further investigation.  
 Please refer to the [REDACTED] for more information.

"Wednesday, 2 November 2016 at 11:26:33 AM (GMT+11:00) ASHRAF, HASNAT (Mr):"

Forwarded to TL, TFU for action (As Appropriate).

"Thursday, 27 October 2016 at 9:20:24 AM (GMT+11:00) JOBSON, DEREK (Mr):"

Reviewed and approved to refer to TFU for further investigation into fraud. The CST has investigated and found that fraud does exist. The tenant has denied the allegations and completed a new subsidy (refer to trim container).

"Wednesday, 26 October 2016 at 3:07:46 PM (GMT+11:00) CEVHER, GULAY (Ms):"

Hi Derek, for your approval. Gulay



# Statement of Reasons for Subsidy Cancellation

INTERNAL FORM

This form is completed by the officer preparing the matter for the delegate where a subsidy is to be cancelled because of fraud, non-disclosure or property ownership.

Client reference number

T-File number

Payment reference number

## 1 - Tenant Details

Subsidy decision concerning

Is this an Aboriginal Housing Office property

Yes

No

## 2.1 - Household Income

Based on documentation provided

Proof that an undisclosed person resides at the premises

Proof of undisclosed income received by a household occupant

Proof of any income derived from assets  
(such as house, unit, land or commercial property)

give details (including TRIM reference if applicable)

Housing NSW provided proof in relation to [redacted] residing at 2 addresses on his licence where [redacted] resided.

The total weekly household is determined to be?

\$ 690.85

or cannot be determined

## 2.2 - Property Ownership

Note: Matters involving property ownership must be referred to the Tenant Fraud Unit prior to making a recommendation to vary or cancel a rent subsidy.

Based on

Results of title and other property/related searches

Results of searches relating to business ownership

Results of searches at Centrelink/Fair Trading/other agencies regarding rent income and/or Bond lodgement

Other Evidence

give details (including TRIM reference if applicable)

Numerous complaints put in by neighbours in relation to ongoing issues with [redacted]

### 2.2 - Property Ownership - cont'd

Is Property Ownership documented?

Is the property a viable alternative to public housing?

Can the interest in the property be transferred, disposed or otherwise realised?

### 3 - Investigation Completed by

Officer's digital signature  Digital signed by Deborah Bernhardt  
DN: cn=Deborah Bernhardt, o=HACS Housing NSW, c=AU  
Date: 2017.08.17 16:32:38 +1000

### 4.1 - Statement by Delegate

I am Deborah Bernhardt, Client Service Officer Housing NSW, delegated, amongst other things, to make decisions concerning rent subsidy entitlements for tenants of the New South Wales Land & Housing Corporation. I have no knowledge of the revocation of that delegation.

### 4.2 - Material before Delegate

The documents I had before me and which I took into account when making the decision were:

Recommendation from the Tenant Fraud Unit

Note: The person preparing the statement for the decision-maker should list all of the documents in the folder actioned to the decision maker in TRIM

Evidence provided by the tenant

Yes  Not provided  
give details including TRIM references

Evidence gathered by the Client Service Team

give details including TRIM references

RMS Search -  regarding detailed information as to  with details of address to  and a former address  did reside at   
Further evidence compiled where information was received with details of address for Centrelink, Medicare etc however client could not provide any information to another address the the periods requested.

When making my decision I also took into account

- Housing NSW policies and procedures concerning eligibility for rent subsidies.
- Housing NSW policies and procedures concerning investigation of alleged rent subsidy non-disclosure.
- Housing NSW policies and procedures concerning tenant right of appeal.

### 4.3 - Reasoning

I have taken into account the arguments cited by  as well as my assessment of the evidence.

I have made my own independent assessment of the material before me, having regard to Housing NSW policy and procedure.

This included Housing NSW procedure in providing a natural justice letter to a tenant in non-disclosure related matters

### 4.3 - Reasoning - cont'd

I have considered and weighed up the evidence/ listed above and have formed the view

the client service team has satisfactorily managed investigation and has followed the process of issuing Natural Justice Letters, interviewing tenant, seeking evidence of [redacted] alternate residential address and notifying tenant and pending cancellation of rental subsidy for failing to do so. To date, the tenant has not provided sufficient proof of [redacted] alternate residential address.

### 4.5 - Decision by Delegate

Having considered all the relevant facts including the findings of the investigation into the household weekly income:

decision date

21-08-2017

I hereby authorise the cancellation of the rent subsidy from

20-08-2017

To (if applicable)

Reason for cancellation

Non-disclosure

#### I confirm that



I have appropriate delegation to make this decision



I am satisfied that I have enough information to make this decision



I have reviewed the material myself rather than only relying on recommendations



I am satisfied that the investigation of tenant income was conducted as thoroughly as possible



I have carefully considered the recommendation

Delegate's digital signature

Derek Jobson

Digital signature of Derek Jobson  
DN: cn=Derek Jobson, o=Department of Land and Community Services, ou=Housing NSW, email=d.jobson@services.nsw.gov.au, c=AU  
Date: 2017.08.21 11:21:15 +1000

Position

Team Leader

### Checklist for use by officer making recommendation

Has a thorough investigation been conducted?

Yes

In particular:

#### C1 - Household Income

Have you actively considered Housing NSW's database as to the person's weekly income (which should include the information provided by the tenant in their application for rent subsidy)?

Yes

Have you requested the household's tax returns and tax assessment for the past two years and any other documents relevant to the household's gross weekly income?

No

Have you made enquiries of Centrelink or Department of Veterans' Affairs?

No

Have you requested the income details of all adults living at the premises?

Yes

Have you made enquiries of independent bodies such as Centrelink / Department of Fair Trading as to rent income (determined by reference to the bond) or any other income?

No

Have you requested bank statements over the two year period to verify accuracy of tax assessments?

No

## Checklist for use by officer making recommendation - cont'd

### C2 - Assets

Does the tenant or anyone in the household have any Assets in the form of savings, investments, annuities, shares, or interest in a business?

Have you actively considered Housing NSW's database as to the person's assets (which should include the information provided by the tenant in their application for rent subsidy)?

Have you requested the household's tax returns and tax assessment for the past two years and any other documents relevant to the household's assets?

Have you made enquiries of Centrelink or Department of Veterans' Affairs?

### C3 - Property Ownership

Have you considered whether any household member owns a share in real estate? (Including house, unit, land or commercial property either in Australia or overseas)

If so, whether the owned property is a viable alternative to public housing?

Have you requested the household's tax returns and tax assessment for the past two years and any other documents relevant to the household's property ownership?

Have you made enquiries of Centrelink or Department of Veterans' Affairs?

If the person has a disability - is the property reasonably accessible or able to be reasonably modified?

If the person has known restrictions in place (for example is a Registered Offender or an AVO is in place or bail restrictions) have you considered proximity of the owned property to child centres / schools?

If there is no apparent reason for the unsuitability of owned property as viable alternative accommodation, have you requested the tenant to document and to put forward any reason why the property is not a viable alternative?

Have you kept comprehensive records for all of  
C1 - Household Income  
C2 - Assets  
C3 - Property Ownership

TRIM reference and date

### Office Use Only

HOMES updated with decision

Letter issued to tenant

TRIM reference

Date

Officer's digital signature



## Records - Basic Plus Notes

Page 1  
 Date 11/05/2018  
 Time 1:56:46 PM  
 Login Name Duffus, Scott

Sub Folder

Date Registered 28/07/2017 at 11:16 AM

## Clients / Cases - Investigation - [REDACTED]

## Matter- [REDACTED]

Assignee  
 Container  
 Notes

In container [REDACTED] (Digital) since 28/07/2017 at 11:16 AM

"Friday, 23 February 2018 at 1:40:06 PM (GMT-11:00) Duffus, Scott:"

TFU notes that the CST investigated and found evidence that the tenant had an unauthorised additional occupant residing with him. HH and subsidy have been adjusted and matter closed as substantiated.

"Tuesday, 5 December 2017 at 2:29:00 PM (GMT-11:00) Bailey, Margaret:"

T802 TL: Agreed, subsidy to be backdated as per previous notes.

"Saturday, 2 December 2017 at 8:06:06 PM (GMT-11:00) Parkinson, Michelle:"

2/12/17

31 October 2017 - [REDACTED] was approved as an additional occupant at [REDACTED] and [REDACTED] rent subsidy was adjusted accordingly to reflect [REDACTED] weekly income [REDACTED] weekly rent payable is now \$348.15

It is now recommended based on the written statement made by [REDACTED] that her rent subsidy is backdated to November 2016, to include [REDACTED] income and the debt be classified as "non-disclosure"

Recommend that the matter be referred to the TFU for their consideration

"Thursday, 23 November 2017 at 8:54:54 AM (GMT-11:00) Ojurovic, Mirjana (Ms):"

"Tuesday, 31 October 2017 at 12:56:37 PM (GMT-11:00) Ojurovic, Mirjana (Ms):"

Rent subsidy has been processed with additional occupant- [REDACTED] (full time employment). Referred TFAlegation Referral Form to SCSO re adjustment further of rent subsidy as tenant has noted on a Housing Statement that [REDACTED] has lived at the property from Nov, 2016.

"Thursday, 28 September 2017 at 3:45:28 PM (GMT-10:00) Mcloughlin, Joanne:"

28/09/17: Interview scheduled for 5 October 17@10:30 am. Tenant advised via phone what documents to provide to refute allegation. JM

"Friday, 15 September 2017 at 4:13:36 PM (GMT-10:00) Mcloughlin, Joanne:"

15/09/17: Tenant has supplied Rent Subsidy Application for alleged unauthorised occupant with no dates of when moved in. CSO has requested tenant attend an office interview to discuss further and clarify details of alleged occupant. JM

"Friday, 25 August 2017 at 1:42:02 PM (GMT-10:00) Mcloughlin, Joanne:"

25/08/17: Nat Jus letter sent for allegation of unauthorised occupant - [REDACTED] Tenant has until 13 September to respond with evidence. JM

"Tuesday, 22 August 2017 at 4:37:22 PM (GMT-10:00) Bailey, Margaret:"

T802 TL: Can you please investigate, complete the referral form with your recommendation and workflow back to TL to complete. Thank you

"Friday, 18 August 2017 at 2:26:42 PM (GMT-10:00) Ashraf, Hasnat M. (Mr):"

Alleged complaint (of Unauthorised Additional Occupant/s) against the tenant of HNSW property at [REDACTED] forwarded to CST [Team - T802] to investigate and provide TFU with outcome within 30 days please.



The form is to be completed by staff when referring a matter to the Tenant Fraud Unit for investigation

Part 1: Tenant Fraud Referral for Investigation

Complainant Details

Complainant Name:

[Redacted]

Complainant Phone Number:

[Redacted]

Complainant Email Address:

[Redacted]

Date Complaint Received:

07-Apr-2017

Allegation Details

Name of Alleged Offender:

[Redacted]

Address of Alleged Offender:

[Redacted]

Allegation Summary:

Additional occupants

Details of Allegation:

The above-named complainant, who would like to remain confidential from the alleged offender [Redacted] alleged that there is a male illegal occupant living in the above-stated address for nearly 3 years now. The illegal occupant, named [Redacted] alleged to be the partner of the main tenant [Redacted] [Redacted] has been working since he illegally moved in. The caller alleged that [Redacted] will leave the house at 6.20am and come back at 4pm monday to thursday, and who drives a gray Nimbus.

Is the alleged offender a FACS staff member?

Yes

No

Which office?

[Redacted]

Referral Details

T-file Number:

[Redacted]

Matter Number:

[Redacted]

Team/Investigator Referred to:

[Redacted]

Date Referred

[Redacted]

Action taken by TFU prior to referral being sent:

[Redacted]

Recommendation of action to be taken by investigating officer:

[Redacted]



Part 2: Investigator's Action and Report Returned to the Tenant Fraud Unit

This section is to be completed by the investigating officer, approved by their line manager, placed within the relevant HOG file, and returned to the Tenant Fraud Unit (TenantFraud@facs.nsw.gov.au)

Investigating Officer Details

User Name:

Position:

Phone:

Approving Line Manager Details

User Name:

Position:

Phone:

Date outcome approved and referred back to Tenant Fraud Unit:

Investigation Details

Provide details of action taken to investigate this allegation:

25 August 2017 - a Natural Justice Letter was sent to [redacted] advising her of the allegations and requesting that she provide HNSW with any evidence to refute/rebut the allegations by 13 September 2017, otherwise market rent of \$580.00 per week will be charged to the rental account

12 September 2017 - [redacted] submitted the following forms:  
 Rent Subsidy Application  
 Additional Occupant  
 Housing Statement - which states that [redacted] had moved into the property in November 2016

Provide details of outcome: (If subsidy adjustment or cancellation has been undertaken, provide monetary details)

31 October 2017 - [redacted] was approved as an additional occupant at [redacted] [redacted] rent subsidy was adjusted accordingly to reflect [redacted] weekly income [redacted] weekly rent payable is now \$348.15

It is now recommended based on the written statement made by [redacted] that her rent subsidy is backdated to November 2016, to include [redacted] income and the debt be classified as "non-disclosure"

Recommend that the matter be referred to the TFU for their consideration

Outcome Summary:

- Allegation unsubstantiated
- Rent Subsidy Non-Disclosure substantiated  
↓
- Suspected fraud (referred back to TFU)





## Records - Basic Plus Notes

Page 1  
 Date 11/05/2018  
 Time 1:55:35 PM  
 Login Name Duffus, Scott

Admin Folder

Date Registered 25/01/2017 at 10:06 AM

### CLIENT MANAGEMENT (HNSW) - Clients / Cases - Investigation - [REDACTED]

#### [REDACTED] - Matter - [REDACTED]

Assignee Digital since 20/03/2017 at 7:30 AM

Container [REDACTED] Tran, Kim Nhan - Ms

Notes "Monday, 19 February 2018 at 11:33:52 AM (GMT-11:00) Duffus, Scott:"

TFU notes that the CST has investigated this matter and found that the allegation was substantiated. Tenant's subsidy has been cancelled and backdated.

"Monday, 20 March 2017 at 7:30:45 AM (GMT-11:00) \_svctrimrm8:"

Migrated Record.

"Friday, 24 February 2017 at 6:24:48 PM (GMT-11:00) Maher, Catherine:"

Allegation of unauthorised occupants has been proven. Additional occupants now entered on household and market rent to be charged. Subsidy cancellation from May 2016 to current referred to SSAT for cancellation

"Tuesday, 21 February 2017 at 11:38:05 AM (GMT-11:00) Dawood, Manahil:"

I have completed the investigation. Fraud report completed. Statement of Reasons for Subsidy Cancellation is completed for your approval.

"Thursday, 9 February 2017 at 12:37:15 PM (GMT-11:00) Dawood, Manahil:"

N&J letter sent out

"Thursday, 2 February 2017 at 4:59:17 PM (GMT-11:00) Maher, Catherine:"

Manahil, could you investigate allegation of unauthorised occupants. I do note there are quite a few people on the household that we are aware of. Please report back by 23/3/17

"Monday, 30 January 2017 at 4:58:53 PM (GMT-11:00) MCMURDO, REBECCA (Ms):"

Forwarded to Cathy for your appropriate action and response by 27/3/17.

"Wednesday, 25 January 2017 at 10:06:41 AM (GMT-11:00) Ashraf, Hasnat M. (Mr):"

Alleged complaint (of Unauthorised Additional Occupant/s) from anonymous complainant against the tenant of HNSW property at [REDACTED] CST [Team - T603] to investigate and provide TFU with outcome within 40 days please.

NB. Please advise TFU for RMS Search (If required) if CST may find any unauthorised person/s living at this property.



# Statement of Reasons for Subsidy Cancellation

INTERNAL FORM

This form is completed by the officer preparing the matter for the delegate where a subsidy is to be cancelled because of fraud, non-disclosure or property ownership.

Client reference number [REDACTED]	T-File number [REDACTED]	Payment reference number [REDACTED]
---------------------------------------	-----------------------------	--

## 1 - Tenant Details

Subsidy decision concerning [REDACTED]  
[REDACTED]

Is this an Aboriginal Housing Office property  Yes  No

## 2.1 - Household Income

Based on documentation provided

- Proof that an undisclosed person resides at the premises
- Proof of undisclosed income received by a household occupant
- Proof of any income derived from assets (such as house, unit, land or commercial property) give details (including TRIM reference if applicable)

Unauthorised Occupants since 21 May 2016  
[REDACTED]

The total weekly household is determined to be? \$ [REDACTED] or cannot be determined

[REDACTED] (s)  
[REDACTED]

## 2.2 - Property Ownership

Note: Matters involving property ownership must be referred to the Tenant Fraud Unit prior to making a recommendation to vary or cancel a rent subsidy.

Based on

- Results of title and other property/related searches
- Results of searches relating to business ownership
- Results of searches at Centrelink/Fair Trading/other agencies regarding rent income and/or Bond lodgement
- Other Evidence  
give details (including TRIM reference if applicable)

[REDACTED] building Duplex.  
Letter from Champion Homes provided.  
[REDACTED]

**2.2 - Property Ownership - cont'd**

Is Property Ownership documented?

Is the property a viable alternative to public housing?

Can the interest in the property be transferred, disposed or otherwise realised?

**3 - Investigation Completed by**

Officer's digital signature **Manahil Dawood** Digitally signed by Manahil Dawood  
DN: cn=Manahil Dawood, o=Housing NSW, ou=Tenancy Team, email=manahil.dawood@hsc.nsw.gov.au, c=AU  
Date: 2017.02.21 11:27:16 +1100

**4.1 - Statement by Delegate**

I am Manahil Dawood, Client Service Officer Housing NSW, delegated, amongst other things, to make decisions concerning rent subsidy entitlements for tenants of the New South Wales Land & Housing Corporation. I have no knowledge of the revocation of that delegation.

**4.2 - Material before Delegate**

The documents I had before me and which I took into account when making the decision were:  Recommendation from the Tenant Fraud Unit  
Note: The person preparing the statement for the decision-maker should list all of the documents in the folder actioned to the decision maker in TRIM  [Redacted] TRIM reference

Evidence provided by the tenant  Yes give details including TRIM references  Not provided  
 [Redacted]

Evidence gathered by the Client Service Team  give details including TRIM references  
 [Redacted]  
Proof of income, Housing Statement, Statutory Declaration, letter from Champion Homes.

When making my decision I also took into account  Housing NSW policies and procedures concerning eligibility for rent subsidies.  
 Housing NSW policies and procedures concerning investigation of alleged rent subsidy non-disclosure.  
 Housing NSW policies and procedures concerning tenant right of appeal.

**4.3 - Reasoning**

I have taken into account the arguments cited by as well as my assessment of the evidence.  [Redacted] Tenant name

I have made my own independent assessment of the material before me, having regard to Housing NSW policy and procedure.

This included Housing NSW procedure in providing a natural justice letter to a tenant in non-disclosure related matters  [Redacted] TRIM reference and date

**4.3 - Reasoning - cont'd**

I have considered and weighed up the evidence/ listed above and have formed the view

Current subsidy rent \$288.25 per week. Tenant to be charged market rent of \$330P/W from 21/05/16 to 27/11/2016 and \$340 from 28/11/16 to current.

**4.5 - Decision by Delegate**

Having considered all the relevant facts including the findings of the investigation into the household weekly income:

decision date

21-02-2017

I hereby authorise the cancellation of the rent subsidy from

23-05-2016

To (if applicable)

Reason for cancellation

Non-disclosure

**I confirm that**

- I have appropriate delegation to make this decision
- I am satisfied that I have enough information to make this decision
- I have reviewed the material myself rather than only relying on recommendations
- I am satisfied that the investigation of tenant income was conducted as thoroughly as possible
- I have carefully considered the recommendation

Delegate's digital signature

Catherine Maher

Digital signature of Catherine Maher  
DN: cn=Catherine Maher, ou=Agency and Community Services, postal=Catherine Maher, email=c.maher@dhhs.nsw.gov.au, o=DHHS

Position

Team Leader

**Checklist for use by officer making recommendation**

Has a thorough investigation been conducted?  
**In particular:**

**C1 - Household Income**  
Have you actively considered Housing NSW's database as to the person's weekly income (which should include the information provided by the tenant in their application for rent subsidy)?

Have you requested the household's tax returns and tax assessment for the past two years and any other documents relevant to the household's gross weekly income?

Have you made enquiries of Centrelink or Department of Veterans' Affairs?

Have you requested the income details of all adults living at the premises?

Have you made enquiries of independent bodies such as Centrelink / Department of Fair Trading as to rent income (determined by reference to the bond) or any other income?

Have you requested bank statements over the two year period to verify accuracy of tax assessments?

**Checklist for use by officer making recommendation - cont'd**

**C2 - Assets**

Does the tenant or anyone in the household have any Assets in the form of savings, investments, annuities, shares, or interest in a business?

Have you actively considered Housing NSW's database as to the person's assets (which should include the information provided by the tenant in their application for rent subsidy)?

Have you requested the household's tax returns and tax assessment for the past two years and any other documents relevant to the household's assets?

Have you made enquiries of Centrelink or Department of Veterans' Affairs?

**C3 - Property Ownership**

Have you considered whether any household member owns a share in real estate? (Including house, unit, land or commercial property either in Australia or overseas)

If so, whether the owned property is a viable alternative to public housing?

Have you requested the household's tax returns and tax assessment for the past two years and any other documents relevant to the household's property ownership?

Have you made enquiries of Centrelink or Department of Veterans' Affairs?

If the person has a disability - is the property reasonably accessible or able to be reasonably modified?

If the person has known restrictions in place (for example is a Registered Offender or an AVO is in place or bail restrictions) have you considered proximity of the owned property to child centres / schools?

If there is no apparent reason for the unsuitability of owned property as viable alternative accommodation, have you requested the tenant to document and to put forward any reason why the property is not a viable alternative?

Have you kept comprehensive records for all of C1 - Household Income  
C2 - Assets  
C3 - Property Ownership

TRIM reference and date

**Office Use Only**

HOMES updated with decision

Letter issued to tenant

TRIM reference

Date

Officer's digital signature



## Records - Basic Plus Notes

Page 1  
 Date 11/05/2018  
 Time 1:52:37 PM  
 Login Name Duffus, Scott

Sub Folder

Date Registered 8/08/2017 at 2:27 PM

## Clients / Cases - Investigation - [REDACTED]

## Matter: [REDACTED]

Assignee  
 Container  
 Notes

In container '[REDACTED]' (Digital)' since 8/08/2017 at 2:27 PM

"Tuesday, 6 February 2018 at 10:57:09 AM (GMT-11:00) Duffus, Scott:"

TFU notes that the tenant admitted to owning a dwelling and his subsidy was subsequently cancelled. Matter closed as substantiated.

"Monday, 6 November 2017 at 1:20:06 PM (GMT-11:00) MCGUINNESS, SHERIDAN (Miss):"

Henry, following TFU investigation CSR-SSAT recommended rent adjustment due to non-disclosure of property ownership and rental income. Subsidy was previously terminated and therefore debt can only be applied via unauthorised rent adjustment. Can you please approve the adjustment so that NOT can be issued for full amount of rent arrears. Thanks

"Tuesday, 3 October 2017 at 3:45:53 PM (GMT-11:00) Mohajer-Ansari, Mansour (Mr):"

CST, CSO to create unauthorised amount of \$29644.65 & seek authorisation from line manager.

CST, CSO to create second unauthorised adjustment amount for \$86.15 ( difference between subsidise rent charged in HOMES & new subsidy submitted by client)& seek authorisation of line manager.

As per CST request subsidy Terminated from Sunday 4/6/2017(non disclosure). & market rent charged from 5/6/2017

"Friday, 29 September 2017 at 4:17:38 PM (GMT-10:00) MCGUINNESS, SHERIDAN (Miss):"

SSAT, please see approval to terminate subsidy application and request for subsidy reassessment as per below notes. Please ensure cancellation is applied under Fraud/Non-disclosure. Thanks

"Friday, 29 September 2017 at 3:32:15 PM (GMT-10:00) MCGUINNESS, SHERIDAN (Miss):"

Agreed as recommended. [REDACTED] failed to declare property ownership from August 2015. Rent subsidy is to be terminated from 10/08/2015 to 19/02/2017. Subsidy to be reassessed from 20/02/2017 to 04/06/2017 to include asset. Subsidy entitlement to also be cancelled from 05/06/17 as [REDACTED] failed to disclose income generated from leasing the property.

"Friday, 29 September 2017 at 3:21:29 PM (GMT-10:00) BALKIN, CRYSTAL (Miss):"

SCSO is recommending cancellation of subsidy under fraud for TL consideration as per TFU recommendation. [REDACTED] has nor provided any evidence to dispute the claims.

## Recommendation:

Step 1: Cancel rental subsidy from 05.08.2015 (Property was transferred into [REDACTED] name) to 14.02.2017 (On 15.2.2017 [REDACTED] declared property ownership in Rental Subsidy Application). Basically the cancellation is based on the tenant's failure to notify of property ownership for this period.

Step2 : Reassessment of rental subsidies for the period from 15.2.2017 to 04.06.2017 to include the value of asset and calculate rent at the deemed interest rate.

Step 3: Cancel rental subsidies from 05.06.2017 for leasing the property and failing to notify HNSW of the change in circumstances. Hence market rent should be charged.

"Friday, 22 September 2017 at 2:15:25 PM (GMT-10:00) BALKIN, CRYSTAL (Miss):"

SCSO received a missed call from [REDACTED] solicitor [REDACTED] SCSO returned call and advised they there was no consent and if it could be sent through, the matter could be discussed further.

from [REDACTED]  
 [REDACTED]

"Wednesday, 20 September 2017 at 11:06:14 AM (GMT-10:00) MCGUINNESS, SHERIDAN (Miss):"

[REDACTED] attended the office on Monday 18/09/17 with a neighbour present as a support. He was advised to provide information on why he cannot live in the property and why he cannot sell it. [REDACTED] was advised that due to the non-disclosure of income and assets he is likely to have a very large debt placed on his account



## Records - Basic Plus Notes

Page 2  
 Date 11/05/2018  
 Time 1:52:39 PM  
 Login Name Duffus, Scott

remained to continue asking why we were charging so much rent when he has declared the property ownership. [REDACTED] was again advised that unless he can provide information from the [REDACTED] showing that he cannot sell the property or live in it, a further large debt would be adjusted on his rent account. [REDACTED] support explained to him that he needed to get information to prove why he cannot sell the property and cannot live in it. [REDACTED] stated that his friends and lawyer told him he could not sell it and that it needed to be rented out as the [REDACTED] would not get as much money from him renting the property as they are getting now - \$3000 per month. [REDACTED] was given more time to provide the information. SCSO to provide extension in writing confirming date information is to be received.

"Tuesday, 5 September 2017 at 3:36:56 PM (GMT-10:00) BALKIN, CRYSTAL (Miss):"

[REDACTED] attended the LO on 5 September 2017 without an appointment to discuss the letter issued to him on 25 August 2017 regarding the cancellation of his rent subsidy due to tenant fraud.

SCSO spoke with [REDACTED] alone in a meeting room where [REDACTED] advised that he did own a property and was currently letting the property. [REDACTED] stated that he only received \$1600 (and possibly \$700 extra but this was unclear) per month for the property and the rest of the rent that was paid on the property was sent to [REDACTED]. [REDACTED] stated he did not know how much money was sent to [REDACTED] and could only confirm the amount that he received. SCSO advised that to refute any allegations [REDACTED] needed to confirm all forms of income that he was in receipt of by 18 September 2017. Following this date, and based on the information provided and the information FACS currently have, FACS would re-assess the rent subsidy from the start of the tenancy.

[REDACTED] stated he will provide the leasing agreement, evidence that money is sent to [REDACTED] the amount that is provided to him monthly due to the letting of the property, his bank statements and any further information he can locate to advise on his current income. [REDACTED] stated he will attend the LO on 6 September 2017 to provide information to the SCSO.

[REDACTED] stated that the SCSO was not acting honestly and that FACS owed [REDACTED] money and FACS should not be threatening to charge him such large rental charges when he has always been honest about his income. [REDACTED] continued to state that his rent was too high and the government only took money and didn't care about the people they were taking the money from. [REDACTED] also suggested that the government was taking money on the side. This allegation was unclear but appeared as if [REDACTED] was stating that FACS workers take bribes as he stated he knew other tenants that were working and weren't being treated the same as him. [REDACTED] advised that there were people in his building that were working and asked if the SCSO knew that these tenants were working. SCSO advised that she was not familiar with all the residents within the complex and due to privacy reasons, would not comment on other tenants.

[REDACTED] was frustrated throughout the meeting and told SCSO as he was leaving (standing in the waiting room), words to the effect of "you should act honestly, if I had money in my wallet I would give it to you, but I don't as I have to pay my rent but it's too high". SCSO interpreted this as a bribe due to the previous comments of SCSO being dishonest and the government taking money on the side and made no return comment to [REDACTED]. SCSO left the meeting room and immediately advised two other staff members (SCSO and HM) of the statements [REDACTED] had made.

SCSO advised the TL of the events that occurred in the meeting and was advised to send an e-mail to the TL and put a two person warning on [REDACTED] for the purpose of having a witness to further conversations.

"Friday, 25 August 2017 at 11:30:10 AM (GMT-10:00) BALKIN, CRYSTAL (Miss):"

Letter has been issued

"Thursday, 17 August 2017 at 11:00:04 AM (GMT-10:00) MCGUINNESS, SHERIDAN (Miss):"

Crystal, please issue letter as discussed. Thanks

"Tuesday, 8 August 2017 at 2:52:07 PM (GMT-10:00) Chouman, Fadi:"

TFU has made recommendations-See [REDACTED] as it has been substantiated that tenant is leasing property and rental subsidy adjustment is warranted. CST to report back to TFU with final outcome and/or adjustment details.

"Tuesday, 8 August 2017 at 2:28:57 PM (GMT-10:00) Ashraf, Hasnat M. (Mr):"

Alleged complaint (of Property Ownership) against the tenant of HNSW property at [REDACTED]



## Records - Basic Plus Notes

Page 1  
 Date 11/05/2018  
 Time 1:51:26 PM  
 Login Name Duffus, Scott

Admin Folder

Date Registered 27/09/2016 at 3:25 PM

## CLIENT MANAGEMENT (HNSW) - Clients / Cases - Investigation -

## - Matter-

Assignee In container (Digital)' since 13/02/2017 at 1:08 AM

Container  
 Notes

"Tuesday, 20 February 2018 at 11:44:58 AM (GMT-11:00) Duffus, Scott:"  
 TFU notes that the tenant's partner was found to be a property owner and so the rent subsidy was cancelled.  
 Matter is closed as substantiated.

"Friday, 11 August 2017 at 9:22:45 AM (GMT-10:00) HINDERRY, TONY:"  
 Matter referred to MOS LT as directed by DHS. Action closed until MOS actions.

"Thursday, 20 July 2017 at 3:31:25 PM (GMT-10:00) Martinovich, Julie-ann:"  
 Referred to MOS LT as directed by DHS, action closed until MOS actions.

"Wednesday, 5 July 2017 at 12:31:36 PM (GMT-10:00) Walsh, Angela:"  
 Referred to DHS for approval of cancellation of Rent Subsidy.

In accordance with HNSW policy tenant is not entitled to a rental subsidy from 08.12.2015 to the present as tenant's partner was at least a part owner of a property which was generating rental income.

Backdating this would add an extra \$37,170.00 (minus payments made over this period) to the already \$9730.25 rent arrears.

"Wednesday, 21 June 2017 at 12:14:59 PM (GMT-10:00) SMEATON, GABRIELLE (Miss):"  
 SCSO please refer to TFU recommendations.

As discussed please complete the Form requesting cancellation of subsidy for the period listed below. advise T/L when you have done this. There is also a request in point 3. that we may not be able to follow up as tenant has declared has moved out. you will need to seek information/proof from him on her new address to satisfy FACS and TFU.

TFU recommendations are that the team:

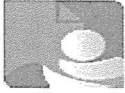
1. Seek approval from the Director to cancel the client's rental subsidies from the period additional occupant, was part of the household on 08.12.2015 to the 26.2.2017. is not eligible for a rental subsidy as his partner who is a property owner was generating rental income for the entire period she was part of the household in the HNSW property. should be advised of the debt in writing and the letter should clearly set out his right of appeal and the appeals process.
2. Any recommendation to cancel the tenants rental subsidy and/or terminating the tenancy should be endorsed by the Director Housing Services.
3. The Client Service Team to issue client with a Natural Justice Letter concerning business interest as a Director in company; Pty Ltd'.
4. Please report back to the Tenant Fraud Unit with the details of any decisions made, amounts debited to the rent account and/or changes to the subsidised rent, if applicable.

"Saturday, 18 March 2017 \_svctrimr8:" Migrated Record.

"Monday, 27 February 2017 at 2:34:51 PM (GMT-11:00) Chouman, Fadi:"  
 Refer to TFU final investigation Memo with recommendations-

"Thursday, 23 February 2017 at 5:41:11 PM (GMT-11:00) TITMUSS, LAFO (Miss):"  
 Email sent to TL of TFU seeking a status update with the investigation of this matter. Awaiting response.





**Records - Basic Plus Notes**

Page 2  
Date 11/05/2018  
Time 1:51:27 PM  
Login Name Duffus, Scott

**Alleged complaint (of Property Ownership) against the tenant of HNSW property at [REDACTED] forwarded to TFU (FXC) for investigation.**



# Memo

**To** Lafo Titmuss-Waterloo **cc**

**From** Fadi Chouman

**Title/Division** Advocate/Investigator - TFU

**Date** 27 February 2017

**Subject** [REDACTED] Allegation of Property Ownership

On 08/12/2018, tenant submitted an Application for Additional Occupant & Rent Subsidy Application (RSA) to include tenant's partner [REDACTED]. Tenant failed to declare property ownership and business operation for [REDACTED] has been a part owner of this property prior to 2015

On 11/01/2016, tenant submitted another RSA in which he now declares [REDACTED] property ownership. Rental income was not declared for the property and both tenant & [REDACTED] are stated to be; "not on Centrelink payments" ([REDACTED])

On 13/05/2016, SSAT send the CST an email advising that the Rental Subsidy review could not be completed due to incomplete information and action needs to be actioned by the CST and the tenant (HOD16/758674).

On 06/05/2016, Tenant submitted another RSA in which [REDACTED] property ownership and weekly income from property is declared as 'Zero'. However the tenant notes that on Page 3; " The rent from the property goes to pay the mortgage" [REDACTED]

On 12/08/2016, Tenant submitted a Details of Land or Property Ownership Form and a Tax Return for [REDACTED]. On Page 4 of the property ownership Form shows that rental income is \$11,688.00 Per Annum [REDACTED]. However in [REDACTED] Tax Return she actually declared that her rental income is \$46,678.00 and deducts \$34,049.00 and declared a net income of \$11,110.00 [REDACTED]

According to HOMES records [REDACTED] was only added to the Household on 18.06.2016 and the Rental Subsidy Module has not been adjusted to include [REDACTED] income from 08.12.2015 to the present. Tenant has been charged market rent from 27.2.2017 at \$590.00 pw.

## TFU Evidence:

Property at [REDACTED] is registered to [REDACTED] Pty Ltd' on the Lands Title. [REDACTED] is one of six directors for this company. It is evident that the property has been leased and generating rental income prior to 08.12.2015 to the present. There is discrepancy in the in the address of the property owned by [REDACTED] as in some HNSW Forms, the address of the property is sated as; [REDACTED] TFU has confirmed that [REDACTED] is not registered to [REDACTED] or [REDACTED] Pty Ltd

**Relevant HNSW Policy:***Under Rent Assessment Rules: Assessable Assets**"Property assets such as real estate**If a tenant or their partner owns or has a share in a property that could provide a viable alternative to social housing, they will not be eligible for a rent subsidy.**If a tenant or their partner is leasing the property to another person, they are not eligible for a rent subsidy, irrespective of the rent earned.**Where the tenant or their partner has only a part share in the property, that share of any income generated by the property will be treated as assessable income.**Where the tenant or their partner has only a part share in the property and there is no income derived, the value of the property share will be treated as a financial asset and deemed interest income will apply.**If another household member owns or has a part share in a property in Australia:**If income is derived, the income will be assessed.**If no income is derived, the value of the property will be treated as a financial asset and deemed interest income will apply.**If a tenant, their partner or another household member owns a property overseas, any income generated by that property will be treated as assessable income".***Summary:**

In accordance with HNSW policy tenant is not entitled to a rental subsidy from 08.12.2015 to the present as tenant's partner was at least a part owner of a property which was generating rental income.

Tenant had not declared [REDACTED] business interest in [REDACTED] Pty Ltd in which she is a Director.

[REDACTED] should have been included part of the Household from 08.12.2015 to the present, however, she has been included incorrectly as at August 2016. In addition, [REDACTED] was not included as part of the Subsidy assessment in HOMES despite having a rental income and a possible entitlement to a Statutory Centrelink Benefit.

**TFU Recommendation:**

It is recommended that the team:

1. Seek approval from the Director to cancel the client's rental subsidies from the period [REDACTED] additional occupant, [REDACTED] was part of the household on 08.12.2015 to the 26.2.2017. [REDACTED] is not eligible for a rental subsidy as his partner who is a property owner was generating rental income for the entire period she was part of the household in the HNSW property. [REDACTED]

should be advised of the debt in writing and the letter should clearly set out his right of appeal and the appeals process.

2. Any recommendation to cancel the tenants rental subsidy and/or terminating the tenancy should be endorsed by the Director Housing Services.
3. The Client Service Team to issue client with a Natural Justice Letter concerning business interest as a Director in company; [REDACTED] Pty Ltd'.
4. Please report back to the Tenant Fraud Unit with the details of any decisions made, amounts debited to the rent account and/or changes to the subsidised rent, if applicable.

Regards



Fadi Chouman  
Advocate/Investigator  
Tenant Fraud Unit  
Housing Services-Ashfield



## Records - Basic Plus Notes

Page 1  
 Date 11/05/2018  
 Time 2:24:10 PM  
 Login Name Duffus, Scott

Admin Folder

Date Registered 20/06/2014 at 11:05 AM

**CLIENT MANAGEMENT (HNSW) - Clients / Cases - Investigation -**
**- Matter-**

Assignee Digital since 13/02/2017 at 12:40 AM

Container  
Notes

"Wednesday, 17 January 2018 at 2:26:17 PM (GMT-11:00) Luong, Chuong:"  
 Backdating Calculation completed, referred to MOS for final approval.

"Friday, 12 January 2018 at 12:56:26 PM (GMT-11:00) GUMULIA, MIRABEL (Ms):"  
 Proof of income for periods of 2012/2013 provided.  
 Referred back to SSAT.

"Thursday, 21 December 2017 at 3:20:51 PM (GMT-11:00) GUMULIA, MIRABEL (Ms):"  
 Request for Information letter issued on 21/12/2017 to provide information by 28/12/2017.

"Thursday, 21 December 2017 at 12:26:03 PM (GMT-11:00) Luong, Chuong:"  
 Requested CST to seek Profit and Loss statement of [REDACTED] for 2012 to 2013.

"Wednesday, 6 December 2017 at 2:45:20 PM (GMT-11:00) GUMULIA, MIRABEL (Ms):"  
 Information brought in by tenant, referred to SSAT to process subsidy to be backdated.

"Thursday, 30 November 2017 at 11:42:22 AM (GMT-11:00) GUMULIA, MIRABEL (Ms):"  
 NJ letter to be hand delivered Thursday 30/11/2017 for tenant to respond to allegation and provide all required documentation by Friday 08/12/2017.

"Friday, 13 October 2017 at 10:42:04 AM (GMT-11:00) Walsh, Angela:"  
 It is evident that this rental subsidy needs to be backdated.

CSO please request in writing that the tenant to bring in the information that was requested below within 14 days or the subsidy will be cancelled back to the 1 July 2011.

"25 March 2017 \_svctrimm8:" Migrated Record.

"Friday, 24 February 2017 at 4:50:33 PM (GMT-11:00) LOVEDAY, KIRSTY (Ms):"  
 Workflowed to TL for decision on backdating subsidy. Then CSO to request profit and loss statements if subsidy is to be backdated.

"Wednesday, 25 May 2016 at 1:55:36 PM (GMT+10:00) Mohajer-Ansari, Mansour:"  
 CST to advise  
 A-if team wish to reassess & backdate client subsidy to 28/6/2010.  
 B-CST to advise if subsidy reassessment & backdating, to be based on tax return supplied by client or team will ask tenant to supply profit & loss account .  
 subsidy could not be backdated due to insufficient information.

"Friday, 20 November 2015 at 11:21:40 AM (GMT+11:00) Chouman, Fadi:"  
 TFU recommends CST refer to TFU original recommendation and any review concerning income request and assessment should referred to SSAT or CST to determine.

"Friday, 17 July 2015 at 9:33:27 AM (GMT+10:00) Duffus, Scott:"  
 TFU notes the information provided by CST. Matter referred back to investigator FC for review.

"Tuesday, 14 July 2015 at 12:47:07 PM (GMT+10:00) Mohajer-Ansari, Mansour:"  
 TFU requested to reassess client rental subsidy from 28/6/2010 to present. in order to reassess & calculate amount of adjustment.  
 CSO to ask tenant to supply income for [REDACTED] for :  
 1/7/2012 to 30/6/2013.  
 1/7/2013 to 30/6/2014.  
 1/7/2014 to 30/6/2015.  
 Tenant has supplied [REDACTED] income for these year copy on file:



## Records - Basic Plus Notes

Page 2  
 Date 11/05/2018  
 Time 2:24:11 PM  
 Login Name Duffus, Scott

1/7/2010 to 30/6/2011.

1/7/2011 to 30/6/2012.

after receiving profit & loss/ tax return for year 2012,2013,2014,2015 refer this subsidy to SSAT for assessment & calculation of rental adjustment

"Monday, 2 March 2015 at 3:15:06 PM (GMT+11:00) Chouman, Fadi:"

TFU referring matter for CST completion. It is evident that client made a false statement in RSA submitted by tenant on 02.09.2014 concerning the length of time partner has been working. As the client has responded to the NJ Letter issued 11.12.2014 and declared income for partner from 2009 to 2011/2 financial years, TFU deems it is appropriate to reassess rental subsidies in contrast to cancellation from 28.6.2010 to the present. However if tenant's partner was operating a car hire business, Notice of Assessments are not sufficient for rental subsidy assessment as Tax Returns and/or P&L statements from an accountant must be provided. TFU will not be proceeding with criminal prosecution due to Statute of Limitations limitations. CST to report back to TFU with final adjustment/debt on rental account.

"06/01/2015 at 10:38:44 AM (GMT+11:00) ASHRAF, HASNAT (Mr):"

Forwarded to TFU (Fadi Chouman) for investigation.

"Wednesday, 17 December 2014 at 11:47:30 AM (GMT+11:00) Sarlamis, Niki:"

██████████ had submitted the tax assessments for 2009-2014, all being undeclared income. Subsidy from head tenants stated he was employed in 7/2014. Hire car licence provided, tenant did not bring in bank statements.

██████████ works for his brothers business ABN: ██████████. The ██████████

"Tuesday, 9 December 2014 at 4:22:41 PM (GMT+11:00) Sarlamis, Niki:"

The only website taht came up was ██████████ services who are only located in Brisbane and do not do services in Sydney .

"Tuesday, 9 December 2014 at 4:14:36 PM (GMT+11:00) Sarlamis, Niki:"

Tenant has disclosed employment incoem statement however, we suspect that the information regarding employment start date and income may be incorrect. Hire cars have been sitting in garage area for a longer period than employment start date.

"Thursday, 9 October 2014 at 6:56:37 PM (GMT+11:00) MAXWELL, SEAN (Mr):"

Tenant has completed Rent Subsidy Form and provided Employment Income Details Form. This matter is now to be referred to the Tenant Fraud Unit.

"Friday, 20 June 2014 at 3:28:44 PM (GMT+10:00) Koimtsidis, Anna:"

Owner of car identified as ██████████ (on household of ██████████)  
 Discovered by CSO AL requesting the identity of the drivers of the car. Actioned to CSO to follow up fraud investigation.

"Friday, 20 June 2014 at 3:20:51 PM (GMT+10:00) LEACOCK, ANNA (Ms):"



## Records - Basic Plus Notes

Page 1  
 Date 11/05/2018  
 Time 2:37:01 PM  
 Login Name Duffus, Scott

Sub Folder

Date Registered 25/07/2017 at 1:00 PM

### Clients / Cases - Investigation - Matter

Assignee  
 Container  
 Notes

In container '[REDACTED] (Digital)' since 25/07/2017 at 1:00 PM

"Friday, 11 May 2018 at 2:36:30 PM (GMT-10:00) Duffus, Scott:"

TFU notes that the tenant declared her son as an additional occupant and her HH and subsidy has been adjusted. Matter closed as substantiated.

"Tuesday, 19 September 2017 at 10:58:00 AM (GMT-10:00) Uddin, Muhammad (Jashim) (Mr):"

Tenant returned the phone call and advised that her son [REDACTED] visits her regularly but does not reside permanently. [REDACTED] lives with his mates and pays boarding so he can not provide any proof of rent payment. Tenant also mentioned that he has his licence registered at HNSW address as he constantly on the move. But tenant stated that she has been trying to convince him to move with her due to her being suffering from anxiety and depression since her partner passed way last year. Tenant will ring TFU back if she is able to convince son to move in with her.

"Thursday, 17 August 2017 at 3:07:03 PM (GMT-10:00) Ashraf, Hasnat M. (Mr):"

Alleged complaint (of Income from a Business; Unauthorised Additional Occupant/s) against the tenant of HNSW property at [REDACTED] forwarded to TFU (JZU) for investigation.



## Records - Basic Plus Notes

Page 1  
 Date 11/05/2018  
 Time 3:00:35 PM  
 Login Name Duffus, Scott

Admin Folder

Date Registered 17/02/2015 at 7:59 AM

## CLIENT MANAGEMENT (HNSW) - Clients / Cases - Investigation - [REDACTED]

## [REDACTED] - Matter-[REDACTED]

Assignee In container [REDACTED] (Digital) since 12/02/2017 at 2:18 PM

Container  
Notes

"Saturday, 18 March 2017 \_svctrirm8:" Migrated Record.

"Wednesday, 8 March 2017 at 1:11:35 PM (GMT-11:00) Duffus, Scott:"

TFU notes that CST adjusted and backdated subsidies after admitting to add occs. Debt of \$35645 placed on miscellaneous account and is being repayed at \$100pfn

"Wednesday, 20 April 2016 at 11:18:26 AM (GMT+10:00) Duffus, Scott:"

TFU referred to TL as the cancelled subsidy debt has not yet been added to account.

"Tuesday, 13 October 2015 at 1:51:53 PM (GMT+11:00) Molluso, Sam:"

Referred to SAAT to cancel rental subsidies from 2/5/10 to 17/5/15

"Friday, 9 October 2015 at 10:26:41 AM (GMT+11:00) Molluso, Sam:"

Referred To DHO to sign cancellation form and return so it can be assigned to SSAT.

"Thursday, 8 October 2015 at 10:48:39 AM (GMT+11:00) Willis, Kylie:"

Referred to TL to undertake calculation to determine HOMES delegation.

"Thursday, 8 October 2015 at 10:36:40 AM (GMT+11:00) Willis, Kylie:"

"Thursday, 24 September 2015 at 12:09:45 PM (GMT+10:00) Van der ley, Michael:"

cancellation of subsidy from 2/5/10 to 17/5/15 is approved

"Thursday, 24 September 2015 at 11:13:38 AM (GMT+10:00) Bosnich, Zachary:"

TFU has recommended the cancellation of [REDACTED] subsidy from 2/5/2010 to 17/5/2015 due to fraud/non-disclosure. Recommendation is supported, DHS approval required.

"Tuesday, 18 August 2015 at 7:36:11 AM (GMT+10:00) Molluso, Sam:"

Zac, TFUs recommendation to cancel subsidies from 2/5/10, is outside my delegation, please provide approval to proceed as per TFU recommendations.

"Monday, 17 August 2015 at 12:48:41 PM (GMT+10:00) MURAD, KHALEDA (Ms):"

Forwarded to Sam, Please see attached for your action and response sent to Director Housing Mailbox once completed.

"Wednesday, 12 August 2015 at 2:51:14 PM (GMT+10:00) Uddin, Muhammad:"

TFU deemed this Unauthorised Additional Occupant matter as substantiated. Tenant was interviewed by TFU on 19 May 2015. During the interview present were tenant [REDACTED], her sons [REDACTED] and [REDACTED]. [REDACTED] has very limited English and her son [REDACTED] acted as an interpreter during the interview. Initially [REDACTED] denied the allegation that her son [REDACTED] and his partner has been residing unauthorised at her Housing NSW property. Once the immigration evidence was presented along with other evidences then [REDACTED] admitted that her son [REDACTED] and his partner [REDACTED] have been residing at HNSW property from 2 May 2010 and their 2 children [REDACTED] and [REDACTED] since their birth. [REDACTED] apologised for not being up front and not being honest to Housing NSW regarding the unauthorised additional occupants. It was made clear to [REDACTED] and her sons that the subsidy will be cancelled from 2 May 2010 to the 17 May 2015 due to committing rent subsidy fraud and there will be debt placed in her rent account. [REDACTED] agreed to pay a lump sum payment once CST let her know the total debt. The remaining debt will be paid in as instalments by the amount agreed by CST and [REDACTED]. TFU is unable to undertake criminal persecution due to limited English by the tenant and a professional interpreter not being present during the interview.

It is recommended that the team:





## Records - Basic Plus Notes

Page 2  
 Date 11/05/2018  
 Time 3:00:37 PM  
 Login Name Duffus, Scott

2. Add [REDACTED] their 2 children [REDACTED] from 19 May 2015 and backdate the subsidy to adjust the household people and their income
3. Advise [REDACTED] of the debt in writing clearly setting out her right of appeal and the appeals process.
4. Code any debt raised as "Fraud" within HOMES.
5. Report back to TFU with the details of any decisions made, amounts debited to the rent account and/or changes to the subsidised rent, if applicable.

"Wednesday, 13 May 2015 at 4:29:26 PM (GMT+10:00) Uddin, Muhammad:"  
 Interview rescheduled on 19 May 2015 on Tuesday at 11 am in Ashfield.

"Monday, 11 May 2015 at 12:09:53 PM (GMT+10:00) Uddin, Muhammad:"  
 Request for Information sent to Security Licensing and Enforcement Directorate to check address history.

"Monday, 11 May 2015 at 11:22:21 AM (GMT+10:00) Uddin, Muhammad:"  
 NJL to attend interview on 26 May 2015 at 11 am in Ashfield Office.

"Monday, 2 March 2015 at 1:48:09 PM (GMT+11:00) Le, Andrew:"  
 02/03/15 - Son [REDACTED] has come to BLO and handed in an additional occupant for his mother - they would like to add him to the household.

"Friday, 27 February 2015 at 11:50:24 AM (GMT+11:00) Uddin, Muhammad:"  
 CSO conducted CSV and found baby cot. Request has been made for Birth Registration Statement for children of [REDACTED]

"Thursday, 26 February 2015 at 3:31:05 PM (GMT+11:00) Le, Andrew:"  
 26/02/15 -

Rent Subsidy Application reviewed and activated

Unannounced Client Service Visit has been conducted

File note as been added for TFU to refer to.

"Thursday, 26 February 2015 at 3:13:35 PM (GMT+11:00) Uddin, Muhammad:"  
 Property search result for son provide negative result.

"Thursday, 26 February 2015 at 3:11:05 PM (GMT+11:00) Uddin, Muhammad:"  
 RMS showing positive matches to HNSW address. BDM request made for son's Marriage Certificate.

"Tuesday, 17 February 2015 at 7:59:03 AM (GMT+11:00) ASHRAF, HASNAT (Mr):"  
 Alleged complaint (of Non-Occupancy/Undeclared Wages or Salary ) from anonymous complainant against the tenant of HNSW property at [REDACTED]



# Statement of Reasons for Subsidy Cancellation

INTERNAL FORM

This form is completed by the officer preparing the matter for the delegate where a subsidy is to be cancelled because of fraud, non-disclosure or property ownership.

Client reference number

T-File number

Payment reference number

## 1 - Tenant Details

Subsidy decision concerning

Is this an Aboriginal Housing Office property

Yes

No

## 2.1 - Household Income

Based on documentation provided

Proof that an undisclosed person resides at the premises

Proof of undisclosed income received by a household occupant

Proof of any income derived from assets  
(such as house, unit, land or commercial property)

give details (including TRIM reference if applicable)

Unauthorised additional occupants since 2 May 2010:

(daughter in law) and after their birth the grandchildren Mr

The total weekly household is determined to be?

\$ 1,301.84

or cannot be determined

 (Rent Subsidy Application)

## 2.2 - Property Ownership

Note: Matters involving property ownership must be referred to the Tenant Fraud Unit prior to making a recommendation to vary or cancel a rent subsidy.

Based on

Results of title and other property/related searches

Results of searches relating to business ownership

Results of searches at Centrelink/Fair Trading/other agencies regarding rent income and/or Bond lodgement

Other Evidence

give details (including TRIM reference if applicable)

2.2 - Property Ownership - cont'd

Is Property Ownership documented?

Is the property a viable alternative to public housing?

Can the interest in the property be transferred, disposed or otherwise realised?

3 - Investigation Completed by

Officer's digital signature Chris Touvelos

Digitally signed by Chris Touvelos  
DN: cn=Chris Touvelos, o=Housing NSW, ou=Bankstown, email=Chris.Touvelos@hsc.nsw.gov.au, c=AU  
Date: 2013.10.08 15:12:17 +11:00

4.1 - Statement by Delegate

I am [redacted] Housing NSW, delegated, amongst other things, to make decisions concerning rent subsidy entitlements for tenants of the New South Wales Land & Housing Corporation. I have no knowledge of the revocation of that delegation.

4.2 - Material before Delegate

The documents I had before me and which I took into account when making the decision were:  Recommendation from the Tenant Fraud Unit

Note: The person preparing the statement for the decision-maker should list all of the documents in the folder actioned to the decision maker in TRIM [redacted]

Evidence provided by the tenant  Yes give details including TRIM references  Not provided

The tenant initially denied the allegations. [redacted]

Evidence gathered by the Client Service Team  give details including TRIM references

Natural Justice letter issued, Rent Subsidy Application given to the tenant to complete with current details plus Property inspection conducted. [redacted]

- When making my decision I also took into account  Housing NSW policies and procedures concerning eligibility for rent subsidies.  Housing NSW policies and procedures concerning investigation of alleged rent subsidy non-disclosure.  Housing NSW policies and procedures concerning tenant right of appeal.

4.3 - Reasoning

I have taken into account the arguments cited by [redacted] as well as my assessment of the evidence.

I have made my own independent assessment of the material before me, having regard to Housing NSW policy and procedure.

This included Housing NSW procedure in providing a natural justice letter to a tenant in non-disclosure related matters

[redacted] TRIM reference and date

**4.3 - Reasoning - cont'd**

I have considered and weighed up the evidence/ listed above and have formed the view

The tenant has admitted to the Tenant Fraud Unit that her son [redacted] his partner [redacted] and their children had been residing unauthorised at her property since 2 May 2010.  
It is recommended by the Tenant Fraud Unit that the tenant has to be charged market rent from 2 May 2010 to 17 May 2015 under the FRAUD category in HOMES.

**4.5 - Decision by Delegate**

Having considered all the relevant facts including the findings of the investigation into the household weekly income:

decision date

I hereby authorise the cancellation of the rent subsidy from

To (if applicable)

Reason for cancellation

I confirm that

- I have appropriate delegation to make this decision
- I am satisfied that I have enough information to make this decision
- I have reviewed the material myself rather than only relying on recommendations
- I am satisfied that the investigation of tenant income was conducted as thoroughly as possible
- I have carefully considered the recommendation

Delegate's digital signature  Digitally signed by Zac Bosnich  
DN: cn=Zac Bosnich, o=NSW Health, ou=NSW Health, email=zac.bosnich@nsw.gov.au, c=au

Position

**Checklist for use by officer making recommendation**

Has a thorough investigation been conducted?  
In particular:

**C1 - Household Income**   
Have you actively considered Housing NSW's database as to the person's weekly income (which should include the information provided by the tenant in their application for rent subsidy)?

Have you requested the household's tax returns and tax assessment for the past two years and any other documents relevant to the household's gross weekly income?

Have you made enquiries of Centrelink or Department of Veterans' Affairs?

Have you requested the income details of all adults living at the premises?

Have you made enquiries of independent bodies such as Centrelink / Department of Fair Trading as to rent income (determined by reference to the bond) or any other income?

Have you requested bank statements over the two year period to verify accuracy of tax assessments?

**Checklist for use by officer making recommendation - cont'd**

**C2 - Assets**

Does the tenant or anyone in the household have any Assets in the form of savings, investments, annuities, shares, or interest in a business?

Have you actively considered Housing NSW's database as to the person's assets (which should include the information provided by the tenant in their application for rent subsidy)?

Have you requested the household's tax returns and tax assessment for the past two years and any other documents relevant to the household's assets?

Have you made enquiries of Centrelink or Department of Veterans' Affairs?

**C3 - Property Ownership**

Have you considered whether any household member owns a share in real estate? (Including house, unit, land or commercial property either in Australia or overseas)

If so, whether the owned property is a viable alternative to public housing?

Have you requested the household's tax returns and tax assessment for the past two years and any other documents relevant to the household's property ownership?

Have you made enquiries of Centrelink or Department of Veterans' Affairs?

If the person has a disability - is the property reasonably accessible or able to be reasonably modified?

If the person has known restrictions in place (for example is a Registered Offender or an AVO is in place or bail restrictions) have you considered proximity of the owned property to child centres / schools?

If there is no apparent reason for the unsuitability of owned property as viable alternative accommodation, have you requested the tenant to document and to put forward any reason why the property is not a viable alternative?

Have you kept comprehensive records for all of C1 - Household Income   
C2 - Assets  
C3 - Property Ownership

**Office Use Only**

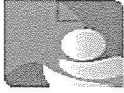
HOMES updated with decision

Letter issued to tenant

TRIM reference

Date

Officer's digital signature



## Records - Basic Plus Notes

Page 1  
 Date 14/05/2018  
 Time 9:36:36 AM  
 Login Name Duffus, Scott

Admin Folder

Date Registered 30/09/2015 at 12:14 PM

### CLIENT MANAGEMENT (NSW) - Clients / Cases - Investigation

- Matter

Assignee In container (Digital) since 13/02/2017 at 1:27 AM

Container

Notes

"Thursday, 30 November 2017 at 10:12:28 AM (GMT-11:00) Chouman, Fadi:"  
 TFU to close matter as completed. Tenant has fully paid fraud debt of \$133,300 at the Post Office via Cheque and is no longer in arrears.

"Tuesday, 12 September 2017 at 3:32:52 PM (GMT-10:00) HINDERRY, TONY:"

"Wednesday, 2 August 2017 at 2:14:49 PM (GMT-10:00) HINDERRY, TONY:"  
 Matter referred to for FACS Housing action from 7 July 2017.

"Friday, 7 July 2017 at 11:20:16 AM (GMT-10:00) Moore, Kaylene:"  
 Refer to for FACS Housing action from 7 July 2017.

"Thursday, 6 July 2017 at 4:23:46 PM (GMT-10:00) Moore, Kaylene:"  
 Please refer to for further info.  
 New BN may not be required.

"Thursday, 6 July 2017 at 4:15:59 PM (GMT-10:00) Moore, Kaylene:"  
 Action assigned to new TL BLO Paul Bown to pre BN for consideration and progression to EDD - refer to

"Tuesday, 4 July 2017 at 2:46:28 PM (GMT-10:00) Duffus, Scott:"  
 TFU notes that this matter has been fully investigated and a clear recommendation provided to the district. Appeal processes have been completed and the debt is to stand. However the approval to cancel the subsidy has not yet been given by the DHS. Tenant is aware of the debt to come and has the money to repay the debt once the action has been taken. Matter referred to the A/DHS for action to cancel subsidy

"Saturday, 18 March 2017 \_svetrimr8:" Migrated Record.

"Wednesday, 25 January 2017 at 4:30:28 PM (GMT-11:00) Ravi, Usha:"  
 Appeal assessment review completed and forwarded to TL for consideration to forward to Area Director for approval of cancellation of subsidy from 200 to June 2014 due to non disclosure

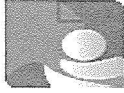
"Wednesday, 30 November 2016 at 3:23:10 PM (GMT+11:00) Denham, Angela:"  
 has lodged an appeal 16/10/16 - awaiting results.

"Friday, 7 October 2016 at 10:04:20 AM (GMT+11:00) Denham, Angela:"  
 Client came in to Blacktown Office 7/1/16 to discuss subsidy issue. Have given a copy of evidence on file. He will be going to his solicitor and requesting an appeal. states they did not live in the same property except when his partner was very ill and needed constant attention.

"Monday, 26 September 2016 at 10:59:33 AM (GMT+10:00) Denham, Angela:"  
 Letter, intention to cancel subsidy, sent 26/9/16

"Wednesday, 21 September 2016 at 8:29:29 AM (GMT+10:00) Bailey, Margaret:"  
 Please commence actions as recommended by the TFU:-  
 Tenant Fraud Unit Recommendation:-  
 The CST to issue the tenant with an Intention to cancel Rental Subsidies Letter, as a result of the investigation concerning the allegation of undeclared persons and assets-savings for the period from 01/11/1999 to 20/06/2014. The tenant must be shown any adverse evidence and be given an opportunity to respond.

Seek approval from the Area Director to CANCEL the client's rental subsidies from 01/11/1999 to 20/06/2014. should be advised of the debt in writing and the letter should clearly set out his right of appeal and the appeals process.



## Records - Basic Plus Notes

Page 2  
 Date 14/05/2018  
 Time 9:36:38 AM  
 Login Name Duffus, Scott

CST to consider any mitigating circumstances that warrant a different course of action but any decision to waive debt must be in accordance with business rules concerning debt write-offs.

Any debt raised should be coded as Non-Disclosure within 'HOMES'.

Please report back to the Tenant Fraud Unit with the details of any decisions made, amounts debited to the rent account and/or changes to the subsidised rent, if applicable.

"Thursday, 15 September 2016 at 11:24:21 AM (GMT+10:00) Duffus, Scott:"  
 TFU investigator FC has prepared recommendation for CST to action.

"Friday, 19 August 2016 at 2:17:51 PM (GMT+10:00) BLOK, DEBBIE (Mrs):"  
 Forwarded to TL T807 for investigation and BN to A/OM,HS by 30 September 2016.

"Friday, 19 August 2016 at 1:13:25 PM (GMT+10:00) BLOK, DEBBIE (Mrs):"  
 Please ignore the last notes added on 19/8/16.

"Friday, 19 August 2016 at 12:59:46 PM (GMT+10:00) BLOK, DEBBIE (Mrs):"  
 Forwarded to TL T807 for their information.

"Thursday, 18 August 2016 at 12:37:47 PM (GMT+10:00) Chouman, Fadi:"  
 ALERT: Please amend typo error in TFU recommendation. It should read that; " 2. Seek approval from the Area Director to CANCEL the client's rental subsidies from 01/11/1999 to 21/06/2014. Disregard dates "May 2013 to 25/07/2015".

"Thursday, 18 August 2016 at 11:51:10 AM (GMT+10:00) Chouman, Fadi:"  
 TFU completed investigation report -see [REDACTED] TFU has substantiated non-disclosure of property/assets/savings and persons. [REDACTED] failed to declare his de-facto spouse from 1993 to 2014 and failed to declare his property from 2014 and failed to declare his savings, proceeds from sale from 2015. TFU has recommended cancellation of rental subsidies from late 1999 to June 2014. TFU has not recommended backdating from 1993 to 1998 as undeclared occupant was only a part-time resident and has an alternate residential property. CST to report back to TFU with final outcome including subsidy debt adjustment information.

"Monday, 18 July 2016 at 9:29:11 AM (GMT+10:00) Denham, Angela:"  
 Subsidy Review Letter sent, with appropriate forms, 18 July 2016

"Thursday, 14 July 2016 at 11:57:51 AM (GMT+10:00) Kovacevic, Jason:"  
 Angela, further to previous note, the tenant is not to be notified under any circumstances that he is presently under investigation.

"Thursday, 14 July 2016 at 11:57:08 AM (GMT+10:00) Kovacevic, Jason:"  
 Angela,  
 please see request from the Tenant Fraud Unit, send a manual subsidy letter to this client together with the RS application form and maybe 1 or 2 EID forms, and await a response. When response is received, please process subsidy and advise TFU. Please issue second letter if time expires without response to frist & advise TFU.  
 Thanks, Jase K.

"Thursday, 2 June 2016 at 12:22:11 PM (GMT+10:00) Chouman, Fadi:"  
 TFU has requested that CST issue Manual rental subsidy review and advise TFU when tenant returns completed Rental Subsidy Application.

"Monday, 26 October 2015 at 11:16:51 AM (GMT+11:00) ASHRAF, HASNAT (Mr):"  
 Repeat Allegation ([REDACTED]) with additional information received.  
 TFU (Fadi Chouman) to investigate.

Alleged complaint (of Undeclared Cash/Investment) from [REDACTED] against the tenant of HNSW property at [REDACTED]  
 Forwarded to TFU (Fadi Chouman) for investigation.

## FILE NOTE

[REDACTED]

[REDACTED]

---

The Tenant Fraud Unit (TFU) has received serious allegations of fraud against the above tenant.

The allegations include not informing Housing of an additional occupant since 1999 and not declaring an increase in assets after inheriting an estate valued at \$670,000 in 2014. Bank statements, an affidavit signed by [REDACTED] and other documents have been obtained in evidence.

TFU has recommended backdating [REDACTED] subsidy to 1 November 1999 and charging market rent for that entire period. I have prepared a manual calculation of what that cost would be [REDACTED] refers. Total cost is \$101847.56. This figure is calculated from 2/4/2000 as HOMES does not show any further records and I do not have access to previous data from I.H.S or Lohmacs.

English is not [REDACTED] first language and it is possible he does not understand everything on the form. His verbal English is not simplistic, however he has difficulty with complex ideas. I am unsure about his written English, however note that he asked someone else to complete the form, submitted in July, for him. It is also noted that most subsidies in the period concerned have been auto subsidies.

It is my understanding that debts over 7 years old in relation to rechargeable repairs and former tenancy rent debts cannot be pursued and are written off. I am unsure how far we can backdate a subsidy. If we were to only backdate the subsidy to 2009 (7 years) the debt would be reduced to \$33252.56.

[REDACTED] has spoken to me about what happened between himself and [REDACTED] over the years. They initially kept their own homes as they were unmarried and wanted some level of independence and separation. When [REDACTED] and [REDACTED] required constant care, they started to live together. Still part of the time was spent at [REDACTED] property in Blacktown. [REDACTED] has stated [REDACTED]

[REDACTED]

[REDACTED]

protection. Since that time the [REDACTED]

[REDACTED]

I understand that after the will was probated, the [REDACTED] and the [REDACTED] matter went before a magistrate and a portion of the estate was given to the [REDACTED] (there is a \$100,000 debit on the account statement from the bank which may confirm this).

Western Sydney District  
Department of Family and Community Services  
81 Flushcombe Road, Blacktown NSW 2148  
W [www.facs.nsw.gov.au](http://www.facs.nsw.gov.au) | E [t807@facs.nsw.gov.au](mailto:t807@facs.nsw.gov.au)  
T (02) 9831 0866 | F (02) 9831 0800  
ABN 82 016 305 789



Approval is sought to backdate the subsidy. I recommend back to 12 October 2009 only due to the possibility of [REDACTED] not understanding all his obligations in relation to rental subsidies. Also, subsidies have all been auto subsidies during the period.

Angela Denham  
Client Service Officer  
29 August 2016



## Records - Basic Plus Notes

Page 1  
 Date 14/05/2018  
 Time 9:39:42 AM  
 Login Name Duffus, Scott

Admin Folder

Date Registered 9/02/2017 at 8:59 AM

### CLIENT MANAGEMENT (HNSW) - Clients / Cases - Investigation - [REDACTED]

#### [REDACTED] - Matter- [REDACTED]

Assignee Digital since 20/03/2017 at 7:32 AM

Container

Notes

"Monday, 30 October 2017 at 9:20:48 AM (GMT-11:00) BLOK, DEBBIE (Mrs):"  
 Matter has been finalised and TFU has noted closure.

"Saturday, 7 October 2017 at 11:17:38 AM (GMT-11:00) WILSON, GARRY (Mr):"  
 Rachel, the matter has been closed by the TFU.

For some unknown reason I am unable to fully complete the action against my name

"Wednesday, 16 August 2017 at 5:08:18 PM (GMT-10:00) Duffus, Scott:"  
 TFU notes that the CST has investigated and found that the tenant has failed to declare her partner.  
 Household and subsidy have been adjusted and matter is closed.

"Tuesday, 15 August 2017 at 4:19:35 PM (GMT-10:00) HUFFTON, RODNEY (Mr):"  
 Complete-no further action

"Monday, 14 August 2017 at 4:17:46 PM (GMT-10:00) HUFFTON, RODNEY (Mr):"  
 14/8/17 Cancellation has come through

"Wednesday, 9 August 2017 at 8:35:18 AM (GMT-10:00) WILSON, GARRY (Mr):"  
 Rodney, has the amount of the cancellation come through?

We should should make an arrangement with the client to repay the debt and inform inform Phil Martin of the details.

"Friday, 4 August 2017 at 11:37:05 AM (GMT-10:00) WILSON, GARRY (Mr):"  
 Noted. For normal monitoring action by the CSO and the TFU.

"Friday, 4 August 2017 at 11:33:54 AM (GMT-10:00) BLOK, DEBBIE (Mrs):"  
 Forwarded back to TL T809 - Please refer to TFU notes from Scott Duffus.

"Thursday, 3 August 2017 at 3:24:58 PM (GMT-10:00) Duffus, Scott:"  
 TFU to monitor for variation to subsidy

"Thursday, 3 August 2017 at 12:19:07 PM (GMT-10:00) Parkinson, Michelle:"

"Thursday, 3 August 2017 at 11:48:25 AM (GMT-10:00) Parkinson, Michelle:"

"Thursday, 3 August 2017 at 11:42:36 AM (GMT-10:00) WILSON, GARRY (Mr):"  
 The TFU can be closed.

Action is underway to cancel the subsidy for the period that evidence is available to confirm that the additional occupant resided in the dwelling from 17/10/16 until 23/4/2017.

"Thursday, 3 August 2017 at 8:38:17 AM (GMT-10:00) WILSON, GARRY (Mr):"  
 Please arrange to cancel the subsidy from 17/10/16 to 23/4/17.

The tenant has failed to disclose that [REDACTED] has been residing at the property since 12/10/2016.

Evidence obtained from RTA confirmed that [REDACTED] has been residing at [REDACTED] since 12/10/2016.



## Records - Basic Plus Notes

Page 2  
 Date 14/05/2018  
 Time 9:39:43 AM  
 Login Name Duffus, Scott

"Tuesday, 1 August 2017 at 1:42:54 PM (GMT-10:00) WILSON, GARRY (Mr):"  
 Rodney, lets resolve this issue in the next few days.

"Tuesday, 1 August 2017 at 1:01:34 PM (GMT-10:00) BLOK, DEBBIE (Mrs):"  
 Follow up with TL T809 re current status of TFU.

"Tuesday, 18 July 2017 at 8:58:11 AM (GMT-10:00) WILSON, GARRY (Mr):"  
 Rodney, please prepare the relevant form to ask the SSAT to cancel the subsidy from 12/10/2016 til 24/4/2017, as per the advice from the RTA that the additional occupant was recorded on their records as residing at our property.

You might also check if [REDACTED] is a social housing property and advise Team 10 as the additional occupant is shown on the RTA record as having resided at this address.

"Wednesday, 14 June 2017 at 2:04:25 PM (GMT-10:00) HUFFTON, RODNEY (Mr):"  
 14/6/17 Hi Garry, tenant has been contacted by myself and Kara on many occasions as per trailing notes, can you please advised if we can put tenant on full market rent? thanks

"Thursday, 1 June 2017 at 2:02:45 PM (GMT-10:00) JONES, KARA (Ms):"  
 Spoke to [REDACTED] advised her we need Centrelink statements or Bank statements showing [REDACTED] address is not [REDACTED] address otherwise we will cancel her subsidy and she will be on full market rent. Tenant advised she bought one of [REDACTED] bills statements in and provided it to Cheryl and that it should all be sorted now. Advised tenant we have done an RTA search since then and that stated [REDACTED] address was living with [REDACTED] Advised her we need the Centrelink statements or bank statements to finalise this matter. Tenant advised she will bring it in by tomorrow.

"Thursday, 18 May 2017 at 3:23:36 PM (GMT-10:00) WILSON, GARRY (Mr):"  
 Client requested to contact CSO by 1 June 2017 to discuss and provide suitable evidence to confirm that [REDACTED] does not reside in the dwelling. TFU requested to seek address for [REDACTED] information from the RTA.

If the client contact we can also ask for Centrelink/employer/bank statement information.

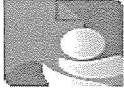
"Wednesday, 17 May 2017 at 4:19:03 PM (GMT-10:00) WILSON, GARRY (Mr):"  
 Gay, please issue the tenant a NJL requesting that she provide an address history from Centre Link or the employer (if he is working) for [REDACTED] and for six months of bank statements to show whether he is spending his money in Mt Druitt or Newcastle area.

"Monday, 15 May 2017 at 2:04:31 PM (GMT-10:00) WILSON, GARRY (Mr):"  
 Scott, are you able to check address details through the RTA for Photo Cards. Our client has provided a Housing Statement - see [REDACTED] with a copy of a Photo Card that does show our address, but claims that [REDACTED] does not reside in the property.

It would be helpful to establish dates the RTA have him recorded at our address.

Also when the CSO visited the property [REDACTED] indicated that the vehicle in the driveway was his (the CSO did not unfortunately record the registration details)- are we able to check if there are any vehicles and drivers licence registered for [REDACTED] and what dates might subsequently link to our property.

"Sunday, 30 April 2017 at 3:35:50 PM (GMT-10:00) HUFFTON, RODNEY (Mr):"  
 Hi Garry



## Records - Basic Plus Notes

Page 3  
 Date 14/05/2018  
 Time 9:39:45 AM  
 Login Name Duffus, Scott

Could you please authorize this form and forward to SSAT as they are the ones who have delegation to terminate subsidy applications

Thanks  
 Rod

"Wednesday, 26 April 2017 at 10:15:23 AM (GMT-10:00) HUFFTON, RODNEY (Mr):"  
 26/4/17-Called tenant no answer, CSO left voice msg to contact housing immediatly.

"Tuesday, 25 April 2017 at 8:42:09 AM (GMT-10:00) WILSON, GARRY (Mr):"  
 Tenants contact is [REDACTED]

"Monday, 24 April 2017 at 2:19:12 PM (GMT-10:00) HUFFTON, RODNEY (Mr):"  
 24/4/17 Hi Garry as discussed I've tried to call tenant-no answer please terminate subsidy

"Saturday, 22 April 2017 at 7:09:48 PM (GMT-10:00) HUFFTON, RODNEY (Mr):"  
 Hi Garry that's sounds like a good idea but if there is no changes over the weekend concerning his residence we can cancel the subsidy

"Saturday, 22 April 2017 at 6:29:06 AM (GMT-10:00) WILSON, GARRY (Mr):"  
 Rodney, we should obtain copies of [REDACTED] drivers licence and car registration. If the address does not show as our address, as the client advised you that his licence did show our address when you discussed the issue with him. It may have been changed over the weekend and we should ask the TFU to check the address details since the tenancy commenced.

Lets review after Monday - I am happy to attend an interview if the couple do come to the office.

"Friday, 21 April 2017 at 4:48:45 PM (GMT-10:00) HUFFTON, RODNEY (Mr):"  
 21/4/17 went to see tnt today regarding alleged additional person been living at property named [REDACTED] Tnt not home but [REDACTED] answered the door. [REDACTED] stated [REDACTED] who is the main tenant was not home, [REDACTED] stated he doesnt live there but comes to visit a couple of times a week. [REDACTED] stated he had no proof on him to prove he wasnt living at the property but would provide documents on Monday 24/4/17 with [REDACTED] to the Mount Druitt Office-Subsidy to be cancelled if no evidence brought in on Monday 21/4/2017

"Saturday, 15 April 2017 at 7:53:28 AM (GMT-10:00) WILSON, GARRY (Mr):"  
 Rodney, what was the deadline provided to your client to provide the supporting evidence?

Please send your client a letter asking for the relevant documents to be provided within 7 working days, otherwise consideration will be given to cancelling the subsidy as per the original NJ letter.

We should do this quickly as the set date for completing the review is 21/4/2017.

"27 March 2017 \_svctrimr8:" Migrated Record.

"Thursday, 23 March 2017 at 4:52:17 PM (GMT-11:00) HUFFTON, RODNEY (Mr):"  
 23/3/17 tnt advised she will bring in information regarding allegations

"Wednesday, 22 March 2017 at 10:55:25 AM (GMT-11:00) HUFFTON, RODNEY (Mr):"  
 22/3/17 Need to send a natural justice letter through the ASB method. letter below not valid as no ASB business has been generated

"Monday, 6 March 2017 at 3:24:21 PM (GMT-11:00) Tamrazians, Alex:"  
 Natural Justice letter sent giving until 23 March to respond. Rodney please mark on your calendar and follow up with this investigation.

"Thursday, 9 February 2017 at 11:34:12 AM (GMT-11:00) Wilson, Garry:"  
 Gay/Rodney, please send your tenant a letter to arrange an interview to discuss the allegations and complete the report with your recommendations and return to me before 28/2/2017 so we can close the matter before the due date.

**Records - Basic Plus Notes**

Page	4
Date	14/05/2018
Time	9:39:46 AM
Login Name	Duffus, Scott

"Thursday, 9 February 2017 at 8:59:32 AM (GMT-11:00) Ashraf, Hasnat M. (Mr):"

Alleged complaint (of Unauthorised Additional Occupant/s) from anonymous complainant against the tenant of HNSW property at [REDACTED] CST [Team - T809] to investigate and provide TFU with outcome within 60 days please.

NB. Please advise TFU for RMS Search (If required) if CST may find any unauthorised person/s living at this property.



# Statement of Reasons for Subsidy Cancellation

INTERNAL FORM

This form is completed by the officer preparing the matter for the delegate where a subsidy is to be cancelled because of fraud, non-disclosure or property ownership.

Client reference number

T-File number

Payment reference number

## 1 - Tenant Details

Subsidy decision concerning

Is this an Aboriginal Housing Office property

Yes

No

## 2.1 - Household Income

Based on documentation provided

Proof that an undisclosed person resides at the premises

Proof of undisclosed income received by a household occupant

Proof of any income derived from assets  
(such as house, unit, land or commercial property)  
give details (including TRIM reference if applicable)

The total weekly household is determined to be?

or cannot be determined

## 2.2 - Property Ownership

Note: Matters involving property ownership must be referred to the Tenant Fraud Unit prior to making a recommendation to vary or cancel a rent subsidy.

Based on

Results of title and other property/related searches

Results of searches relating to business ownership

Results of searches at Centrelink/Fair Trading/other agencies regarding rent income and/or Bond lodgement

Other Evidence

give details (including TRIM reference if applicable)

**2.2 - Property Ownership - cont'd**

Is Property Ownership documented?

Is the property a viable alternative to public housing?

Can the interest in the property be transferred, disposed or otherwise realised?

**3 - Investigation Completed by**

Officer's digital signature

**4.1 - Statement by Delegate**

I am **Rodney Huffton Client Service Officer** Housing NSW, delegated, amongst other things, to make decisions concerning rent subsidy entitlements for tenants of the New South Wales Land & Housing Corporation. I have no knowledge of the revocation of that delegation.

**4.2 - Material before Delegate**

The documents I had before me and which I took into account when making the decision were:  Recommendation from the Tenant Fraud Unit

Note: The person preparing the statement for the decision-maker should list all of the documents in the folder actioned to the decision maker in TRIM

Evidence provided by the tenant  Yes give details including TRIM references  Not provided

Evidence gathered by the Client Service Team  give details including TRIM references

- When making my decision I also took into account  Housing NSW policies and procedures concerning eligibility for rent subsidies.
- Housing NSW policies and procedures concerning investigation of alleged rent subsidy non-disclosure.
- Housing NSW policies and procedures concerning tenant right of appeal.

**4.3 - Reasoning**

I have taken into account the arguments cited by  as well as my assessment of the evidence.

I have made my own independent assessment of the material before me, having regard to Housing NSW policy and procedure.

This included Housing NSW procedure in providing a natural justice letter to a tenant in non-disclosure related matters

**4.3 - Reasoning - cont'd**

I have considered and weighed up the evidence/ listed above and have formed the view

Ms [redacted] has failed to disclose that [redacted] has been residing at the property since 12/10/2016. Evidence obtained from RTA confirmed that [redacted] has been residing at [redacted] since 12/10/2016.  
Subsidy to be cancelled from 17/10/16 to 23/4/17

**4.5 - Decision by Delegate**

Having considered all the relevant facts including the findings of the investigation into the household weekly income:

decision date

I hereby authorise the cancellation of the rent subsidy from

To (if applicable)

Reason for cancellation

**I confirm that**

- I have appropriate delegation to make this decision
- I am satisfied that I have enough information to make this decision
- I have reviewed the material myself rather than only relying on recommendations
- I am satisfied that the investigation of tenant income was conducted as thoroughly as possible
- I have carefully considered the recommendation

Delegate's digital signature

Position

**Checklist for use by officer making recommendation**

Has a thorough investigation been conducted?  
**In particular:**

**C1 - Household Income**  
Have you actively considered Housing NSW's database as to the person's weekly income (which should include the information provided by the tenant in their application for rent subsidy)?

Have you requested the household's tax returns and tax assessment for the past two years and any other documents relevant to the household's gross weekly income?

Have you made enquiries of Centrelink or Department of Veterans' Affairs?

Have you requested the income details of all adults living at the premises?

Have you made enquiries of independent bodies such as Centrelink / Department of Fair Trading as to rent income (determined by reference to the bond) or any other income?

Have you requested bank statements over the two year period to verify accuracy of tax assessments?



**Checklist for use by officer making recommendation - cont'd**

**C2 - Assets**

Does the tenant or anyone in the household have any Assets in the form of savings, investments, annuities, shares, or interest in a business?

Have you actively considered Housing NSW's database as to the person's assets (which should include the information provided by the tenant in their application for rent subsidy)?

Have you requested the household's tax returns and tax assessment for the past two years and any other documents relevant to the household's assets?

Have you made enquiries of Centrelink or Department of Veterans' Affairs?

**C3 - Property Ownership**

Have you considered whether any household member owns a share in real estate? (Including house, unit, land or commercial property either in Australia or overseas)

If so, whether the owned property is a viable alternative to public housing?

Have you requested the household's tax returns and tax assessment for the past two years and any other documents relevant to the household's property ownership?

Have you made enquiries of Centrelink or Department of Veterans' Affairs?

If the person has a disability - is the property reasonably accessible or able to be reasonably modified?

If the person has known restrictions in place (for example is a Registered Offender or an AVO is in place or bail restrictions) have you considered proximity of the owned property to child centres / schools?

If there is no apparent reason for the unsuitability of owned property as viable alternative accommodation, have you requested the tenant to document and to put forward any reason why the property is not a viable alternative?

Have you kept comprehensive records for all of C1 - Household Income   
C2 - Assets   
C3 - Property Ownership

**Office Use Only**

HOMES updated with decision

Letter issued to tenant

TRIM reference

Date

Officer's digital signature



## Records - Basic Plus Notes

Page 1  
 Date 14/05/2018  
 Time 10:20:07 AM  
 Login Name Duffus, Scott

Admin Folder

Date Registered 17/01/2017 at 3:57 PM

### CLIENT MANAGEMENT (HNSW) - Clients / Cases - Investigation - [REDACTED]

Assignee Digital since 20/03/2017 at 6:33 AM

Container  
 Notes

"Tuesday, 14 November 2017 at 1:42:42 PM (GMT-11:00) UDDIN, MUHAMMAD JASHIM (Mr):"  
 Alleged person has been added to the household and subsidy has been cancelled due to not supplying income details. Matter is closed by TFU as substantiated.

"Friday, 10 November 2017 at 8:57:26 AM (GMT-11:00) MARTIN, PHILLIP (Mr):"  
 10/11/17 Letter sent informing tenant of subsidy termination

"Wednesday, 8 November 2017 at 1:30:35 PM (GMT-11:00) JOBSON, DEREK (Mr):"  
 Subsidy now cancelled. Please make sure the letter advising of cancellation and new rent is issued

"Wednesday, 8 November 2017 at 10:51:39 AM (GMT-11:00) Neville-ross, David (Mr):"  
 8/11/17 Subsidy cancelled by SSAT at teams request. Information not provided

"Tuesday, 7 November 2017 at 12:34:25 PM (GMT-11:00) JOBSON, DEREK (Mr):"  
 Approved to cancel subsidy from 12/11/17 - client has failed to provide requested information

"Monday, 6 November 2017 at 9:08:31 AM (GMT-11:00) MARTIN, PHILLIP (Mr):"  
 6/11/17-forwarded to T/L to approve termination of Subsidy.

"Thursday, 5 October 2017 at 1:29:39 PM (GMT-11:00) WILSON, GARRY (Mr):"  
 Second letter sent - for response by 25 October 2017

"Tuesday, 26 September 2017 at 10:50:10 AM (GMT-10:00) Uddin, Muhammad (Jashim) (Mr):"  
 E-mail sent to SCSO Seb to sort out the household compliment. There are less number of people showing in HOMES compare to what tenant declared.

"Tuesday, 26 September 2017 at 10:49:11 AM (GMT-10:00) Uddin, Muhammad (Jashim) (Mr):"  
 ANZ statement showing not much information.

"Tuesday, 19 September 2017 at 8:52:50 AM (GMT-10:00) WILSON, GARRY (Mr):"  
 First letter sent 13/9/2017 - for response by 27/9/2017

"Wednesday, 13 September 2017 at 8:37:48 AM (GMT-10:00) WILSON, GARRY (Mr):"  
 Sebastien, please arrange as requested by the TFU - thanks.

"Friday, 8 September 2017 at 1:15:59 PM (GMT-10:00) WILSON, GARRY (Mr):"  
 Jashim, is there any reason why this action can not be undertaken from within your Unit - please advise.

"Monday, 20 March 2017 at 6:33:48 AM (GMT-11:00) \_svetrimm8:"  
 Migrated Record.

"Tuesday, 17 January 2017 at 3:57:42 PM (GMT-11:00) Ashraf, Hasnat M. (Mr):"  
 Alleged complaint (of Unauthorised Additional Occupant/s) from anonymous complainant against the tenant of HNSW property at [REDACTED]  
 Forwarded to TFU (JZU) for investigation.



## Records - Basic Plus Notes

Page 1  
 Date 14/05/2018  
 Time 10:21:25 AM  
 Login Name Duffus, Scott

Admin Folder

Date Registered 1/03/2017 at 2:34 PM

## CLIENT MANAGEMENT (HNSW) - Clients / Cases - Investigation

## - Matter-

Assignee  
 Container  
 Notes

Digital since 20/03/2017 at 6:27 AM

"Tuesday, 17 October 2017 at 11:43:04 AM (GMT-11:00) Raffaut, Bianca:"

lodged a subsidy and additional occupants forms on 21.09.17 to add partner, father and daughter to the household compliment. Subsidy processed. No backdating and no further action as per SCSO advice.

"Friday, 29 September 2017 at 5:00:28 PM (GMT-10:00) Nashabe, Baha (Mr):"

Tenant rang on 27/09/2017 and said she is waiting for an RMS report to show license address. This report is allegedly to be provided to tenant in 3 to 4 weeks.

"Friday, 22 September 2017 at 9:48:51 AM (GMT-10:00) Kearns, Tanya:"

Tenant attended office 21.9.17 I took bank statements & letters re the fraud allegation she did not have any evidence going back to 2014 so I gave her a further week to provide that-28.9.17

"Wednesday, 20 September 2017 at 1:43:43 PM (GMT-10:00) Nashabe, Baha (Mr):"

Tenant attended local office with her mother and stated that stayed at her property for only a week and a half and then left as he is unreliable. Tenant alleges is staying between family and friends houses. Tenant was advised to put her claim in writing, provide supporting documents for address and submit to HNSW by Friday 22/09/2017. Tenant said she will do this.

"Monday, 4 September 2017 at 12:29:01 PM (GMT-10:00) Nashabe, Baha (Mr):"

Tenant attended local office this morning with and took another application for additional occupant as tenant stated moved in on 18/08/2017 and that her centrelink benefit is being reviewed by centrelink due to the fact she is now partnered. Tenant was given application for additional occupant form and housing statement to complete stating what has been the case re residence and what is the current case re residence. Tenant said she has an appointment with Centrelink on 05/09/2017 and will bring all forms after that.

"Tuesday, 22 August 2017 at 3:43:47 PM (GMT-10:00) Nashabe, Baha (Mr):"

22/08/2017 - Rang tenant who attended local office today re claim. Although only tenant and her son are listed as being on the household, tenant said she has 3 other children (son) years, (daughter) years, (daughter) living with her and that her dad years old recently started living with her as he Tenant claimed she was of the opinion centrelink would have advised re the children as she had advised centrelink of their birth. Tenant also claimed she had attended local office as soon as she received the natural justice letter in March 2017 and spoke to 2 ladies who refused to take information from her substantiating that who is her childrens father does not live with her although does visit now and then as they share the children. Tenant claims lives with his mother. Tenant was given additional occupant form and RSA form to complete and submit to HNSW no later than 04/09/2017 to avoid market rent being charged. Tenant was also advised to provide documents to substantiate address. Tenant said she will do this.

"Monday, 27 March 2017 at 11:50:35 AM (GMT-11:00) RODMANN, HARALD (Mr):"

Natural Justice letter sent. Response to make appointment due on 06-APR-2017"27 March 2017 \_svctrimr8:" Migrated Record.

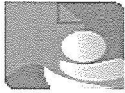
"Thursday, 23 March 2017 at 5:30:32 PM (GMT-11:00) RODMANN, HARALD (Mr):"

Natural justice letter sent. Response due from tenant on 06-APR-2017

"Wednesday, 1 March 2017 at 2:34:37 PM (GMT-11:00) Ashraf, Hasnat M. (Mr):"

Alleged complaint (of Unauthorised Additional Occupant/s) from anonymous complainant against the tenant of HNSW property at CST [Team - T607] to investigate and provide TFU with outcome within 60 days please.

NB. Please advise TFU for RMS Search (If required) if CST may find any unauthorised person/s living at this



## Records - Basic Plus Notes

Page 1  
 Date 14/05/2018  
 Time 10:22:21 AM  
 Login Name Duffus, Scott

Admin Folder

Date Registered 15/02/2017 at 12:19 PM

**CLIENT MANAGEMENT (HNSW) - Clients / Cases - Investigation**
**- Matter**

 Assignee  
 Container  
 Notes

Digital since 20/03/2017 at 8:17 AM

"Tuesday, 29 August 2017 at 2:51:00 PM (GMT-10:00) Chouman, Fadi:"  
 TFU to close matter as substantiated. Tenant has failed to respond to 3 NJ Letters issued by CST to client. CST has subsidy cancelled from March 2017, \$7,814.51 Dr to account 28/08/17.

"Tuesday, 29 August 2017 at 12:16:24 PM (GMT-10:00) O'brien, Gary:"

"Tuesday, 29 August 2017 at 12:11:22 PM (GMT-10:00) O'brien, Gary:"

"Tuesday, 29 August 2017 at 10:57:31 AM (GMT-10:00) O'brien, Gary:"  
 \$7,814.51 dr to account 28/08/17, matter is closed.

"Monday, 28 August 2017 at 4:23:48 PM (GMT-10:00) O'brien, Gary:"  
 Cancellation of subsidy from 30/03/17 approved and assigned to GWSR subsidy team for entry, client has not responded to Natural justice letters.

"Friday, 25 August 2017 at 9:17:32 AM (GMT-10:00) ALAI, GREGORY (Mr):"  
 Tenant has not responded to Natural Justice Letter. Proceed action with cancellation of subsidy.

"Tuesday, 25 July 2017 at 2:26:38 PM (GMT-10:00) O'brien, Gary:"  
 Hi Lance

Please send 1 further and final letter re allegations of fraud, pls give clients 14 days to respond, if client does not contact within the desired time frame pls complete cancellation of subsidy form from 01/03/17.

"Monday, 20 March 2017 at 8:17:59 AM (GMT-11:00) \_svetrimr8:"  
 Migrated Record.

"Friday, 3 March 2017 at 3:12:50 PM (GMT-11:00) Young, Lance:"  
 030317 nat/justice letter posted.

"Friday, 3 March 2017 at 3:07:43 PM (GMT-11:00) Young, Lance:"

"Thursday, 2 March 2017 at 9:04:27 AM (GMT-11:00) Young, Lance:"  
 020317: nat/just letter posted on 010317.

"Wednesday, 15 February 2017 at 2:45:35 PM (GMT-11:00) RAMSAY, JOHN PAUL (Mr):"  
 Forwarded to CSO Lance Young - Lance please investigate TFU regarding subletting, unauthorised occupants and undisclosed income. Please provide response before due date 11/05/17.

"Wednesday, 15 February 2017 at 2:07:29 PM (GMT-11:00) MCMURDO, REBECCA (Ms):"  
 Forwarded to John Paul for appropriate action and response by 11/5/17.

"Wednesday, 15 February 2017 at 12:19:29 PM (GMT-11:00) Ashraf, Hasnat M. (Mr):"  
 Alleged complaint (of Sub-Letting; Unauthorised Additional Occupant/s) from anonymous complainant against the tenant of HNSW property at [REDACTED] CST [Team - T607] to investigate and provide TFU with outcome within 60 days please.

NB. Please advise TFU for RMS Search (If required) if CST may find any unauthorised person/s living at this property.