

Guide to completing your Eligibility and Tier Form (ETF)

Information for Providers





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Introduction

This document is one of a series of guides that have been developed to assist community housing providers through the registration assessment.

Other guides in this series include:

- **NRSCH Registration – Guide for providers**
This document provides guidance to community housing providers either seeking information about how to register or already in the process of making their application to register under the Community Housing Provider’s National Law.
- **Guide to recording property data and generating the community housing asset performance report**
This document provides detailed guidance on recording properties and generating the Community Housing Asset Performance Report (CHAPR).
- **Guide to completing your return**
This document is designed to help you understand what information should be recorded and how the system validates and analyses the data. It contains hints and tips to help you complete and check your return.
- **Financial Viability Guidance Note**
This document explains how providers can demonstrate financial viability for the purpose of registration and ongoing compliance and how financial viability will be assessed under the NRSCH.
- **Navigating the Community Housing Regulatory Information System (CHRIS steps for providers)**
This document provides guidance to community housing providers completing a registration or standard compliance return using the online regulatory system known as CHRIS.

There are two parts to registration:

1. Eligibility and Tier Form (ETF); and
2. Application for Registration Form (ARF or return)

This guide provides detailed instruction on the completion of the ETF. Further information in relation to the Application for Registration is set out in the [Guide to completing your return](#)

The guidance is directly aligned with the National Regulatory Code performance outcomes and the evidence guidelines. It should be read and used in conjunction with other published documents which contain more detailed information about specific parts of the NRSCH. A summary of the critical supporting documents is set out below:

- National Law and National Regulatory Code
- **The Charter** – this document sets out the overarching vision, objectives, regulatory principles and philosophy of the NRSCH. It explains the principle of Primary Registrar for multi-jurisdictional providers
- **Tier Guidelines** – this document helps interpret the sections of the National Law concerned with determining registration tier of a provider. It explains the factors that are used to determine tier. The tier under which a provider is assessed for registration will determine the evidence it needs to provide as requirements are proportionate to levels of risk
- **Evidence Guidelines** – this document describe the performance indicators and potential evidence sources for assessing providers against the National Regulatory Code performance outcomes and requirements for different types of provider (classified as tier 1, 2 and 3 providers)
- Other guidance notes including
 - Affiliated entity arrangements Guidance Note
 - Additional Standard Conditions of Registration (ASCOR)

This guide includes some material from these documents where it is appropriate for clarity or consistency. For most part relevant material is referenced rather than repeated.

This guide will be periodically revised to respond to changes in the community housing sector and the regulatory environment.

Eligibility and Tier Form

Overview

Registrars use the ETF to confirm whether an organisation is eligible to apply for registration as a community housing provider and to make a determination of the provider's provisional tier.

Each tier of registration under the NRSCH has eligibility requirements that a provider must address in order to become registered. The [Tier Guidelines](#) contain information about the factors that are taken into account in assessing eligibility and tier. A provider may choose to seek registration in a higher tier (if they can demonstrate that they can meet the requirements) or a Registrar may require registration in a higher tier (if they assess there is a higher level of regulatory oversight required).

Definitions are framed in qualitative terms to reflect that there is not a single 'black box' formula for registration tiers – and an element of judgement is required to assess the risk associated with a provider's community housing activities.

Further information is supplied below about tiers including some quantitative definitions about scale. These definitions are subject to change as the scale and scope of the community sector changes. They are also just one element that Registrars will consider when making their assessment of tier.

Getting started

Providers applying for registration as a community housing provider complete the registration process online. The system is called the Community Housing Regulatory Information System (CHRIS). The system is accessed through a secure online portal to which the provider has a unique log in and password. All information is secure.

Typically the Analyst will introduce themselves to the provider's Nominated Main Contact at least one week before the registration process starts.

At the start of the registration process, the provider's Nominated Main Contact will receive an invitation (via email) from the Analyst to begin the application process. This email explains:

- that the first part of the process is the completion of the eligibility and tier form (ETF) which is used to confirm that the organisation is eligible to apply for registration as a community housing provider and to make a provisional decision of the tier of registration.
- how to access the ETF on the secure portal to the CHRIS. The Nominated Main Contact will receive a second email shortly afterwards advising them of their username and temporary password to enable them to log on to the system. Full instructions for log in are included with this second email.

If at any point in the application process you have any difficulty accessing or using the system, forget your password and cannot reset it using the 'Forgot your password?' link or the Nominated Main Contact changes you should contact your Analyst.

Completing the ETF

You will have 14 days from the start date to complete and submit your ETF. The due date will be specified in the emails and at the top of the form.

When you submit the ETF, the Nominated Main Contact will receive an email to confirm it has been received. This is an automated response.

When the Analyst has received the ETF they will normally assess this within seven days. They may contact you to clarify information on the ETF or evidence submitted with it. The ETF assessment determines the provider's eligibility to be registered and its tier.

Entity details

The ETF collects evidence to demonstrate your organisation's eligibility and tier for registration under the NRSCH. The [Tier Guidelines](#) (available on the NRSCH website) set out the eligibility requirements by tier in some detail.

The ETF requires providers to either create or confirm standard business information held on their account page in CHRIS.

The information held on the *Accounts* page which should be checked includes entity details such as name, address, entity type, ABN / ACN numbers and whether the provider is accredited with any relevant organisations.

The details to be entered include:

- main client groups – a person or group of persons who receive services from your organisation
- primary product/ services – the product or service that generates the most income/ funding for your organisation
- Other income sources – Other products or services that generate an income that have not been identified in primary product/ service
- Regulatory/ reporting bodies – other agencies that may also have a regulatory/ reporting relationship with the organisation
- details of affiliated entities
- details of partnerships

Further guidance is available in the [NRSCH Guidance Note for Providers – Main client groups, primary products/ services and regulatory/ reporting bodies](#) on the NRSCH website. When selecting the main client group select the top three priority clients you assist. Only one primary product/ service can be recorded.

Affiliated entity arrangements

Where relevant, providers are also requested to enter or confirm details of any affiliated entities and attach relevant documents as described in the [Affiliated Entity Arrangement Guidance Notes](#).

Arrangements which are of interest to Registrars typically arise in three situations (which are described in more detail in the affiliated entity guidelines). These are:

- group structures
- relationships with persons in a position to influence the provider (e.g. where the provider is a public company all persons who are defined as 'affiliated entities' under section 228 of the Corporations Act)

- arrangements where the provider has outsourced one or more of its functions relevant to its performance of its obligations under the National Law

If an entity needs to be disclosed the details can be entered under the affiliated entity section. The information collected includes:

- name
- type –includes parent; subsidiary; public, private partnership; joint venture partners; outsourced services (housing) and (non housing).
- start date

Further information may also be required. For example for a group structure an organisational chart, intra group support arrangements and intra group financial exposures are amongst the types of information required.

Partnerships

Providers may also be involved in partnership type arrangements. Providers are asked on the account page to record details of four types of partnership:

- outsourced service partnerships
- formal support partnerships
- development : Engagements, Contracts and Agreements
- community engagement partnerships

It is recognised that in some cases these partners will also be affiliated entities.

For partnerships, providers should create a record for the appropriate partner type. Depending upon the partner type selected the provider will be asked to complete some basic details about the arrangement. For example, for an outsourced service partnership information is requested about the services outsourced and the numbers of properties included.

Contacts

Providers are also asked to create or confirm key contact people in their organisation. You are asked to enter the following contacts:

- Chair or equivalent e.g. a president
- Public Officer or equivalent e.g. a company secretary
- Treasurer
- Chief Executive or equivalent e.g. a General Manager
- External auditor

Constitution

Providers should attach their constitution or equivalent. This will be used by the Analyst to ensure that the provider has the relevant provision in its constitution or equivalent to meet the requirements to have a wind up clause (section 15 (2c) of the National Law. Providers will be ineligible for registration unless they have such a provision.

It is recognised some providers may be in the process of making changes to their constitution or taking other action to satisfy this condition of registration. The provider should clearly indicate on the ETF what action is being taken and when it will be completed. This may influence the assessment timetable.

More detailed information on completing the ETF is available in the [Navigating the Community Housing Regulatory Information System – CHRIS steps for providers](#)

Community Housing Assets

At the ETF stage providers seeking registration are required to provide:

- an aggregated number of community housing assets currently owned and managed; and
- a projection of any community asset growth anticipated in the next 2 years.

Some providers seeking registration have a zero base with a plan to operate at a certain scale. Anticipated or projected community housing assets will be recorded at the ETF stage and used to determine the tier of registration.

At the Application for Registration (AFR) stage providers will be required to record and maintain a list of their properties in the Community Housing Regulatory Information System (CHRIS).

Property information collected during the AFR process will be used to generate the Community Housing Asset Performance Report (CHAPR).

What is a community housing asset?

Under the National Law a community housing asset of a community housing provider means:

- land vested in the provider by or under the community housing legislation of a participating jurisdiction, or*
- land acquired by the provider wholly or partly with funding provided by a Housing Agency of a participating jurisdiction, or*
- land vested in the provider on which the Housing Agency of a participating jurisdiction has constructed housing or made other improvements, or*
- funds provided to the provider by a Housing Agency of a participating jurisdiction for the purposes of community housing, or*

- any other asset of the provider that is of a class of assets declared by the community housing participating jurisdiction as community housing assets for the purposes of the law.*

The definition of a community housing asset may vary across some states and territories. Providers should check with their Analyst if further clarification of community housing assets is required.

Tenancy and property management activities

The scale of community housing tenancy management activities is typically classified as:

- small-scale or lower risk if the provider has responsibility for managing fewer than 100 tenancies
- moderate-scale or moderate risk if the provider has responsibility for managing between 50 and 500 tenancies
- large-scale or higher risk if the provider has responsibility for managing more than 350 tenancies.

The definitions are deliberately presented as a range to highlight that provider 'scale' is always considered relative to other attributes such as:

- whether (and if so the proportion of) properties are owned or managed under contract, lease or other agreement;
- the extent of asset management responsibilities for example whether providers retain responsibility for structural maintenance; and
- development activities.

In addition it is recognised that providers seeking registration may initially have a zero base but a specific plan to operate at a certain scale.

Attaching evidence

When completing the ETF the provider may wish, or in some instances, be required to attach evidence in support.

The supporting evidence should be attached to the ETF and submitted via CHRIS. Documents are attached in the 'Evidence Attachments' section at the bottom of the ETF. Providers are encouraged to enter sufficient information to enable Analysts to locate the relevant evidence in the documents. This will minimise the need for subsequent clarification.

Further information in relation attaching evidence is set out in the guide. [Navigating the Community Housing Regulatory Information System – CHRIS steps for providers](#)

Submitting the ETF

The ETF can now be submitted to the Registrar. To do this you should:

- Ensure you have saved the form
- Tick the *Ready to submit ETF* checkbox towards the bottom of page two of the ETF and click *Finish*.
- At this point the system will check that the form has been correctly completed. Error messages will be displayed if the form is not ready to be submitted. Once everything has been correctly completed the form can be saved.
- Click the *Submit for Approval* button (only visible when everything has been saved).

Once the ETF form is successfully submitted a confirmation email will be received by the Nominated Main Contact.

If you do not receive an email confirming the ETF has been received you should contact your Analyst for confirmation.

Access to information submitted to the Registrar

Once the ETF or the application has been submitted to the Registrar you will be unable to add or otherwise amend it. This includes adding or removing supporting evidence. This is to ensure the Analyst is confident the information they are assessing is up to date and not subject to changes of which they were unaware.

If you need to amend the return you should contact your Analyst to facilitate this.

Assessment

The Nominated Main Contact will receive an email once the ETF assessment has been completed. This will either invite them to complete the application for registration in the provisional tier or provide advice a decision to refuse the provider's application has been made.

Providers who are not assessed as eligible at this stage and have not given sufficient evidence of their intention to comply with the eligibility requirements will be contacted prior to a formal decision being made and provided in writing of the reasons for the determination.

You will be given an opportunity (typically 14 days) to respond before a final decision is made.

Further information for providers who have been invited to complete the application for registration is available in the [Guide to completing your return](#).

For more information

For more information on the National
Regulatory System for Community Housing,
please visit: www.nrsch.gov.au

