

# Housing Options

## Retirement housing types - definitions



### Retirement Villages

Housing operated under the South Australian Retirement Village Act includes independent living units and serviced apartments. The South Australian Government Department for Health and Wellbeing administers the Act through the Office for Ageing Well - Retirement Villages Unit (tel. 8204 2420, email [RetirementVillages@sa.gov.au](mailto:RetirementVillages@sa.gov.au)). See types of arrangements below. For further information see our fact sheets specific covering retirement villages.

### Resident-funded independent living

Resident-funded units are sold at market value. The resident does not own the unit but enters into a lease/licence agreement that in effect provides the resident with a licence to reside in the village. When the resident leaves the village the operator may retain a percentage of the sale price (deferred management fee). Other exit fees may apply. This arrangement may also be referred to as licence-to-occupy.

### Entry contribution independent living

Also known as donation units, these usually have a lower ingoing payment than under the deferred management fee system above. The entry contribution amount varies depending on location, unit and site features, and is usually not refunded. Operators that request a higher entry fee may offer a partial refund when the resident vacates the unit.

### Serviced apartments

This type of accommodation may suit older people who do not require residential aged care but wish to live in a supported environment where services such as laundering of linen, meals and cleaning are provided.

The resident does not own the apartment but enters into a residence contract which involves the payment of a licence to occupy or an entry contribution. When the resident leaves the village the administration may retain a percentage of or the full amount paid (depending on the financial arrangement – see above).

*Please note that some providers of independent living units may also offer services similar to serviced apartments on an opt-in basis. This is more likely to occur in villages that include both types of units or that have an aged care facility adjacent /on site.*

### Occupancy rights in retirement villages

In retirement villages a resident may be granted a right to occupy a unit by way of a lease or licence.

**Licences** are the most common arrangements for entering a retirement village. Long-term licence agreements usually include a right to use common areas and the facilities of the village. Licences are not registered on certificates of title and for that reason may appear to be a less secure form of tenure. However, terms and conditions of licences are usually very similar to those for leases.

A few villages in South Australia operate under the **lease** category. Several variations have been used in different villages across Australia. Generally, residents are provided with a long-term lease, e.g. for life or 99 years, which includes the right to use common areas and the village facilities. These leases are often registered on the title, which provides good security of tenure. Leases usually contain detailed provisions setting out the rights and obligations of residents and village administrators.

### Residential Parks

These accommodation complexes are operated under the South Australian Residential Parks Act 2007 (as amended in 2019). Some parks cater exclusively for people aged 50 or 55 years and over and may be called 'residential villages'. Residents own a relocatable home and lease the site.

Other parks may also rent units and cabins and may not have a minimum age requirement. These include mixed use caravan/residential parks.

See our fact sheet *Residential Park Housing* for further details.

### Rental housing

Low cost rental accommodation for seniors (and in some cases people with a disability) is mostly administered by charitable organisations. This type of accommodation is generally for people who are on a pension and do not own property. Entry requirements may differ from organisation to organisation, including minimum eligible age and other criteria. Organisations may require an assets test to determine eligibility and require you to complete application forms.

Public housing and community housing refer to housing provided by the State Government and by not-for-profit community housing agencies.

### Community housing

Community housing provides low-cost, rental accommodation in self-contained units, houses or

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apartments. There are two types of organisations providing community housing:

- Community housing providers - catering for people with special needs and/or on low income
- Volunteer Member-Tenant Managed Organisations (formerly housing co-operatives) - run by people who have a common need for secure, appropriate affordable housing and a commitment to co-operate

The Residential Tenancies Act 1995 (SA) covers all private rental agreements and includes special provisions for registered community housing providers. The Consumer and Business Services (Tel. 131 882, [www.cbs.sa.gov.au](http://www.cbs.sa.gov.au)) provide information in relation to tenancy and residential parks arrangements.

#### Community houses

Community houses are purpose-built or modified larger homes which offer bed-sitter accommodation in a supportive environment for people who have limited financial means.

#### Public housing

**Housing SA** provides public housing for people on low income, particularly those who have difficulty accessing and maintaining housing in the private market. Applicants must conform to Housing SA's eligibility criteria and must complete the relevant application forms. A priority ranking applies and waiting lists vary accordingly.

For more information contact Housing SA on **tel. 131 299** or visit [www.sa.gov.au/topics/housing/public-and-community-housing](http://www.sa.gov.au/topics/housing/public-and-community-housing).

See our fact sheet *Community housing and low cost rental* for further information on the options above.

#### Other housing for over 50s

Other housing complexes with common areas and amenities but not operated under the aforementioned Retirement Villages Act or the Residential Parks Act may be advertised as catering especially for over 50s. These may include groups of houses, units or apartments made available for purchase or rental.

**Purchase** - The options available for purchase usually come under strata titles (plans deposited before 2009) or community titles schemes. The law concerning the latter is contained in the *Community Titles Act 1996 (SA)*, the *Community Titles Regulations 2011 (SA)* and the common law.

The Legal Services Commission publishes the booklets *Community titles – a legal guide* and *Strata*

*titles – a legal guide* and can provide further information. Tel. 1300 366 424; [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au)

**Rental** - The options available for rental may include 'rental villages' (sometimes called 'lifestyle villages') where additional services such as meals may be provided. The rental component would be covered by the *Residential Tenancy Act 1995 (SA)* and associated regulations. However any additional services would fall outside the scope of this legislation.

*Some retirement villages may offer a rental option for some of their units or serviced apartments. However, if this occurs, the contract / agreement would be signed under the aforementioned Residential Tenancy Act. The caution advice above would also apply to these contracts and arrangements.*

#### Housing information resources

**Catalyst Foundation** (including Seniors Information Service) maintains an online housing directory which can be searched at [www.catalystfoundation.com.au/housing](http://www.catalystfoundation.com.au/housing). It includes retirement villages and rental units for seniors. Vacancies currently available with subscribing housing providers are also listed.

The Foundation also publishes a Rental and Community Housing Directory and a list of residential parks in South Australia. Both are available in print and from its website.

For further information on the types of accommodation mentioned above see the housing fact sheets that we publish. An information officer is available to assist with information on housing options and with navigating our directories and external resources.

If not sure whether a housing complex is registered as a retirement village with the South Australian Government you can contact the Office for Ageing Well - Retirement Village Unit for clarification: tel. 8204 2420, email [RetirementVillages@sa.gov.au](mailto:RetirementVillages@sa.gov.au).

The South Australian Government publishes lists of community housing providers and of volunteer member-tenant managed providers (housing co-operatives) on its website: [www.sa.gov.au/topics/housing/public-and-community-housing](http://www.sa.gov.au/topics/housing/public-and-community-housing).

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