



## Fact Sheet 2: Bedroom Allocations When Your Children are not in Your Care

### 1. Overview

When domestic violence is happening, your children may not be in your care. This may be because CYPS is involved or because parenting orders are being made in the Family Court. This can be a very difficult part of leaving a violent relationship.

If your children are not in your care, you may still want to make sure that your Housing ACT property will have bedrooms for them. This factsheet explains the policies that Housing ACT use to decide how many bedrooms you are entitled to.

### 2. Housing ACT's Bedroom Policy

Housing ACT has these rules about children's bedrooms:

- Generally, no more than 2 children have to share a room.
- Children of different genders, or with an age gap of more than 7 years will generally not have to share a room.
- Housing ACT will consider separate bedrooms for three or more teenage children.

### 3. What if I have shared parenting arrangements?

Housing ACT will grant a bedroom for a child if you have care of that child for **at least 50% of the year**. You will need to provide documents to prove your parenting arrangements.

Housing ACT may grant an additional bedroom to you if you have care of a child for **at least 27% of the year** (which equates to 2 overnight stays every second weekend, plus half of the school and public holidays). You will need to provide documents to prove your parenting arrangements.

### 4. What documents do I need to provide to prove my parenting arrangements?

You can prove your parenting arrangements with one of these documents:

- A Parenting Order from the Family Court.
- A Parenting Plan from the Family Court.
- Confirmation of parenting arrangements from a Family Relationship Centre.
- Letter from a solicitor dealing with the parenting arrangements.
- Letters from Centrelink that document the percentage of care.
- Documents from a support service/government agency which is directly involved in the child contact arrangements.
- Care and Protection Order with a plan for restoration of the child contained in the case plan.

### 5. What if I am waiting for parenting orders to be made?

Sometimes, parents find that the Family Court will not make final parenting orders until the parent can show that they have suitable accommodation for the children (including a bedroom to sleep in). Unfortunately, Housing ACT will generally not grant bedrooms for children who are not in your care if you cannot provide a document with proof of your parenting arrangements. This can mean that Parenting Orders and Plans are delayed, and as a result, Housing ACT may not consider a request for bedrooms to be allocated for the children.

If this is your situation, you should consider talking to a solicitor about whether there are any steps that can be taken to address the problem.

### Disclaimer

This factsheet contains general information available at the time of publication. It does not constitute legal advice. If you have a specific legal problem please contact Canberra Community Law's advice line on 02 6218 7900.

Canberra Community Law is entirely independent of Housing ACT. All assistance is free.