

Mousing Hub.

# Building or Buying your own Specialist Disability Accommodation (SDA)

A guide on things you will need to know before building or buying your own Specialist Disability Accommodation.



# **Contents**

Where to start	1
The process	2
Documents to read	2
What level of SDA funding do you have?	3
Build, renovate or buy?	4
Costs	6
Becoming an NDIS provider	10
SDA assessment and enrolment	12
Claiming SDA payments	13
Sharing your SDA home with other people	15
More info	16
If you need support with your journey to becoming an SDA self-provider,	
there are a number of ways to get help	16
Housing Hub	17

## Where to start

SDA can be a way for people with disability to own their home. But there are quite a few hurdles to overcome, meaning that home ownership will only be possible for a small number of NDIS participants. Could you use SDA funding to buy a home? Here are some things to think about up front:

#### Is SDA funding right for you?

If SDA funding is reasonable and necessary for you, it will be put in your NDIS plan. You can learn more about the <u>SDA process here</u>. If you have any questions about applying for SDA funding or how it works call the Housing Hub's SDA Advice Line on **1300 61 64 63** or email <a href="mailto:housingoptions@housinghub.org.au">housingoptions@housinghub.org.au</a>.

# Is your SDA funding enough for the loan repayments on the home you want to build or buy?

The amount of SDA funding in your NDIS plan depends on the category of SDA you are funded for, the type of building and a number of other factors – for more info see the section called 'What level of SDA funding do you have?' You will need to ask the bank if it will be enough for your home loan repayments.

#### Do you have enough money saved for a deposit?

SDA funding can be used to repay a loan on your SDA home, but the amount of money needed for a home loan deposit is a big hurdle for many people. See the section called 'Costs' for more info.

#### Can the home you want to build or buy be registered as SDA?

The NDIS has strict design rules for SDA. Even if your home is right for you, if it doesn't meet the <u>SDA Design Rules</u>, you can't use your SDA funding for it. For more info, see the section called 'Build, renovate or buy?'

#### Will you be your own SDA provider or will you get someone else to do it?

There is a lot of paperwork involved with being a registered SDA provider. Some people choose to manage this themselves, while others pay another person or organisation to do it for them. See the section called 'Becoming an SDA provider' for more info.

## The process



The process for getting Specialist Disability Accommodation (SDA) funding can seem really complex. The key is to break it down into a series of steps and just take one step at a time.

The SDA process can be broken down in lots of different ways. The steps shown above may be different to the steps shown in other resources and on other websites. What matters is that you understand what you need to do now, and where to find info about what to do next.

If you need help to understand the SDA process, call our NDIS Housing Advice Line on 1300 61 64 63 or email <a href="mailto:housingoptions@housinghub.org.au">housingoptions@housinghub.org.au</a>

## **Documents to read**

SDA is a complicated area of the NDIS. There are several documents that you should read to get a good understanding of what SDA is and how it works. These are:

- SDA Pricing Arrangements and Price Limits (previously called the SDA Price Guide)
- SDA Design Standards
- SDA Rules
- SDA Operational Guideline

# What level of SDA funding do you have?

When you are approved for SDA funding, details about the SDA you have been funded for will be included in your NDIS plan. These things affect how much SDA funding you will get:

- Building type apartment, villa/townhouse/duplex or house
- Design category Improved Livability, Robust, Fully Accessible or High Physical Support (HPS)
- On-site Overnight Assistance (OOA)
- **Breakout room** (Robust design category only)
- Location factor because a home costs more in central Sydney than in Albury, different SDA funding levels are set for different local government areas (LGAs) – listed in the SDA Pricing Arrangements document
- **Fire sprinkler allowance** this allowance affects the SDA payments by the amount listed at the bottom of the Base Price tables in the SDA Pricing Arrangements document
- Number of bedrooms
- **Number of participants** this is the number of participants the NDIS expects you to share your SDA home with. If you plan to live on your own, or share your home with a partner and/or kids rather than housemates, this number should be '1'.



# **Build, renovate or buy?**

Any SDA home built after 1 April, 2016 attracts the New Build prices as listed in the SDA Pricing Arrangements document. There are a number of different pricing tables in this document. To work out which table to use, you need to know when the SDA home was built, if the home includes fire sprinklers, and if GST was paid on the build.

#### Appendix A is for SDA homes first enrolled on or after 1 July 2023

- Table 7 is for homes without sprinklers and GST not paid\*
- Table 8 is for homes with sprinklers and GST not paid\*
- Table 9 is for homes without sprinklers and GST paid\*
- Table 10 is for homes with sprinklers and GST paid\*

\*When it comes to SDA payments on an SDA home built in 2023 or later, a build where input credits were claimed on GST paid is treated the same as a build where GST was not paid.

#### Appendix B is for SDA homes first enrolled before 1 July 2023

- Table 11 is for homes without sprinklers
- Table 12 is for homes with sprinklers

It is possible to buy an older home and renovate it to the <u>SDA Design Standards</u>, but the 'minimum refurbishment costs' (in Appendix G) must be met before being eligible for New Build payments. The minimum refurbishment costs are quite high (for example, over \$560k for a 2-participant, HPS house with OOA), so in many cases it will be cheaper to build rather than renovate.

If you plan to live in the home without other NDIS participants, it may be possible to renovate an older home to the <u>SDA Design Standards</u> for less than the minimum refurbishment costs and enrol it as Existing Stock (see Appendix C of the SDA Pricing Arrangements), but it is important to check with the NDIS and your bank first. Note that the SDA payments for Existing Stock are much lower than for New Build.

Any builder can build SDA – no special qualifications are required for builders to build SDA. But be careful when you select a builder, because attention to detail is important to make sure the home is built exactly to the <u>SDA Design Standards</u>. Even small variations from standards might mean you can't enrol the home as SDA.

Consider using a builder who has experience building to Australian Standards 'Design for Access and Mobility' requirements (known as AS1428.1).

SDA payments will only be made once the property is enrolled as SDA and you move in. So if you plan to buy a block of land first and build your SDA home on it later, you will need enough money to buy the block before you start receiving SDA payments.

You can also buy an existing SDA home, but if it is not currently enrolled as SDA, you will have to make sure it meets the SDA Design Standards. Before buying, you should check with the NDIS that the home is currently enrolled as SDA, or have the property checked by an SDA assessor to make sure it meets the standards.



## Costs

Self providers of SDA are able to borrow money and use their SDA payments to repay the loan.

#### Where can I get a loan for my SDA home?

Given the smaller size of the SDA market, a lot of the bigger banks are not giving loans to people who want to build or buy their own SDA home. Most of the organisations who will do loans for SDA properties are smaller banking institutions, credit unions and building societies, as well as private financiers.

Each organisation has their own way at looking at things, so make sure you explore your options and make an informed decision about who to get a loan from for your home. When looking at your ability to repay the loan, one lender may accept 100% of your SDA payment, while the next may only take 50%. This will be the case for other parts of your application too – such as expenses, house and land price and the valuation of the property.

#### What lenders/brokers can I speak to about my mortgage?

This list is a starting point for potential lenders that may suit your situation – there may be others. If you have access to a mortgage broker that is familiar with loans for SDA homes, then they may be a good option to explore as they can do the research and comparisons for you. As at June 2024, the following lenders have financed or have an interest in financing SDA:

- Bank Australia
- Bank of Queensland
- St George
- Homestar Finance
- La Trobe Financial
- Granite Finance
- 1234 Finance
- Activ8 Finance
- Tradies Finance

## How much can I borrow for my SDA home?

Let's say you are looking to build or buy an SDA home for \$800,000 (house and land) then you will likely need to contribute a deposit for the bank to approve the mortgage.

Financiers usually calculate the amount they will lend based on a loan-to-value ratio of 80% of the **value** of your finished home on the open market, not how much it **cost** to build. Standalone SDA homes often cost more to build than they are valued at, so a bigger deposit is usually required. This can make things hard for people and families who are saving a deposit. Apartments do not always have the same difference between market value and cost. Here is an example:

- House and land actual costs: \$800,000
- Bank valuation of the completed home: \$750,000
- Bank will lend 80% of the valuation: \$600,000
- Total deposit required: \$200,000
- Effective deposit required (\$200,000/\$800,000): 25%

A family member, friend or other person can provide some or all of your deposit. A deposit can be cash, or a mortgage over another property may satisfy the bank's security requirements. You need to ask the bank if this will affect how much it will lend you.

SDA payments are not made until 6-8 weeks after the home is enrolled as SDA. So make sure you have enough money set aside, or else factor into the loan the construction period and delay until the first claim and payment is received.

#### Co-ownership and shared equity schemes

Co-ownership means that more than 1 person owns the property. Usually co-ownership is worked out as a share of the property. For example, you may own half the property, and someone else (or an organisation) owns the other half.

Co-ownership is also known as "shared equity". The governments in Victoria, New South Wales and Western Australia have shared equity schemes, and the Australian Government has been planning to introduce its own scheme for some time now. But Section 25 of the SDA Rules state that a home that has been built with government funding under a scheme unrelated to disability accommodation can't be enrolled as SDA. This effectively rules out the usefulness of government shared equity schemes for SDA.

Some non-government organisations may consider becoming a co-owner of your SDA home and lending you the money for your share in the property. This might make home ownership more achievable, but make sure you understand how it works in the long term and get independent advice before you sign anything.

#### Tax treatment

First, a warning: This is general information, please see a tax specialist for advice specific to your circumstances.

SDA payments made directly to you as a registered provider, or through a third-party provider, should be tax-free like other payments received from the NDIS, and not count as income for Centrelink purposes.

The Australian Tax Office (ATO) has said the SDA benefit the taxpayer receives (and is entitled to as a participant with an approved plan) is exempt from tax if the taxpayer is also the provider.

It is possible for a family member, friend or other person to become the 'self provider' of your SDA home, but the SDA payments they receive would probably be considered income and they would have to pay tax on them.

SDA is also listed as a GST-free supply (see <u>GST – free Supply (National Disability Insurance Scheme Supports)</u> Determination 2021), so people who are registered as SDA providers with the NDIS Quality and Safeguards Commission and registered for GST can claim back the GST paid on the build cost. Note that claiming GST input credits will change what SDA payments your SDA home is eligible for – see the '<u>Build, renovate or buy?</u>' section above.

## One-off and ongoing costs

When working out if you can afford to build or buy your own SDA, you should factor in the other costs of owning your home. These include one-off costs and ongoing costs. Unless you rent a fully furnished home, many of the one-off expenses will be similar to a rental home, but include:

- Assistive technology (AT) any AT you need should be funded separately in your
   NDIS Plan for more info see the <u>Housing Hub's guide about AT</u>
- Furniture bed, table, chairs, couch
- Appliances TV, fridge, washing machine, dryer, kettle
- Some furnishings pillows, blankets, towels, art
- Things you use knives, forks, spoons, plates, bowls

#### The main ongoing costs are:

- Council rates
- Utilities water, power, gas, phone, internet
- Insurance
- Maintenance and repairs

If the SDA payments you receive as the provider of your SDA are more than the repayments on your home loan, you can use the extra money as you choose. But the funding you get in your NDIS plan for supports cannot usually be used for day-to-day living costs such as utilities.



# Becoming an NDIS provider

People who own their SDA home are known by the NDIS as 'self providers'. To be a self provider you need to register with the NDIS Quality and Safeguards Commission (NDIS Commission) and become a registered NDIS provider. This is a complicated process and there are no special allowances made for self providers – you have to go through the same process as large organisations.

You need to have a set of policies and procedures that address the SDA module in the NDIS Practice Standards (Module 5 – you don't need to address the other modules). You can buy a set of policies and procedures from businesses that specialise in provider registrations or you can create your own. Buying these documents may cost you between \$1,000 and \$3,000.

You can apply online to become an NDIS provider through the <u>NDIS Commission website</u>. You have to complete 'self-assessment' questions, which outline how your policies and procedures address the 5 Practice Standards that apply to SDA registration:

- Rights and responsibilities
- Conflict of interest
- Service agreements with participants
- Enrolment of SDA properties
- Tenancy management

#### Audit

To be an NDIS provider, you will have to participate in a regular NDIS audit process. The NDIS Commission has developed a process to follow, but it can be complex and time consuming, particularly for self providers. After submitting your NDIS provider application, you will receive a 'Scope of Audit' from the NDIS Commission. This is a document you need to pass on to auditors so they can give you a quote for your NDIS audit.

You can only use an auditor that is on the approved list by the NDIS Commission. Once engaged, the auditor will conduct a 'certification' audit (the more involved of the 2 audit types, the other being a 'verification' audit). Audits cost around \$5,000 and SDA providers need to do 1 every 3 years. All other NDIS providers have to do an 18-month 'mid-term audit', but this is not required if you are only registered for SDA.

If you pass the audit, your auditor will send their paperwork to the NDIS Commission recommending registration (or, for audits after your first 1, renewal).

Hearing back from the NDIS Commission can be slow – we have heard that it has taken some people a year or more to get their registration as an SDA provider. If you have gone through your options and decided to become a self provider, do your registration early to avoid delays in receiving your SDA payments.

The Summer Foundation has an online training resource called <u>Welcome Home</u>, which is a package of information to help SDA providers understand their requirements and responsibilities. Going through the resource is a good way to prepare for the registration audit, as it highlights how providing SDA is different from normal housing. It applies to self providers because you have to have policies and procedures as if you were providing SDA homes to other participants.

#### **Outsourcing provider registration**

An alternative to registering as your own SDA provider is to outsource this to a 'third party' – a person or organisation who will do this for you. The third party can enrol your SDA home with the NDIS on your behalf, as long as they have your written permission to do so.

The third party SDA provider will typically ask for a fee, or take a percentage of the SDA payment and pass on the rest to you. The fee charged by a third party SDA provider might be \$3,000 to \$4,000, or anywhere from 5% to 20% of the SDA payments. Different providers may offer different levels of service for your provider registration. It is important to make sure services meet the NDIS Commission standards.

Some people may want to outsource to a third party SDA provider at first, take their time doing the paperwork to become an NDIS provider, then become a self provider once everything is complete. You would need to make sure that any agreement you sign with the third party SDA provider takes this into account.

#### **Conflict of interest**

Being a self provider of SDA means that the person providing the housing (you) is the same person who is receiving the housing (you). It has been clarified by the NDIS Commission that this is not a conflict of interest. If someone tries to tell you otherwise, they are mistaken.

## SDA assessment and enrolment

To be enrolled as SDA with the NDIS, your home needs to be assessed by an SDA assessor who is accredited by the Access Institute. Homes are first given a 'provisional' assessment at the design stage, to make sure all the plans meet the <u>SDA Design Standards</u>, then again at the end in what is called a 'final-as-built' assessment.

A list of accredited SDA assessors is on the Livable Housing Australia website.

After both assessments the assessor emails the Certificate of SDA Category Compliance, SDA Assessment checklist and SDA Assessment Summary Form to the NDIA via the SDA email address <a href="mailto:sdaenrolment@ndis.gov.au">sdaenrolment@ndis.gov.au</a>

The SDA Design Standards are very strict. There is no 'wiggle room' in the required minimum dimensions and measurements – even if that means self providers have to have designs and features that don't meet their specific disability requirements.

After the assessment is passed your home can be enrolled as SDA through the 'my NDIS provider portal' (also known as Provider Digital Access, or PRODA). The process for enrolment can be found on the NDIS website <a href="here">here</a>.



# **Claiming SDA payments**

Once your home is enrolled as SDA you need to ask the NDIS for SDA to be implemented in your plan. The NDIS calculates what the SDA funding value will be and allocates that amount to your plan. There are currently 2 different ways to claim payments, depending on whether your NDIS plan was created in the NDIS's old system, or the new PACE system that is currently being rolled out.

Once SDA funding has been implemented in a plan you can log into your provider portal every month and make a claim for the SDA payment. The SDA payment will be deposited into your nominated bank account.

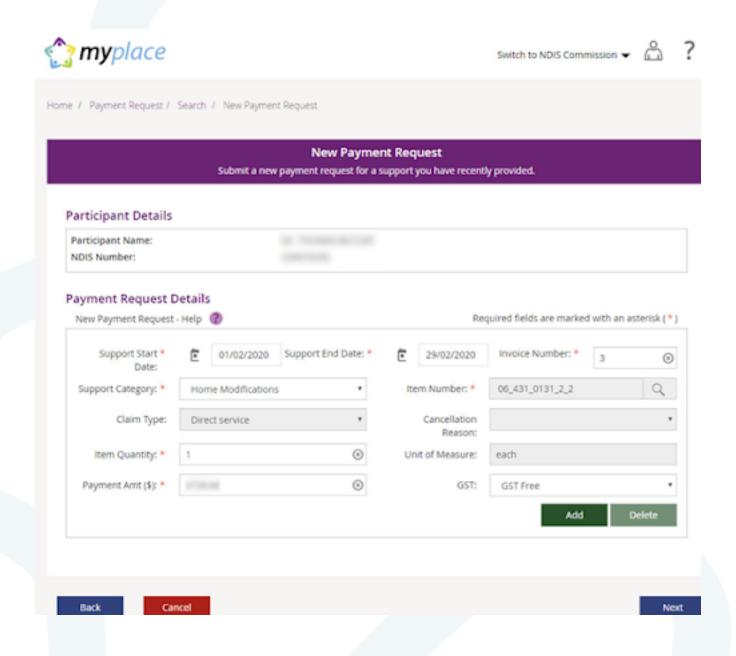
SDA payments on New Build SDA homes are paid for 20 years from enrolment with the NDIS – but only while someone with SDA funding in their NDIS plan is living in the home. After 20 years the SDA payments revert to the Existing Stock rates.

#### How to claim under the old system

This is the process to claim payments each month:

- 1. Log into the myplace Provider Portal
- 2. Click Payment Request -> Create Payment Request
- 3. Search by NDIS Number in the drop-down box
- 4. Enter your NDIS Number and click Search
- 5. Click your name in the search results to get to the New Payment Request screen
- **6.** Enter support start and end dates, so for March it's 1 March 31 March
- 7. Enter an invoice number (of your choosing, it's just for your own records)
- 8. Choose Home Modifications from the Support Category drop-down list (it should be the only choice)
- 9. Click the magnifying glass for Item Number and select the SDA Support Item Number (it should be the only choice)
- 10. Enter Item Quantity as 1
- 11. Enter Payment Amount as your monthly SDA payment
- 12. Click Next
- **13.** Select the "I acknowledge" checkbox and then click Submit

#### 1 or 2 days later the money is transferred to your nominated bank account



## How to claim under the new PACE system

- 1. Log into the myplace Provider Portal
- 2. Click Payment Request -> Bulk Payment Request Upload
- Follow the instructions here to submit a bulk payment request, which is required even though you are only submitting a request for yourself: <a href="https://myplace.ndis.gov.au/supplier/paymentrequest/downloadBulkUploadInformationFile">https://myplace.ndis.gov.au/supplier/paymentrequest/downloadBulkUploadInformationFile</a>

# Sharing your SDA home with other people

You have the right to live with the people you choose to live with – your partner, children, other family members or housemates.

When a home is enrolled as SDA, a number of things need to be specified: the SDA design category, the number of bedrooms, the maximum number of people it can house and the maximum number of SDA-funded participants.

If the person (or people) you are going to share your SDA home with doesn't have SDA funding, the home can be enrolled as an SDA home for 1 SDA participant, and only your bedroom and bathroom (and all common areas) need to meet the specifications for the SDA design category the home is enrolled for.

If the SDA home you are buying (or building) is enrolled for more than one SDA-funded participant, it is still possible to live in it as the sole SDA participant, with people who don't have SDA funding. In this case, the tables in Appendix H of the <u>SDA Pricing and Payments</u> document show the amounts the NDIS may pay to you as the SDA provider.

## Sharing with another NDIS participant who has SDA funding

If you plan to share your SDA home with your partner (or any other adult housemate) **who does have SDA funding**, the home will need to be enrolled as an SDA home for 2 SDA participants, meaning it will need to have at least 2 bedrooms that meet all specifications for the SDA design category the home is enrolled for.

So, for example, if you have High Physical Support SDA funding (2 participant, house) and your partner has Fully Accessible SDA funding (2 participant, house), the SDA house you build will need to have 2 bedrooms and all common areas built to HPS specifications, even if you intend to share a bedroom. Also, you are only able to claim SDA payments up to the level that is funded in your NDIS Plans – in this example, for 1 HPS tenant and 1 FA tenant – even though the home has provision for 2 HPS tenants. You may also be liable for income tax on the portion of SDA payments made to you from your partner's plan, though you will need to check your situation with a tax specialist.

Note that you will not be considered a self provider, because you are also providing SDA supports to your partner.

#### SDA houses for 1 SDA participant

Before 2023, if you didn't want to live with other people with SDA funding, your SDA home had to be enrolled as an apartment or villa/duplex/townhouse, because the <u>SDA Pricing and Payments</u> document didn't have SDA houses for 1 SDA participant.

The pricing document now includes "Appendix H – Shared Living Arrangements". The pricing tables in Appendix H include 2 and 3 bedroom houses for 1 SDA participant, in all SDA design categories. So you can now enrol an SDA house with multiple bedrooms and for multiple residents, but for only 1 SDA participant.

## More info

If you need support with your journey to becoming an SDA self-provider, there are a number of ways to get help.

#### Housing Hub's NDIS Housing Advice line

**ph:** 1300 61 64 63

email: housingoptions@housinghub.org.au

web: housinghub.org.au

Some SDA providers can assist you with the process of building or buying your own SDA and/or enrol your SDA home on your behalf (third-party SDA registration). You can find the contact details for SDA providers who may be able to assist on the <u>Housing Hub's Provider Directory</u>.

For info about designing for inclusion, see the <u>Livable Housing Australia website</u> (<u>livablehousingaustralia.org.au</u>), and for info about sustainable design, see the government's <u>Your Home website</u> (<u>yourhome.gov.au</u>). You can keep up to date with all the latest info about building or buying your own SDA home by joining the '<u>NDIS self providers of SDA' Facebook group</u> (<u>facebook.com/groups/1404181266400840</u>).

# **Housing Hub:**

#### **Building or buying your own SDA**

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#### **Disclaimers**

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