

Tharawal Housing Aboriginal Corporation

Starting a Tenancy Policy

Version Number:	2
Applies to:	Tharawal Housing Aboriginal Corporation Starting a Tenancy Policy
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Scope:

This policy applies to all applicants who sign a tenancy agreement with Tharawal Housing Aboriginal Corporation. Tenants can expect Tharawal Aboriginal Housing to comply with all obligation set out in *the Residential Tenancy Act 2010*.

Starting a Tenancy Agreement:

Tharawal Housing Aboriginal Corporation will enter into a residential tenancy agreement with applicants who have accepted an offer of housing with the organisation. A staff member from Tharawal Housing Aboriginal Corporation will contact an applicant within 3 working days from the offer acceptance to arrange a sign up. Applicants are advised what documents they will need to bring with them to sign up.

Signing a Tenancy Agreement:

At the time of sign up, the applicant becomes a tenant of Tharawal Housing Aboriginal Corporation. The following occurs during the sign up process:

- The tenant is provided with a written tenancy agreement outlining all their rights and responsibilities. The tenancy agreement is sign by the tenant and housing officer.
- The tenant will be provided with a property condition report (part of this report will already been filled out by Tharawal staff, tenants are expected to completed the property condition report and return it to their local office within 7 days. In the event the tenant does not agree with comments made by Tharawal on the Property Condition report, a staff member will attend the property, investigate, and resolve any comments.
- The tenant and any additional occupants over the age of 18 will need to provide current identification, current income and assets.
- Complete all relevant paperwork to starting a tenancy e.g. rental subsidy application, Centrepay Deduction form/direct debt form.
- Pay two weeks advance rent and water prior to the keys been given to the tenant.
- The tenant is provided with Factsheets and relevant support services in their local area.
- The housing officer will explain in detail the tenant rights, responsibilities, and Tharawal Housing Aboriginal Corporation obligations to the tenant.
- The tenant will be provided with information on how to access maintenance services, pay rent and contact details for their housing officer.

Joint Tenancy Agreements:

Generally a tenancy agreement is signed by one-person, there are however situation where a joint tenancy agreement may be requested. In these situations, both tenants are legally responsible for their obligation under the tenancy agreement. Both tenants will need to be present at sign up to ensure everyone is fully aware of their rights and obligations.



Before a joint tenancy agreement can be entered into, both parties must be eligible for social housing, the property must be suitable for the household, there must not be any outstanding debts with social housing, and the joint tenant must be an approved member of the household.

Young People:

Tharawal Housing Aboriginal Corporation will allow young people who are aged 16-18 years old to hold a tenancy agreement in their own right, providing they have been approved for social housing and can demonstrate their ability to maintain a tenancy on their own. Persons under the age of 18 will need to have a legal representative present with them at the time of sign up to ensure they understand the process.

Length of the Lease:

Tenant/s residing in properties managed by Tharawal Housing Aboriginal Corporation on behalf of the Aboriginal Housing Office (AHO) will be given a continuous lease, subject to the tenant complying with their tenancy agreement. (In accordance with the AHO Housing Access Policy)

Any other property managed by Tharawal Housing Aboriginal Corporation will be assigned a lease 12 month lease at the commencement of their tenancy agreement. At the end of the 12 months tenant/s will be offered a continuous lease providing they have no breached their tenancy agreement. Tharawal Housing Aboriginal Corporation reserves the right to not assign a continuous lease to tenant/s.

Rent:

At the time of sign up, the housing officer will complete the tenant's application for a rental subsidy if applicable. The tenant will be advised of their weekly rent and water charge. The tenant is expected to pay two-week advance rent and water at sign up. Failure to do so may result in the sign up being rescheduled. Tenants are advised of all options on how to pay their rent and what happens if they fall behind in their rent.

Additional Chargers:

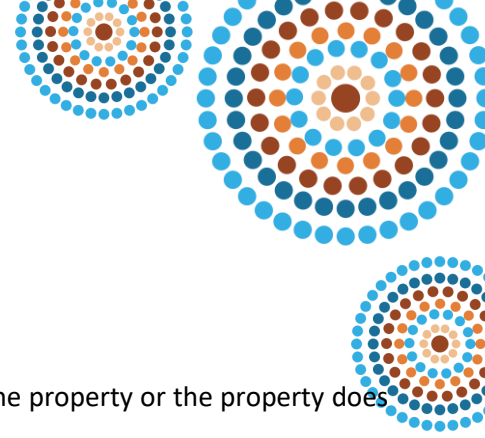
At the time of sign up, Tharawal Housing Aboriginal Corporation is unable to determine a tenant's water charge, therefore all tenants are charged a minimum of \$10.00 water per week. Once the tenant's first water bill is received the account will be reconciled.

In situations where tenants are charged bond, they will need to pay their bond in full at the time of sign up. In extenuating circumstances, Tharawal Housing Aboriginal Corporation may enter into a payment arrangement for tenants to pay their bond.

Tenancy Agreements not signed:

Tharawal Housing Aboriginal Corporation reserves the right to not enter into a tenancy agreement in the following situations:

- The client appears to be under the influence of drugs or alcohol.
- The client becomes aggressive during the sign up process.
- The client does not pay two weeks rent at the time of sign up.
- There is doubt the client attending the sign up is the actual person approved to sign the lease.
- The client states they no longer want the property.
- It becomes apparent that the client does not understand what is going on or understand their obligations (due to either language difficulties or incapacity).
- The client does not have the required documents for the sign up to proceed.



- It becomes apparent in the sign up process that the client does not match the property or the property does not match the client’s housing needs.
- Both participants of a joint tenancy are not present.
- Information at sign up conflicts with the client’s eligibility for social housing.
- It becomes apparent during sign up that the client does not have the independent living skills to successfully maintain a tenancy and there are no support in place to assist the client.

Ending a Tenancy:

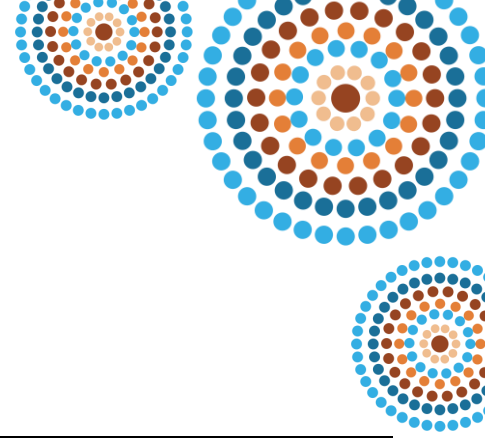
Refer to ending a tenancy policy.

Appeals and Complaints Process:

If a tenant believes the decision made by Tharawal Housing Aboriginal Corporation was incorrect, they should first discuss their concerns with their local office. If the tenant still believes the decision is wrong, the tenant has the right to ask for a formal review as per Tharawal Housing Aboriginal Corporation Appeals and Review decision Policy.

Responsibility:

Housing and Compliance Project Officer	<p>Prepare sign up kit and sign tenants up to tenancy.</p> <p>Ensure rent is calculated in accordance with Rent Policy.</p> <p>Ensure tenants understand the sign up process and their right and obligation in accordance with their tenancy agreement.</p> <p>Conduct annual reviews of policies and make any necessary changes in accordance with policy and legislation changes.</p>
Housing Manager	<p>Ensure policies and procedures are being applied.</p> <p>Ensure any changes to legislation is adapted.</p> <p>Provide training to staff where applicable.</p> <p>Report to CEO any issues or matters that need to be escalated.</p>
CEO	<p>Review policy recommendation.</p> <p>Address any issues raised.</p>
Board	<p>Monitor the policies efficiency and effectiveness to ensure improve practice and positive outcomes for Aboriginal people.</p> <p>Report any findings and recommendation within its annual report.</p>



Reference:

Legislation:	Related Policy
<i>Residential Tenancies Act 2010</i>	Social Housing Eligibility and Allocation Policy Supplement
<i>Aboriginal Housing Act 1998</i>	Manage The NSW Housing Register Policy
<i>Residential Tenancies Regulation 2010</i>	Matching and Offering a Property to a Client Policy
	Community Housing Resource Allocation Policy
	Aboriginal Housing Access policy
	AHO Confirmation of Aboriginality Policy
	THAC Tenancy Policy
	Housing Pathways - https://www.facs.nsw.gov.au/housing/policies/starting-tenancy-policy .

Tharawal Housing Aboriginal Corporation staff must always adhere to the Confidentially Policy and Privacy Policy.