

## Tenant and Housing Services

### Tenancy Commencement Policy

Document Name	Tenancy Commencement Policy
Department	Tenancy
Responsible Officer	Tenancy Manager
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## 1. Rationale

This policy outlines CHL responsibility in managing the commencement of a tenancy in accordance with relevant government policies and regulations.

## 2. Legislation and Other Policies

2.1. CHL will comply with the following legislation (as amended):

- Residential Tenancies Act 1995

2.2. CHL will comply with the following policies (as amended):

- CHL Bond Management Policy
- CHL Rent & Arrears Management Policy
- CPG Tenure: Fixed Term Leases v3
- CHL Dispute and Resolution Policy

## 3. General Policy

3.1. CHL will sign a tenant into a property in a way that uses time and resources efficiently.

3.2. CHL will ensure that all legal processes and policies are followed when signing a tenant into a property

3.3. CHL will prepare a record of tenancy, both digital and on paper, that is accurate, relevant, easy to use, and maintain both throughout the tenancy, and after a tenancy has ended. Records are to be consistent with relevant policies and procedures in regards to privacy and good practice.

## 4. Lease Agreements

4.1. CHL will ensure that each lease agreement is up to date as per the relevant funding agreement/memorandum of understanding, is consistent with the Residential Tenancy Act 1995, and contains all information relevant to the property type.

4.2. Up to date information required to complete the lease agreement will be collected from the tenant at the time of offer of the property and all necessary legal, administrative, tenant information and support documentation will be prepared in advance of the sign-in and checked by staff to ensure it is complete and accurate.

4.3. The commencement date of the tenancy agreement should be the same as the date rent is first due and when the keys are handed over to the tenant.

4.4. CHL are to make all tenants aware of the requirements of signing a Residential Tenancy Agreement under the Residential Tenancies Act 1995 (as amended)

4.5. Rent is to be set as per the CHL Rent & Arrears Management policy in relation to the type of housing that is offered.

- 4.6. CHL will provide to the tenant all relevant copies of paperwork related to the sign-in.
- 4.7. CHL will provide all legal paperwork to the tenant that is required under the Residential Tenancies Act 1995 (as amended) in relation to the tenancy and property.
- 4.8. The Tenancy Agreement must be witnessed by a 3<sup>rd</sup> person who is not named on the lease.

## **5. Inspection Report**

- 5.1. Where possible, CHL will complete the Landlord relevant section of the inspection report based on the outgoing inspection report, or if maintenance work has been done on the property, based on a pre-tenant inspection, or in the case of a new property, based on the handover inspection.
- 5.2. The tenant must be provided with 2 copies of the inspection report for completion at which time they are to be returned to CHL for review.
- 5.3. The tenant must return the completed and signed inspection report within 14 days of the tenancy commencing.
- 5.4. The Maintenance department must be notified of any issues identified on the inspection report immediately so action can be taken.
- 5.5. CHL must attempt to resolve with the tenant any disputes regarding the inspection report in accordance with the CHL Dispute Resolution Policy.

## **6. Rent in Advance**

- 6.1. 2 weeks rent in advance must be collected at or prior to the tenant sign-in.
- 6.2. If 2 weeks rent cannot be collected, a repayment agreement may be negotiated between CHL and the tenant. The Tenancy Manager must approve any such agreement.

## **7. Keys, Remotes and Fobs (Keys)**

- 7.1. The keys to a property must not be handed to a tenant until a lease agreement is signed, the bond and 2 weeks rent is collected (or a repayment agreement is arranged), and relevant legal paperwork has been given to the tenant.
- 7.2. One set of keys must remain at CHL
- 7.3. A photocopy must be taken of the keys and signed by both the tenant and CHL

## 8. Support

- 8.1. Where practicable, the tenant should be directed to the Local Support Group (LSG) for the property where support and further direction can be given in relation to their tenancy.

Change Log		
<b>Revision</b>	<b>Change</b>	<b>Date</b>
1.0		3/12/2014
1.1	<ul style="list-style-type: none"><li>- Added <i>Change Log</i></li><li>- Rebranded to CHL</li><li>- Removed 'Date Last Revised' from document block</li></ul>	6/11/2015