


TENANT AND HOUSING SERVICES

TENANCY CESSATION POLICY

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SIGNED:	
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1. RATIONALE

This policy outlines Cornerstone Housing Limited (Cornerstone) responsibility in ensuring that all legal requirements and processes are understood and followed by staff when ending a tenancy.

2. LEGISLATION AND OTHER POLICIES

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

- Residential Tenancies Act 1995

3. POLICY STATEMENT

- 3.1. Tenancies can end voluntarily or by forced termination. Tenancies will be secure unless conditions of the Residential Tenancy Agreement have been broken or the requirements and provisions of the funding body indicate otherwise.
- 3.2. Cornerstone will end tenancies only in line with the Residential Tenancies Act 1995 (as amended), taking into account the individual circumstances of tenants.
- 3.3. The legal requirements for ending a tenancy are understood and adhered to by our Staff, Management and Residents.
- 3.4. Cornerstone will respect the principles of natural justice for tenants (e.g. access to information, giving reasons for decisions, internal and external review of decisions, and privacy).
- 3.5. Cornerstone will treat tenants fairly, efficiently and with respect, trying to rectify breaches in the Residential Tenancy Agreement before seeking to end the tenancy.
- 3.6. Cornerstone will issue a Notice of Termination only in accordance with the Residential Tenancies Act and will provide information about tenants' rights and obligations.
- 3.7. Cornerstone will have legally correct and efficient procedures for identifying and dealing with abandoned premises and abandoned goods.
- 3.8. Cornerstone will store and dispose of any abandoned goods at the end of a tenancy in accordance with Section 97 of the Residential Tenancies Act 1995 (as amended).
- 3.9. Before any action related to tenant breaches is taken to the South Australia Civil and Administrative Tribunal (SACAT), Cornerstone will explore other appropriate options including consultation with the tenant's support agency or Local Support Group.
- 3.10. All documentation pertaining to the termination of a tenancy will be clear, complete and maintained.

4. TENANT RIGHTS AND RESPONSIBILITIES

- 4.1. Cornerstone will advise a tenant of their rights and responsibilities when a Notice of Termination is issued and when legal action is taken at SACAT that may result in their tenancy being terminated.
- 4.2. Cornerstone will ensure tenants have access to tenancy advice and support if their tenancy is at risk or is ending.
- 4.3. Cornerstone will advise the tenants exactly what is required of them to meet their legal responsibilities and to ensure their rights are upheld when their tenancy ends, whatever the reason.

5. PROPERTY REGENERATION

- 5.1. Cornerstone properties can be included in a Property Regeneration Project, where nominated housing stock (houses that are not fiscally viable to repair or update) can be handed back to the Funding Body (Renewal SA) and in turn, new properties are provided to Cornerstone.
- 5.2. Cornerstone will handle each property regeneration on a case-by-case basis.
- 5.3. If a property has been flagged for regeneration, the current tenants of the property may be offered options for a housing transfer taking into consideration the tenants' personal circumstances and the current availability of housing stock.
- 5.4. If no options for a housing transfer are available or accepted by the tenant, Cornerstone may seek vacant possession for the property through SACAT.

6. PROPERTY REDEVELOPMENT

- 6.1. Cornerstone properties can be allocated for redevelopment, where a house or group of houses that meet certain requirements, can be redeveloped in order to create extra housing stock.
- 6.2. If a property has been flagged for redevelopment, the current tenants of the property may be offered options for a housing transfer taking into consideration the tenants' personal circumstances and the current availability of housing stock.
- 6.3. If no options for a housing transfer are available or accepted by the tenant, Cornerstone may seek vacant possession for the property through SACAT.

CHANGE LOG

<i>Revision</i>	<i>Change</i>	<i>Date</i>
1.0		3/12/2014
1.1	- Added <i>Change Log</i> - Rebranded to Cornerstone Housing Ltd.	6/11/2015
2.0	- Amended <i>Property Regeneration</i> - Added <i>Property Redevelopment</i> - Residential Tenancies Tribunal changed to South Australian Civil and Administrative Tribunal (SACAT)	22/07/2016