

Tenancy Review Policy

Purpose

Cornerstone is dedicated to fostering secure, equitable, and supportive housing environments. We ensure all our tenancy practices are carried out with fairness, transparency, and a deep respect for every individual's rights. This policy outlines our commitment to managing tenancies with integrity and in strict compliance with legislation and regulation.

We recognise the importance of a home in providing stability and security for individuals and families. Cornerstone will undertake tenancy reviews, extensions, and termination activities with a balanced approach that considers both the legal obligations set forth by the Residential Tenancies Act 1995 and the principles of natural justice. This approach ensures that all decisions are made fairly, impartially, and with due consideration of the circumstances and rights of all tenants.

Policy Objectives

This policy is designed to:

- Ensure that tenancy agreements are reviewed and managed in a manner that is just, consistent, and transparent.
- Provide clear guidelines for the extension, conclusion, or termination of tenancies, ensuring that all parties are treated with dignity and respect.
- Implement robust monitoring processes to ensure compliance with statutory obligations, while also being responsive to the needs and rights of our tenants.

Governing Regulations

- Residential Tenancies Act 1995 (the Act) and supporting regulations
- National Rental Affordability Scheme Act 2008 (NRAS Act) and supporting regulations
- Community Housing Providers (National Law) (SA) Act 2013
- National Disability Insurance Scheme (Specialist Disability Accommodation Conditions) Rules 2021 (SDA Rules)
- National Regulatory System Community Housing (NRSCH) Regulatory Framework
- Master Community Housing Agreement

Security of Tenure

Cornerstone owns and manages diverse housing types and programs, each with specific requirements, however a tenancy remains secure except under the following circumstances:

Breach of Lease

If a tenant breaches the terms, they will receive a notice of breach, clearly outlining the breach and instructions on remediation. If the breach is not remedied and the tenant is eligible for a third notice of the same breach within a 12-month period, the relevant notice of termination may be issued.

Depending on the breach's severity, a notice of termination may be issued under prescribed grounds without warning.

Property Sale or Redevelopment

Where a property is marked for sale or redevelopment, Cornerstone will act in accordance with their **Decant Policy**.

Property Uninhabitable

Where a property is considered unfit for habitation, or the agreement is Frustrated, Cornerstone will, where possible, act in accordance with their **Decant Policy**.

Cornerstone Managed Properties

Where Cornerstone acts as the agent for a private landlord, the decision to end a tenancy will fall solely with the landlord.

Housing Eligibility

Where tenants no longer meet a housing program's eligibility criteria, Cornerstone will act in accordance with the housing program's rules or guidelines.

Lease Terms

A tenancy will commence with a lease agreement in accordance with the program funding of the house type. Where applicable, a 90-day probationary lease may be offered at the beginning of the tenancy.

Upon lease renewal, if the tenancy is not terminated, a fixed term tenancy will be offered to each tenant who has successfully completed their probationary period.

A fixed-term tenancy will be offered to each tenant who has successfully completed their probationary period. Fixed-term leases will be no longer than ten years.

Lease Review

For tenancies that commence with a 90-day probationary lease, the housing officer will assess the tenant's compliance and overall conduct during this period. If the tenancy is deemed unsatisfactory, the housing officer may decide not to renew the lease.

Cornerstone may extend a tenancy that might otherwise not pass a review, conditional on the tenant's commitment to improvement measures (e.g., arranging a plan to settle debts, engaging with supportive organisations and services, etc.)

Lease Renewal

Upon lease renewal, all tenants must comply with the eligibility requirements for support provisions as specified in the lease agreement to maintain an eligible tenancy. This includes meeting conditions related to support provisions where applicable. If support provisions are no longer provided and they were previously a requirement, Cornerstone may choose not to renew the tenancy.

Lease Cessation

In accordance with current legislation and regulations, Cornerstone may terminate a tenancy on prescribed grounds, with the required notice period dependent on the type of lease.

In some cases, Cornerstone may consider alternative resolutions such as a payment plan, or an application to SACAT.

Documentation related to the termination of a tenancy will be thorough, transparent, and properly maintained.

Upon termination of a tenancy, Cornerstone will inform the tenant about their legal obligations and rights, along with what is expected from them to maintain these rights.

Tenant's Rights

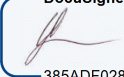
Tenants who feel the decision-making process did not properly adhere to procedural fairness have the right to submit an appeal under Cornerstone's **Appeal Policy**.

NDIS-SDA tenants’ rights, including security of tenure, are upheld, irrespective of any decision the tenant makes about the provision of other NDIS supports within the SDA dwelling (notwithstanding any matters covered by the SDA Service Agreement, Tenancy Agreement, or Collaboration agreement)

Related Documents

- Decant Policy
- Appeal Policy

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