

PROGRAM POLICY: ENDING A TENANCY (TENANT INITIATED)

Policy number	PPOL008	Version	v1.0
Drafted by	Program Development Manager	Approved by Board on	22 February 2017
Responsible Person	Program Director	Scheduled Review Date	22 February 2019

1. PURPOSE

- 1.1. The purpose of this policy is to set out the circumstance where a landlord may grant exemptions from or variations to the provisions set out in the Residential Tenancies Act (the Act) in relation to the ending of a tenancy, where it is initiated by the tenant.

2. POLICY CONTEXT

The Residential Tenancies Act has specific provisions in relation to ending a tenancy, including in instances where the tenant gives a notice of intention to vacate. Exemptions from and variations to these requirements may be granted after consideration of the needs of the Program, member co-op and tenant.

3. POLICY STATEMENT AND PRINCIPLES

3.1 STATEMENT

- a. The process of ending a tenancy will be managed in accordance with the requirements and obligations set out in the Residential Tenancies Act.
- b. In certain circumstances, and having regard for balancing the tenant's needs against the needs of the member co-op and the Program, exemptions and variations in relation to such things as length of notice period and condition of the property may be granted.

3.2 PRINCIPLES

- a. Where a tenant gives notice of intention to vacate, landlords will manage the finalisation of a tenancy in a timely manner and in accordance with the provisions set out in the Residential Tenancies Act.

- b. The tenant will be obliged to meet the requirements set out in the Act in relation to such things as minimum period of notice, payment of outstanding rent and condition of the property.
- c. Landlords may offer variations to the minimum period of notice and the condition of the property.
- d. Exemptions from and variations to the requirements and obligations set out in the Act will balance the needs of the tenant against those of the member co-op and the Program.
- e. If there is a need to end the tenant's membership following the ending of their tenancy, member co-ops should refer to the Ending a Membership Best Practice Guide (to be developed) for assistance.

4. SCOPE

4.1 This is a Program Policy. It applies to all residential tenancies managed by CEHL or its member co-ops.

5. DEFINITIONS

5.1 For all definitions relating to this policy, please refer to the Program Glossary.

6. LEGAL REQUIREMENTS

6.1 This policy adheres to and incorporates guidance from:

- a. [Residential Tenancies Act 1997.](#)
- b. [Performance Standards for Registered Housing Agencies: section 1 Tenant and Housing Services.](#)
- c. [Victorian Charter of Human Rights and Responsibilities 2006.](#)

7. PROGRAM REQUIREMENTS

7.1 This policy is consistent with:

- a. International Co-op Principles:
 - Open & Voluntary Membership
 - Democratic Control by Members
 - Co-operation among Co-operatives
 - Concern for Community.
- b. Program Principles:
 - Security
 - Affordability & Financial Sustainability

Participation
Membership & Growth
Changing Needs
Working Together.

8. RELATED PROGRAM POLICIES

8.1 This policy should be considered in conjunction with:

- a. Death of a Tenant Program Policy.
- b. Referral to Support Agencies Program Policy.
- c. Ending a Membership Best Practice Guide (to be developed).

9. AUTHORISATION

Approved by	CEHL Board	Date of approval	22 / 02 / 2017
Position	CEHL Chair		Karren Walker
Position	Manager		Nicola Foxworthy

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