

PROGRAM POLICY: ESTABLISHING A TENANCY

Policy number	PPOL007	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 ensure that the process for establishing new tenancies is consistent and adheres to all relevant legal and program requirements.

2. POLICY CONTEXT

The Residential Tenancies Act sets out the legal requirements, including the obligations of both landlords and tenants, that must be adhered to in the establishment of new tenancies.

3. POLICY STATEMENT AND PRINCIPLES

3.1 STATEMENT

- a. Landlords will only offer tenancies to co-op members, unless specific permission is obtained from CEHL.
- b. Landlords will ensure that new tenants are fully informed of the conditions and obligations of their tenancy.

3.2 PRINCIPLES

- a. Prior to making an offer of tenancy, landlords will confirm the proposed tenant's eligibility with CEHL.
- b. New tenancies will be established based on the current needs of the tenant and their household.
- c. Landlords will ensure that new tenants are fully informed of the conditions and requirements of their tenancy, including the rent model, income and asset tests, household composition, participation requirements, any specific funding conditions, Program Policies, Owners' Corporation and common area rules.

- d. Landlords will ensure that a written tenancy agreement is signed and in place for all new tenancies prior to commencement of the tenancy. The tenancy agreement must be in a format prescribed by CEHL or, in the absence of a prescribed format, in the standard format set out in the Residential Tenancies Act.

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.
- c. CCA.

8. RELATED PROGRAM POLICIES

8.1 This policy should be considered in conjunction with:

- a. Member Selection Program Policy.

9. AUTHORISATION

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