

# PROGRAM POLICY:

## ENDING A TENANCY (RENTER INITIATED)

Policy number	PPOL008	Version	v2.0
Drafted by	Program Development Coordinator	Approved by Board on	11 December 2019
Responsible Person	Program Director	Scheduled review date	11 December 2024

### 1. PURPOSE

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

### 2. POLICY CONTEXT

The Residential Tenancies Act (RTA) has specific provisions in relation to ending a tenancy, including in instances where the renter 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, co-op and renter.

### 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 RTA.
- b. In certain circumstances and having regard for balancing the renter’s needs against the needs of the 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 renter gives notice of intention to vacate, residential rental providers will manage the finalisation of a tenancy in a timely manner and in accordance with the provisions set out in the RTA.
- b. The renter 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. Residential rental providers 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 RTA will balance the needs of the renter against those of the co-op and the Program.
- e. The residential rental provider will ensure that prior to the ending of the tenancy any outstanding debts and/or damages owed by the renter must be formalised and recorded by the residential rental provider.
- f. The residential rental provider must finalise the renter's co-op membership prior to the ending of the tenancy.

## **4. SCOPE**

4.1 This is a Program Policy. It applies to all residential tenancies managed by CEHL or its 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 and evidence guidelines](#)
- 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 Renter Program Policy
- b. Referral to Support Agencies Program Policy
- c. Ending a Membership Best Practice Guide
- d. Unhoused Member Program Policy
- e. Exemptions Program Policy

## **9. AUTHORISATION**

Approved by	CEHL Board .....	Date of approval	11/12/2019
Position	CEHL Chair		Heidi Lee