

## PROGRAM POLICY: ESTABLISHING A TENANCY

Policy number	PPOL007	Version	v2.0
Drafted by	Program Development Coordinator	Approved by Board on	29 September 2020
Responsible Person	Program Director	Scheduled review date	29 September 2025

### 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 (RTA) sets out the legal requirements, including the obligations of both residential rental providers (landlords) and renters (tenants), that must be adhered to in the establishment of new tenancies.

### 3. POLICY STATEMENT AND PRINCIPLES

#### 3.1 STATEMENT

- a. Residential rental providers will only offer tenancies to co-op members, unless specific permission is obtained from CEHL.
- b. Residential Rental providers will ensure that new renters are fully informed of the conditions and obligations of their tenancy.
- c. Residential rental providers taking part in the **Pilot – Fixed Term Tenancies for New Co-op Members 2020-2022** will initially offer a fixed term residential rental agreement of two years to any new member after which the tenancy may transition into a periodic agreement.

#### 3.2 PRINCIPLES

- a. Prior to making an offer of tenancy, residential rental providers will ensure that any outstanding Program debts, owed by the new renter, are addressed prior to the establishment of any new tenancy.
- b. Prior to making an offer of tenancy, residential rental providers will confirm the proposed renter's eligibility with CEHL.
- c. New tenancies will be established based on the current needs of the renter and their household.
- d. Residential rental providers will ensure that new renters are fully informed of the

conditions and requirements of their tenancy, including the rent model, income and asset tests, household composition, active membership requirements, any specific funding conditions, Program Policies, Owners' Corporation, common area rules, and the property disclosure declaration.

- e. Residential rental providers will ensure that a written residential rental agreement is signed and in place for all new tenancies prior to commencement of the tenancy. The residential rental 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 RTA.

## **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 and evidence guidelines  
https://www.vic.gov.au/performance-standards-and-evidence-guidelines](https://www.vic.gov.au/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.
- 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	29 / 09 / 2020
Position	CEHL Chair		Heidi Lee