

PROGRAM POLICY: RENT ARREARS

Policy number	PPOL005	Version	v1.0
Drafted by	Program Director	Approved by Board on	28 September 2016
Responsible person	Program Director	Scheduled review date	28 September 2021

1. PURPOSE

The purpose of this policy is to:

- a. ensure that rent arrears are managed in a fair and consistent manner
- b. ensure that rent arrears management sustains tenancies and protects CEHL Program viability.

2. POLICY CONTEXT

The Residential Tenancies Act provides for a landlord to give a tenant a notice to vacate a rented premises if the tenant owes at least 14 days rent to the landlord. This minimum threshold for action must be considered in the context of the Performance Standards for Registered Housing Agencies, which require registered agencies to treat eviction as a mechanism of last resort and to have in place policies and strategies to deal with tenants in financial difficulties and with rent arrears.

3. POLICY STATEMENT AND PRINCIPLES

3.1 STATEMENT

- 3.1.1 Landlords will seek to minimise rent arrears.
- 3.1.2 Tenants will be assisted to address their rent arrears in a timely manner.

3.2 PRINCIPLES

- 3.2.1 Tenants will be provided with timely and accurate information regarding their rental account statements.
- 3.2.2 Landlords will provide a range of convenient options for tenants to pay their rent.
- 3.2.3 Landlords will take prompt action to address rent arrears.
- 3.2.4 The process for managing rent arrears will be documented in a rent arrears procedure.
- 3.2.5 Member co-ops will have in place documented procedures for dealing with rent arrears. In the absence of their own procedures, member co-ops will adopt the rent arrears procedure developed by CEHL.
- 3.2.6 Tenants will be provided with timely and accurate information regarding rent arrears processes.

- 3.2.7 Tenants will be given opportunities to address rent arrears in a reasonable timeframe.
- 3.2.8 Tenants will be referred to support services to assist them to maintain their tenancy and avoid eviction, as required.
- 3.2.9 Reasonable steps to enable the tenant to address rent arrears will be taken before the landlord seeks an order of possession or proceeds with eviction processes.
- 3.2.10 Member co-ops will provide CEHL with a report specifying any tenancies more than 21 days in arrears and their actions to address the arrears, within 14 days.

4. SCOPE

- 4.1 This is 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:

- 6.1.1 [Residential Tenancies Act 1997: section 246.](#)
- 6.1.2 [Performance Standards for Registered Housing Agencies: section 1 Tenant and Housing Services.](#)
- 6.1.3 [Victorian Charter of Human Rights and Responsibilities 2006.](#)

7. PROGRAM REQUIREMENTS

- 7.1 This policy is consistent with:

- 7.1.1 International Co-op Principles:
 - Voluntary & Open Membership
 - Democratic member control
 - Co-operation among Co-operatives
 - Concern for Community.
- 7.1.2 Program Principles:
 - Security
 - Affordability
 - Financial Sustainability.

8. RELATED PROGRAM POLICIES

- 8.1 This policy should be considered in conjunction with:
 - 8.1.1 Referral to Support Agencies Program Policy.

8.1.2 Terminating a Tenancy (Landlord Initiated) Program Policy.

9. AUTHORISATION

Approved by	CEHL Board	Date of approval	28 / 09 / 2016
Position	CEHL Chair	Karren Walker	
Position	Manager	Nicola Foxworthy	