

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. Rental providers will only offer tenancies to co-op members, unless specific permission is obtained from CEHL.
- b. Landlords will ensure that new renters are fully informed of the conditions and obligations of their tenancy.
- c. 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 will transition into a periodic agreement.

3.2 PRINCIPLES

- a. Prior to making an offer of tenancy, 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, 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. 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 and common area rules.
- e. 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 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	29 / 09 / 2020
Position	CEHL Chair	Heidi Lee	