

Establishing and Maintaining Tenancies Procedures

Person responsible for review: McCormack Housing Operations Manager

1.0 Purpose

McCormack Housing and ACSO (Australian Community Support Organisation) employees are consistent in establishing tenancies and ensure that all clients receive a fair and equitable service free from discrimination or judgement. Employees will support clients to ensure they fully understand their rights and responsibilities upon establishing their tenancy.

2.0 Objective

To ensure the best outcome for the renters to establish and maintain stability in their tenure, renters will be provided with a range of information at the establishment and throughout their tenancy, enabling them to have the latest information supporting them in sustaining their tenancies.

3.0 Process

Rental agreement

When signing a rental agreement, a McCormack Housing employee will ensure that renters understand the agreement's terms and any special conditions. The employee will review with the renter their rights and responsibilities in relation to their tenancy.

Renters Responsibilities

Renters are provided with McCormack Housing 'Rights and Responsibility Information Sheet' in printed or virtual format which will also be available for reference on the McCormack Housing website.

Payment of Rent

The employee will inform the renter that:

- Preference is for all renters to pay their rent by direct debit from a renters account or Centrepay from Centrelink payments to assist in the regularity of rental payments and reduce administrative requirements on the renter i.e., visiting offices to pay rent etc. supporting the client to effectively not be subject to arrears payments.
- Rental Payment arrangements will be explained, and direct debit forms signed by the renter at rental agreement signing.
- McCormack Housing will conduct annual rent reviews and provide a clear explanation to the renter about how their rent is calculated against their income.
- No rent increases will be backdated.

Renter Information Pack

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Each new renter will be provided with a Renter Information Pack containing (at a minimum):

- Condition Report
- Consent to release information
- Fire safety guide
- Items supplied with the property register
- Rights and Responsibilities information sheet

Feedback, Complaints and Appeals

Feedback from renter is supported and encouraged to provide information on how servicing could be improved or issues or barriers the client is experiencing. Clients will be advised of the Feedback, Complaints and Appeal Policy and are supported through any notifications made. Feedback will be received through multiple mechanisms including verbally, written or through a third-party advocate (with client consent).

Condition Report and inspections

Employees will ensure that a condition report is completed prior to occupancy and that renters understand that they are within their rights to make a note on the condition report if they disagree with any point/s. Renters will be provided with a copy of the condition report which will also be recorded on their client file.

At 3 months of tenancy, a McCormack Housing worker will do a property inspection with the renters' knowledge at least 7 days before the requested inspection date. Property inspection will then take place every 6 months or as dictated by legislation. Any noted damage or rectification required by the renter will be provided in writing within 48 hours of the inspection date. Any non-urgent maintenance observed will be discussed with the renter to agree on a suitable time for repair.

Hoarding

Hoarding disorder is a complex psychological problem which has been recently classified as a diagnosable mental disorder. There is an expectation that everyone will engage fully in partnership working to achieve the best outcome for the renter.

McCormack Housing takes the issue of compulsive hoarding and unsanitary properties seriously and recognises the impact it can have on tenants and their neighbours' lives, on our properties and workforce, including:

- Impact on other household members and neighbours;
- Health and Safety: unsafe and unhealthy living conditions and fire risk;
- Damage and deterioration of property due to excessive weight on ceilings;
- Condensation problems due to build-up of belongings around walls; and
- Being unable to carry out essential repairs and maintenance due to areas being inaccessible or unsanitary.

The Hoarding Screening Assessment Form will be used during routine property inspections by McCormack Housing Workers. This tool will provide an initial assessment to inform MCH as it plans intervention with the tenant to manage the hoarding or squalor identified.

Some support solutions include:

- Development of an action plan to guide planning and intervention

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- Establishment of a support package
- More frequent visits from the tenancy manager
- Regular updates / meetings with relevant agencies
- Homecare or health care package
- Counselling support
- Cognitive behaviour therapy
- Assistance with moving home or property adaption
- A home safety check by the local fire service
- Power of attorney provision.

ENFORCEMENT

In some cases, enforcement may be required in line with the *Residential Tenancy Act 1997 (VIC)*. This may be to:

- gain access to the property
- examine / execute necessary work
- gain possession of the property.

Enforcement action will only be taken where:

- other action has been attempted and refused or failed
- the case poses serious and immediate risks that require a legal resolution.

PARTNERSHIP WORKING

- Where the tenant is already known to one or more agency, establish a meeting to discuss concerns and explore possible action, including the tenant in discussions.
- Where the tenant is not engaged with any support services, with the support of the Tenancy Officer or equivalent, explore referral to relevant support services.

Reviews

On an annual basis McCormack Housing will meet with renters to:

- review the rental agreement
- review renters' income determining rental payment
- undertake a condition report of the property
- seek formal feedback from the renter
- undertake a property maintenance audit for cyclical maintenance planning.

Tenancy at Risk

If a tenancy appears to be at risk for any reason, whether due to late rent payment, breaches of the rental agreement, community complaint or in respect to renter related complaint or issue; McCormack Housing will engage the tenant to resolve such matters either directly (i.e., rental repayment plans, resolving problems) or in referring the client to appropriate support services for assistance.

4.0 Other Policies & Procedures to be cross referenced with this procedure

- Tenancy Management Policy
- Feedback, Complaints and Appeals Policy

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- Rent Management Procedure
- ACSO Feedback Management Policy
- Rights and Responsibilities Information

5.0 References

McCormack Housing will comply with all relevant Federal and State legislation.

6.0 Review

This procedure will be reviewed at a minimum of every two years.

Version	Date	Author	Reason	Sections
1	September 2022	McCormack Housing Manager	Implementation	All

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