

Scope

This policy outlines how tenancies managed by Pacific Link Housing Limited (PLH) are established under general and transitional social housing programs, following acceptance of an allocation of housing or approval of a transfer of tenancy. For affordable housing tenancies, please refer to PLH's Affordable Housing Policy.

Purpose

The policy is intended to ensure that tenancies are commenced in a way that:

- Creates a positive and sustainable relationship with our tenant.
- Ensures that tenants are told about and understand their legal rights and responsibilities as a tenant
- Makes tenants aware of our policies and how they can be accessed.
- Ensures PLH meets our legal, policy and procedure requirements when a new tenancy begins.
- Enables a tenancy to commence promptly after an offer of housing has been accepted.

Signing the Tenancy Agreement

PLH manages tenancies under a standard Residential Tenancy Agreement (Agreement) which complies with the Residential Tenancies Act 2010 (the Act). PLH will collect information including income, household details for calculation of rent, authority to deduct rent payments from Centrelink benefits and emergency contact details.

We will explain the Agreement to the person before they sign it and a support person or interpreter can assist, if needed. We will confirm the person's identity and give them a copy of their Agreement and property condition reports. All necessary documentation will be counter-signed by a PLH Housing Officer or another employee authorised under PLH's Delegation of Authority.

We provide all new tenants with a welcome pack with information on the commencement of their tenancy that includes:

- Any special conditions
- Information on the rental bond
- NSW Fair Trading New Tenant Checklist
- Water Charges Factsheet
- Obligations for property care, including smoke detectors
- Tenant information booklet
- PLH's offerings of tenant programs
- PLH Customer Service & Expectations Charter and tenancy policies
- How to make Complaints & Appeals
- Some goods and items to assist with settling into a new property.

Only after all necessary documents are completed and advance rent and bond payments have been made, will keys to the property be handed over.

Particular care will be taken with the following groups:

- Transitional Housing

Where the tenant is signing an Agreement for transitional housing, PLH will ensure that the tenant understands that their tenancy is for a fixed term, is temporary and is offered in partnership with a support agency. Tenants in transitional housing will be advised of the

need to find accommodation once the fixed term Residential Tenancy Agreement ends. It is a condition of the tenancy that the tenant continues to engage with their support provider throughout their tenancy and PLH will require the tenant to confirm this through signing a Supported Tenancy Agreement.

- Vulnerable clients

For those with a reading disability, the terms of the Agreement may be read out in full. Any person who has an intellectual or learning disability or is unable to understand the Agreement implies, will be encouraged to bring a family member, a carer or support worker with them who have been given the authority to sign the Agreement on the tenant's behalf and who will be able to understand its terms. For a person under the care of the NSW Trustee and Guardian (TAG) the Agreement is required to be signed with the TAG.

- Young people

Generally, an applicant must be at least 18 years of age before PLH can consider them for social housing. However, PLH will consider young people who are 16-18 years old for a tenancy if they meet social housing eligibility requirements, have an income, social housing is determined as the best way to meet their accommodation needs and PLH is satisfied they can meet their tenancy obligations. A person under 18 years of age must have a support worker or advocate present at the signing of the Agreement to ensure their informed consent in signing this legal document.

Sign up will not proceed

Agreement sign up will not proceed in the following circumstances:

- There is doubt that the person attending the sign-up appointment is actually the client who has been offered the tenancy.
- The client appears to be intoxicated or under the influence of drugs, is behaving aggressively or causing a risk to others.
- It becomes apparent that the client does not understand what is going on (whether due to language difficulties or incapacity).
- It becomes apparent that the client does not have the necessary living skills to maintain a tenancy and there is no support plan to address the issue.
- The client does not have all required documents for sign up (such as identification, or proof of income).
- The client states that they no longer want to accept the offer of housing and/or the type and length of lease offered.
- Both participants of a joint tenancy are not present.

Security of Tenure

PLH will provide security of tenure for tenants to the extent possible within the constraints of program guidelines. This means that PLH tenants will not be evicted, provided that they comply with the terms of the Agreement in accordance with the Act and continue to be eligible for social housing.

Rent and Bond

Rent commences from the first day of the Agreement and is payable during the tenancy, as calculated in accordance with PLH's Rent and Rent Subsidy Policy.

A bond is required to be paid that is the greater of the equivalent of four weeks subsidised rent or \$600. Should payment of the bond place an unreasonable affordability burden on a tenant, PLH may agree to a payment plan for 50% of the bond amount. Bonds are payable in accordance with PLH's Bonds, Tenant Charges and Property Damage Policy.

Length of lease offered

- **General Social Housing**
Most PLH properties are capital or leasehold and are offered as part of our General Social Housing Program. Eligibility is determined through Housing Pathways, the common access system for social housing. Leases for social housing are generally for a period of 26 weeks and leases usually roll over into a continuing lease after the fixed term has expired, unless the tenant or PLH seeks to end the lease.

- **Transitional Tenancies**
For some supported housing programs and transitional housing, PLH will sign a fixed term lease and review the tenancy before the end of the fixed term. PLH and the tenant will continue to sign fixed term leases until the tenant is able to move to independent long-term housing or is no longer eligible for the program.

Property Condition Reports

On taking possession of the property, tenants will be given a copy of the property condition report. The tenant will be asked to note any damage, incomplete items or items needing repair on the report and return it to PLH within 7 days of commencement of tenancy. Upon return of the completed, signed report the PLH Housing Officer will counter-sign the condition report and provide a copy to the tenant for their records.

Joint Tenancies

In rare circumstances, applicants or tenant households can apply to have more than one signatory on the Residential Tenancy Agreement. In assessing the application for joint tenancies, PLH will confirm that all applicants meet the eligibility criteria and have a live application for social housing at the time of sign up. If PLH approves a joint tenancy, we will make the applicants aware of their responsibilities under the Act.

Related Policies

- Rent and Rent Subsidy Policy
- Bonds, Tenant Charges and Property Damage Policy
- Water Charges Policy
- Pets Policy
- Arrears Policy
- NSW Community Housing Access Policy

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