

Start of Tenancy

Overview

This policy explains how we will start tenancies.

Scope

This policy applies to all tenancies managed by Muslim Care except for affordable housing tenancies.

Guiding Principles

We will start tenancies in a way that:

- Creates a positive and sustainable relationship with our tenant.
- Makes sure that tenants are told about their legal rights and responsibilities as a tenant and makes them aware of our policies.
- Makes sure that we meet our legal and policy requirements when we create a tenancy.

Signing the tenancy agreement

We will explain the Residential Tenancy Agreement and the rights and responsibilities of the tenant to the person before they sign it and will use an interpreter if needed.

After a person signs a Residential Tenancy Agreement, we will give them a copy of their tenancy agreement, property condition report and a copy of the Tenant Information Statement (published by NSW Fair Trading). We will also give the tenant other information that relates to their tenancy.

Rent will start on the first day of the tenancy agreement.

Specialist Disability Accommodation

Each person signing either a Residential Tenancy Agreement (for individual accommodation) or an Accommodation Agreement (for shared group accommodation) will have a written copy of their agreement given to them, their person responsible or their trustee. We will keep a copy of the agreement and can provide a copy if requested.

Supported housing

For some housing programs, it is a condition of the tenancy that the tenant continue to receive support during their tenancy. Where this is the case, we will explain any support requirements to the tenant and their support workers before the tenancy starts.

Shared housing

Where unrelated adults are sharing common facilities such as bathrooms, kitchens and laundries, a tenancy agreement will be signed with each person (or couple) which gives them the right to their bedroom and the right to use common facilities.

Young people

We will only allow young people who are 16-18 years old to have a tenancy in their own name, without needing a guarantor or adding any special conditions, if we believe that they will be able to maintain the tenancy on their own and they have an adult present with them during the signing of the Residential Tenancy Agreement.

Length of lease

Generally, when we sign a tenancy agreement with a tenant, the length of the lease will usually be 13 weeks. The agreement will also include a clause which allows the tenancy to continue at the end of the 13 weeks if the tenancy isn't legally ended by either the tenant or us.

For some supported housing programs, we will sign a fixed term agreement with the tenant and review the tenancy before the end of the fixed term. We will keep signing fixed term leases until the tenant doesn't need support to maintain their tenancy and is able to move to independent living or is no longer eligible for the program. Generally, the maximum tenure for supported housing programs is 18 months, unless an extension is approved by the General Manager or Head of Region.

We may also sign a fixed term lease with a tenant:

- For specific housing programs
- When approved by a Head of Region or General Manager.

Rent

Where the tenancy agreement refers to 'rent', it is the market rent for the property. Tenants who pay a subsidised rent, will have the assessment and the review process explained to them in a separate letter. Refer to our Rent policy for more information about rent.

New tenants must pay 2 weeks rent on the day they sign their tenancy agreement. If a tenant cannot pay 2 weeks rent in advance, a Team Leader (or higher) will decide whether to start a tenancy. These decisions are made at our discretion and on a case by case basis. If a tenancy is started without the tenant paying two weeks rent in advance, we will enter into a repayment agreement with the tenant so that they do not remain in arrears.

Tenants can pay their rent either weekly or fortnightly as long as rent is paid on time. We will not ask a tenant to pay more than 2 weeks rent in advance.

Rough sleepers

If an applicant is a rough sleeper at the time of allocation, we will charge them \$5 per week for the first 4 weeks of the tenancy to help them to transition from homelessness to stable accommodation.

Northern Region transfers

If a tenant is transferring to us from another Community Housing Provider within the Northern Region, we will charge them \$5 per week rent for up to two weeks at the start of the new tenancy. The length of the reduced rent will be decided by a Team Leader Pathways (or higher).

Charges for utilities

Refer to our Water Charges policy.

Ending a tenancy

Refer to our End of Tenancy policy.

Relevant laws, regulations and standards

- Residential Tenancies Act 2010 (NSW)
- Community Housing Rent Policy

Policy information

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