

Starting a Tenancy Policy

1. Purpose

This policy explains how Compass Housing Services Co Ltd (Compass) will start a tenancy.

2. Scope

This policy applies to all new tenancies with Compass.

3. Policy Statement

Compass is a social and affordable housing landlord with a commitment to service delivery. Compass complies with the requirements of the *Residential Tenancies Act 2010 (NSW)*. When an applicant accepts an offer of housing Compass will ensure the acceptance is acted on promptly by arranging an appointment with the applicant to sign a Residential Tenancy Agreement. Compass will not include any unnecessary conditions in Residential Tenancy Agreements and will ensure that all applicants understand their rights and responsibilities when starting a tenancy and signing a Residential Tenancy Agreement. Applicants have the right to have support persons, advocates and interpreters with them at the time of signing the Residential Tenancy Agreement and to seek advice prior to signing.

There may be other programs that have specific arrangements which may vary from this policy.

Guiding Principles

Compass will start tenancies in a way that:

- Creates a positive and sustainable relationship with our tenant;
- Ensures tenants are informed about their legal rights and responsibilities as a tenant;
- Tell tenants about Compass policies and where they can access them;
- Ensure that Compass meets our legal and policy requirements when a new tenancy begins.

Signing a Residential Tenancy Agreement

The tenant will sign a Residential Tenancy Agreement, the agreement is between Compass as the landlord and the tenant. Rent will start from the first day of the agreement. Compass will explain the agreement to the person. Tenants will receive:

- A copy of the signed Residential Tenancy Agreement;

- Ingoing Property Condition Report – two (2) copies to be completed, one (1) to be returned to Compass and the other retained by the tenant for their records;
- Other information that relates to the tenancy.

Length of Lease

The length of a lease will depend on the program type for the property.

General Social Housing

Most Compass properties are capital or leasehold and are offered as part of Compass 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, leases usually roll over into a continuing lease after the fixed term has expired, unless the tenant or Compass seeks to end the lease.

Transitional Tenancies

For some supported housing programs and transitional housing, Compass will sign a fixed term lease and review the tenancy before the end of the fixed term. Compass 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.

Affordable Housing Programs

Affordable Housing provides properties for moderate income, working households through several different programs. Leases are generally for an initial fixed term period of 26 weeks. Some Affordable Programs may have leases of 52 weeks. Tenants must remain eligible for the program to remain in the property.

Fee for Service Program

Compass manages some properties on a fee for service basis on behalf of the property owner, this means Compass becomes the property manager. In this program Compass takes instructions from the property owner on all property management matters.

Clients under 18 years of age

Generally, an applicant must be at least 18 years of age before Compass can consider them for social housing. However, Compass will consider applicants between 16 and 18 years of age if:

- They meet all the general eligibility criteria for social housing;
- They have an income;

- Social housing is the best way to meet their accommodation needs;
- Compass is satisfied they can meet their tenancy obligations.

4. Responsibilities

All Compass workers have an obligation to:

- familiarise themselves with and ensure they have a clear understanding of Compass policies and procedures,
- observe and implement such policies, and associated procedures in delivering services to Compass clients,
- inform Compass clients of the impact of this policy on them and assist them to understand their rights and obligations, as required,
- identify issues that require amendment to this policy document and complete the relevant documentation to propose any amendments, and
- report breaches of Compass policies or procedures.

The relevant Group Executive Manager is ultimately responsible to:

- ensure all stakeholders within their area of responsibility are informed about Compass Policies and Procedures,
- ensure appropriate processes and controls are implemented to enable the correct application of and adherence to relevant policies and procedures, and
- ensure appropriate processes and controls are implemented to enable breaches of approved Compass Policy and Procedures to be reported and managed.

5. Implementation and Review

This policy is listed on Compass Controlled Documents Register and is a controlled document requiring approval of any changes. It may not be amended or shared outside Compass without approval.

The policy is reviewed regularly and published on Compass SharePoint intranet once approved. Employees receive communications and training on new and reviewed policies and procedures.

Compass complies with relevant contractual compliance obligations and jurisdictional laws and regulations when implementing this policy. Confirmation of internal compliance with this policy is undertaken regularly.

It is the responsibility of Compass Group Executive Services (governance@compasshousing.org) to maintain and update the Compass Master Policy Document, Policy Directory and the Policy Review

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Register, administer the review and approval process and inform and distribute new and amended policies and procedures once approved (refer PROC-011 Policy and Procedure Development Approval).

Compass Workers should refer to [SharePoint Company Documents Policy and Procedure site](#) for the latest version which takes precedent over any uncontrolled version. If this document is printed, downloaded, or saved elsewhere from this site it becomes an uncontrolled version.

For further information contact the Responsible Officer listed under Document Information

6. Resources and related documents

Related documents

- Residential Tenancy Agreement
- Rent Policy
- Tenant Sign Up Checklist

Tenant Handbook Related legislation/standards

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

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7. Definitions

Please refer to Compass Glossary of Definitions for Policies and Procedures. Terms and definitions identified below are specific to this policy and are critical to its effectiveness:

Term	Definition
Applicant	A person approved for social housing
Compass	Compass Housing Services Co. Ltd
Compass Group	The corporate structure that includes Compass (as the Parent Company) and the boards of Subsidiary Companies, Governance Committees and advisory groups as created from time to time.
Director	Has the same meaning as defined in the Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary in Australia and as defined in the Companies Act 1992 Part 1 Section 2 Interpretation in New Zealand
Landlord	The person who grants the right to occupy a property under a Residential Tenancy Agreement
NSW Civil & Administrative Tribunal (NCAT)	An independent statutory body that resolves disputes including tenancy disputes. Order made by the NCAT are enforceable
Officer	Has the same meaning as defined in the Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary in Australia and as defined in the Companies Act 1992 Part 1 Section 2 Interpretation in New Zealand
Parent Board	The current directors of Compass.
Parent Company	Compass Housing Services Co Ltd (Compass)
Residential Tenancy Agreement	A legal agreement between a tenant and landlord
Subsidiary Boards	The appointed board of directors of a Subsidiary Company.
Subsidiary Company	A company in which Compass owns all or at least a majority of the shares.
Tenant	A person who signs the Residential Tenancy Agreement with Compass
Worker (Compass)	has the same meaning as defined in the NSW Work Health and Safety Act 2011 No 10 Subdivision 2 Part 7 Meaning of 'worker' (1) A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as: <ul style="list-style-type: none"> a) an employee, or b) a contractor or subcontractor, or c) an employee of a contractor or subcontractor, or d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or e) an outworker, or f) an apprentice or trainee, or g) a student gaining work experience, or h) a volunteer, or i) a person of a prescribed class.
Worker (Compass QLD)	is 'a person who works under a contract and, in relation to the work, is an employee for the purpose of assessment for PAYG withholding under the Taxation Administration Act 1953 (Cwlth), schedule 1, part 2-5'. This applies to a person for whom PAYG tax instalments are required or would be required to be withheld by their employer.

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