

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.

4. 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.

5. 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.

6. Length of Lease

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

6.1. 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.

6.2. 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

6.3. 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.

6.4. 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.

7. 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.

8. Legislation and Compliance

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

9. Policy Implementation and Review

This policy will be regularly reviewed for effectiveness and updated when required and at least every three years. The Board has delegated approval of updates to this policy to the Group Managing Director. The Group Chief Operating Officer is responsible to ensure the implementation of this policy.

10. Related documents and resources

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

11. Definitions

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

Term	Definition
	<ul style="list-style-type: none"> g) a student gaining work experience, or h) a volunteer, or i) a person of a prescribed class.
Worker (Compass QLD)	<p>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.</p>

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