

# Rental Bonds Policy

## 1. Purpose

This policy explains how Compass Housing Services Co Ltd (Compass) will manage the collection of rental bonds.

## 2. Scope

This Policy applies to all Compass Tenants and Applicants.

## 3. Policy Statement

Compass will always require a rental bond to be paid at the time of signing the Residential Tenancy Agreement. This policy outlines Compass' approach to assessing, transferring and refunding rental bonds.

Compass will comply with the requirements of the Residential Tenancies Act 2010 and will consider a tenant's individual circumstances.

### Assessment

Rental bonds will be assessed at the equivalent of four (4) weeks market rent payable on the property.

### Payment of rental bonds

For all properties in the Affordable portfolio, rental bonds must be paid in full at the time the Residential Tenancy Agreement is signed by the tenant.

For properties in the general Social Housing portfolio and in circumstances where tenants are experiencing financial difficulties, Compass will negotiate a payment plan for the rental bond to be paid by instalments. Depending on the amount of rental bond due, Compass will calculate the instalments to be paid in full within six (6) or twelve (12) months of the commencement of the tenancy.

Rental bonds will be lodged with the Rental Bond Board in accordance with the Residential Tenancies Act 2010.

### Transfer of rental bonds

If a tenant transfers from one Compass property to another, and if there are no outstanding debts for the tenancy, Compass will transfer the full rental bond to the new tenancy. If there is outstanding debt,

the tenant and Compass can agree to settle the debt from the rental bond held at the Rental Bond Board. A tenant will be required to pay another rental bond for the new property.

### Refund of rental bonds

Compass will make every effort to ensure the rental bond is refunded to the tenant after they have vacated the property.

The rental bond will be refunded if all debts from the current tenancy have been cleared including rent and non-rent charges.

### Rental bond disputes

Compass will work with a tenant to resolve any disputes about the rental bond. If a dispute cannot be resolved, then either Compass or the tenant can make an application to the NSW Civil & Administrative Tribunal.

## 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](mailto:governance@compasshousing.org)) to maintain and update the Compass Master Policy Document, Policy Directory and the Policy Review 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*

- Rental Bond Lodgement form
- Rental Bond Refund form
- Payment Plans

### *Related legislation/standards*

- Residential Tenancies Act 2010 (NSW)
- Residential Tenancies Regulations 2010 (NSW)

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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
<b>Compass</b>	Compass Housing Services Co. Ltd
<b>Compass Group</b>	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.
<b>Director</b>	Has the same meaning as defined in the <a href="#">Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary</a> in Australia and as defined in the <a href="#">Companies Act 1992 Part 1 Section 2 Interpretation</a> in New Zealand
<b>Landlord</b>	The person who grants the right to occupy a property under a Residential Tenancy Agreement
<b>NSW Civil &amp; Administrative Tribunal (NCAT)</b>	An independent statutory body that resolves disputes including tenancy disputes. Orders made by the NCAT are enforceable.
<b>Non-rent charges</b>	Any charges that are not rent, for example, water usage, repairs/maintenance
<b>Officer</b>	Has the same meaning as defined in the <a href="#">Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary</a> in Australia and as defined in the <a href="#">Companies Act 1992 Part 1 Section 2 Interpretation</a> in New Zealand
<b>Parent Board</b>	The current directors of Compass.
<b>Parent Company</b>	Compass Housing Services Co Ltd (Compass)
<b>Property</b>	The property described in the Residential Tenancy Agreement
<b>Rental Bond</b>	Money paid by a tenant at the start of the tenancy as financial protection for the landlord in case the tenant breaches the agreement
<b>Residential Tenancy Agreement</b>	Written agreement between the tenant and Compass
<b>Subsidiary Boards</b>	The appointed board of directors of a Subsidiary Company.
<b>Subsidiary Company</b>	A company in which Compass owns all or at least a majority of the shares.
<b>Tenant</b>	A person who signs the Residential Tenancy Agreement with Compass
<b>Worker (Compass)</b>	has the same meaning as defined in the <a href="#">NSW Work Health and Safety Act 2011 No 10 Subdivision 2 Part 7 Meaning of 'worker' (1)</a> 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"> <li>a) an employee, or</li> <li>b) a contractor or subcontractor, or</li> <li>c) an employee of a contractor or subcontractor, or</li> <li>d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or</li> <li>e) an outworker, or</li> <li>f) an apprentice or trainee, or</li> <li>g) a student gaining work experience, or</li> <li>h) a volunteer, or</li> <li>i) a person of a prescribed class.</li> </ul>
<b>Worker (Compass QLD)</b>	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.