

# Access to Property Policy

## 1. Purpose

This policy defines the circumstances when Compass Housing Services Co Ltd (Compass) will seek to enter a property, the type of access and the frequency of access.

## 2. Scope

This policy applies to all tenants of Compass.

## 3. Policy Statement

Compass respects the right of tenants to enjoy reasonable peace, comfort and privacy in their property. In accordance with the *Residential Tenancies Act 2010*, tenants must allow Compass and/or its agents access to their property for specific reasons.

These visits are beneficial to both tenants and Compass as they allow Compass to inspect, maintain and repair its properties and provides the tenant with an opportunity to raise any concerns with Compass workers.

The circumstances when Compass will access a property are:

- Compass and/or its agents may enter a property at any time with the consent of the tenant. Consent can be given verbally or in writing;
- Compass and/or its agents can access a property in accordance with the requirements of the *Residential Tenancies Act 2010*.

### 3.1 Reasons for access

The *Residential Tenancies Act 2010* allows Compass and/or its agents access to a property for the following reasons:

- To complete a property inspection;
- To allow a property owner or their agent to inspect a leasehold property;
- To complete a repair/maintenance or undertake a pre or post repair inspection;
- To value the property;
- To show the property to a prospective buyer.

Compass will conduct a minimum of one (1) and maximum of four (4) property inspections in each twelve (12) month period.

Compass will also access the property in the following situations:

- An emergency;
- If Compass has good reason for serious concern about the health or safety of the tenant or other household members;
- If there are serious concerns about property care;
- To comply with health and safety obligations;

- To repossess the property when it suspects the property has been abandoned; or
- When the tenant has requested a visit.

### 3.2 Actions taken if access denied

Compass will only access a property in accordance with the requirements of the *Residential Tenancies Act 2010* and will, where required, provide written notice to the tenant. If proper notice has been given, a tenant must not deny or hinder Compass' right to access.

If access is refused Compass will, in the first instance, discuss this directly with the tenant. If further access is denied, the tenant will be in breach of their Residential Tenancy Agreement and Compass can make application to the NSW Civil & Administrative Tribunal (NCAT) requesting an order for access.

Where there is evidence and good reason to suspect the property has been abandoned, Compass will arrange to enter and take possession of the property.

### 3.3 Disputes about access

If a tenant disputes Compass requests for access they should first discuss this with a Tenancy Relations Officer in Compass. If a tenant is still dissatisfied and believe Compass has breached the terms of the Residential Tenancy Agreement, the tenant may make application to the NCAT. Compass would encourage tenants to seek independent advice prior to taking this action.

## 4. Review of decisions

If a tenant is dissatisfied with a decision or service provided by Compass, they should first talk to a Tenancy Relations Officer. If they are still dissatisfied, they may seek a review of the decision or service or for disputes relating to access, a tenant may make application to the NCAT.

## 5. Legislation and Compliance

- Housing Act 2002
- Residential Tenancies Act 2010 (NSW)
- Residential Tenancies Regulations (NSW)

## 6. Policy Implementation and Review

This Policy will be implemented and published on Compass intranet once approved. Workers receive communications and training on new and reviewed policies and procedures.

Compass will review this policy on a regular basis. Refer to Compass Policy and Procedure Development Approval and Review (PROC-011) for information on the document review process.

Confirmation of internal compliance with this policy will be undertaken regularly.

## 7. Related documents and resources

- Property inspection reports
- Ending Tenancy Policy
- Responsive Maintenance Policy

## 8. Definitions

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>Employee</b>	A person engaged under an employment agreement or award by any company in the Compass Group.
<b>NSW Civil &amp; Administrative Tribunal (NCAT)</b>	An independent statutory body that resolves disputes including tenancy disputes. Order made by the NCAT are enforceable.
<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 Inspection</b>	Attendance at the property to confirm the condition of the property.
<b>Residential Tenancy Agreement</b>	The written agreement between Compass and the tenant that sets out rights and responsibilities of both parties.
<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: <ol style="list-style-type: none"> <li>an employee, or</li> <li>a contractor or subcontractor, or</li> <li>an employee of a contractor or subcontractor, or</li> <li>an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or</li> <li>an outworker, or</li> <li>an apprentice or trainee, or</li> <li>a student gaining work experience, or</li> <li>a volunteer, or</li> <li>a person of a prescribed class.</li> </ol>

Term	Definition
<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.

End of document.