



POLICY TMP 014 ENDING A TENANCY POLICY

Version	Date Reviewed	Updated By:
1.0	16 th June 2018	Megan Ward GM Operations
2.0	1 st June, 2020	Megan Ward GM Operations

AUTHORISING AUTHORITY

The Board has delegated authority to the Chief Executive Officer (CEO) for approval of all operational policies, including this policy.

The General Manager Operations is responsible for administering this policy.

PURPOSE / BACKGROUND

The policy articulates how Community Housing Canberra (CHC) will vacate tenants in accordance with the Residential Tenancies Act 1997, when it is no longer appropriate or possible to sustain a given tenancy.

In such circumstances CHC aims to:

- Advise our tenants of their rights and responsibilities when a notice to vacate is issued that may result in a tenancy being terminated.
- Ensure our tenants have access to tenancy advice, interpreters and support if their tenancy is to end.
- Ensure our tenants are aware of what is required of them to meet their legal responsibilities when their tenancy ends.
- Ensure all legal notices are issued in accordance with the Residential Tenancies Act and CHC's tenancy guidelines.

RESPONSIBILITY

General Manager Operations

POLICY DETAIL

Termination of agreement by CHC:

- CHC may end a tenancy for a number of reasons, which may include:
 - Breaches to the residential tenancy/occupancy agreement that have not been rectified
 - End of a fix term leasing arrangement
 - Ineligibility or suitability to the program
 - Redevelopment purposes
 - Abandonment of the property
 - Death of a tenant
 - By order of the ACT Civil and Administrative Tribunal (ACAT)
- CHC will only terminate a tenancy if all options have been explored and the tenancy simply cannot be continued.

- When attending the ACT Civil and Administrative Tribunal (ACAT), with the exception of multiple or unresolved breaches, CHC will consider offering a payment plan as a means to enable a tenancy to be sustained.

Termination of agreement by tenant:

- Tenants of CHC may give notice to vacate the premises as per the terms of their lease agreement and in accordance with the Residential Tenancy Act 1997.
- Tenants will be charged a break lease fee of three (3) weeks rebated rent (or pro-rated as per the Residential Tenancies ACT) where notice is received prior to the fixed tenancy agreement ending.
- CHC will always encourage the tenant to be present for the outgoing inspection to resolve maintenance or cleaning issues to avoid the use of external contractors at the tenants cost.
- Final non rent accounts (eg water, utilities, parking) are payable to the final vacate date and calculations (if pro-rata) will be provided.