



## **POLICY TMP 014 ENDING A TENANCY POLICY**

<b>Version</b>	<b>Date Reviewed</b>	<b>Updated By:</b>
1.0	16 <sup>th</sup> June 2018	Megan Ward GM Operations
2.0	1 <sup>st</sup> June, 2020	Megan Ward GM Operations
3.0	1st June, 2022	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 direction from the owner of the property
  - 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.
- Tenants exiting CHC as they have been offered a Housing ACT property are required to provide 1 weeks notice.
- 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.