	COUNCIL PROCEDURE	POLICY NUMBER
	Tenancy Management Procedure – Independent Living Units	C025
		RESPONSIBLE OFFICER
		General Manager

1. PURPOSE

The purpose of this procedure is to clarify the process for the tenancy management of Council's Independent Living Units.

2. POLICY

Tasman Council understands that there is a serious need within the Tasman Community for housing. Council owns, manages, and has overall responsibility for eight (8) Independent Living Units, located at Suckling Street, Nubeena. Tasman Council is responsible for tenant selection. This procedure will clarify the process and procedures that are used by Council when selecting potential new tenants, lease arrangements, and any other issues that may arise.

3. PROCEDURE

Access to Housing and Eligibility

Tasman Council selects tenants using a fair and transparent assessment process that considers individual housing needs consistent with the aims of the organisation and is guided by the National Community Housing Standards.

The Tasman Council Independent Living Units are provided to aged pensioners, people with disabilities and people on low income in the Tasman Area who have a current and approved pension, or government benefit and who are in immediate and/or severe housing need. It is an eligibility requirement that applicants provide proof that they are in receipt of an Australian Government pension or other benefit.


To determine eligibility, applicants must complete the appropriate Tasman Council Independent Living Units Application form contained in the Tasman Council Independent Living Units Information Package, this provides basic eligibility and application details.

Tasman Council will further promote its services via community networks, Tasman Councils website and social media platforms and the Tasman Gazette when appropriate.

Tasman Council will not maintain a 'waiting list' for applications, however, Council will accept applications at any time. These applications will be kept confidentially. These applicants will be contacted by Council when a unit becomes vacant, to inform them that if their circumstances have changed, they either need to provide new information or complete a new application. Some applicants may want their application removed as they have found other housing alternatives.

Continuing eligibility

Tasman Council will recognise the changing needs of tenants in relation to the property they occupy and will endeavour to meet their needs in the most appropriate way.

	COUNCIL PROCEDURE	POLICY NUMBER
	Tenancy Management Procedure – Independent Living Units	C025
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If a tenant's income changes significantly, Council may request a copy of their current pay slips or income statement to determine if the correct amount of rent is being charged.

Allocations

Tasman Council will assess each application on a needs basis according to the information provided on the application form, the property composition, bedroom entitlement, property location and with reference to target groups and balance of households. The information contained in the application form, and referral information available, will be used for assessment.

When a vacancy occurs:

- All vacancies will be advertised in the Tasman Gazette Newspaper, Council website and social media platforms;
- Existing long-term tenants may be eligible to transfer to the vacant unit;
- Applicants will be invited to express their interest by completing an application form; and
- A tenancy will be offered to the eligible applicant who has the greatest need according to the provided application and who meets all selection criteria.

Providing the eligibility criteria are met, the following information will be considered when selecting and prioritising an application for housing in the Independent Living Units:


- It is preferred that the applicant will have ties to the Tasman Municipality (i.e. current resident/family lives in the area);
- The applicant has medical or disability factors that impinge upon their continued use of current accommodation;
- The applicant's present accommodation is extremely untenable; and
- Proven ability to sustain a tenancy.

Although each priority stands alone, preference will be given to an applicant with multiple priorities.

The outcomes of the application assessment will be documented on the individual's application form.

Allocations will be conducted as quickly as possible to minimise vacancy periods.

Successful applicants will be contacted as quickly as possible, and a Residential Tenancy Agreement will be completed. Adult persons in joint tenancies are both required to sign the Residential Tenancy Agreement. If an applicant refuses an offer of tenancy or does not respond to an offer of tenancy, they will lose their offer and will be required to re-apply for future vacancies.

	COUNCIL PROCEDURE	POLICY NUMBER
	Tenancy Management Procedure – Independent Living Units	C025
		RESPONSIBLE OFFICER
		General Manager

Successful applicants are given an opportunity to:

- Ask questions regarding the property, lease and conditions;
- Visit the property with a Council Officer; and
- Refuse the offer if they wish.

Establishing and Maintaining Tenancies

Tasman Council will work with tenants to establish and maintain successful tenancies.

Tasman Council will provide comprehensive written and verbal information in an accessible form to assist tenants to establish and maintain tenancies.


Tenant Responsibilities


- The tenant must keep the premises reasonably clean and tidy, and in the same condition they were in at the start of their tenancy, apart from acceptable wear and tear on the property;
- Grounds and gardens in the vicinity of the unit, except for common areas, will be maintained in a tidy state by the tenant;
- Rubbish is not to be stockpiled or stored in the building or outside;
- Permission is to be gained from Council before making any alterations to the inside or outside of the unit;
- Notify the Council as soon as possible when urgent repairs are required; and
- Agree to contact Council Officers to discuss upgrades or repairs and understand that these requests may require a budget allocation or may not be approved at all.

Landlord Responsibilities

The Landlords responsibilities are to:

- Provide the premises in a clean and reasonable state of repair at the start of the tenancy;
- Maintain the premises having regards to their age, character and prospective life, subject to the tenants' obligations;
- Pay all rates, taxes and charges imposed for the premises;
- Allow tenants to have quiet enjoyment of the premises and not interfere with tenants' reasonable peace, comfort and privacy, unless allowed by tenants, or allowed by the law;
- Provide a copy of the lease and condition report to tenants;
- Notify tenants in writing of changes to rent;
- Fix any urgent repairs as quickly as possible;
- Maintain the common grounds around the Independent Living Units;
- Ensure that all smoke detectors are hardwired into the units and are inspected by Councils appointed fire safety contractor on a regular basis in accordance with legislation; and,
- Ensure that all heat pump/air conditioning units are serviced by a certified contractor annually.

	COUNCIL PROCEDURE	POLICY NUMBER
	Tenancy Management Procedure – Independent Living Units	C025
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Condition Reports

Condition reports are explained and provided to the tenant prior to occupancy by Council's appointed Officer. Incoming and outgoing condition reports are undertaken with interim 6-12 monthly property inspections and condition reports completed.

Outstanding repairs are documented and prioritised.

Bonds

Payment of bond is to be made to the Rental Deposit Authority or Service Tasmania, the amount being equivalent to 4 weeks rents. As part of the Private Rental Support Scheme (PRSS), tenants may apply for bond assistance through Housing Connect.

Rent Management

Proof of income is required. This requires presentation of a current income statement, original wage or salary slips, letter from employer verifying income.

Income is considered to be the net income of the tenant(s).

Income includes; wages and salaries, pension or benefits, maintenance and self-employed income.

Income excludes; family tax packages, nursing care, handicapped child, foster parents, pensioner zone allowance, pharmaceutical or special mobility allowances.

The maximum rent charged will not exceed 30% of net household income. Where the unit is rented by more than one adult person, rent will not exceed \$150.00 per week.

Rent is to be paid in advance on or before the due date on a fortnightly basis. All rent payments received will be receipted promptly by Council Officers and dated as proof of payment. A receipt will be issued upon request.

Rent Payments


Rent is paid to Tasman Council at 1713 Main Road, Nubeena during office hours (8.30am to 4.30pm Monday to Friday):

- By cash, Eftpos or cheque;
- By direct deposit arrangement (including Centrepay Payments) in Council bank account; or
- By other agreed means.

Rent Arrears

Tenants rent payments will be monitored by Tasman Council. If a tenant is in arrears, an attempt will be made to contact the tenant to discuss payment and/or a payment plan and:

- If the rent is seven days in arrears, notice is given as per the *Residential Tenancy Act 1997*;

	COUNCIL PROCEDURE	POLICY NUMBER
	Tenancy Management Procedure – Independent Living Units	C025
		RESPONSIBLE OFFICER
		General Manager

- If the arrears are not resolved through the Notice to Remedy, a Notice to Vacant will be issued as per the *Residential Tenancy Act 1997*;
- The tenant and/or Council Officers may call upon the Tasman Council Customer Services Charter Policy for resolution and appropriate outcomes, (i.e. rent arrears are paid and the tenant maintains their housing).

Tenants are encouraged to contact Council Officers directly to discuss any difficulties they may be having with rent payments.

If the tenant is unable to pay rent at the set amount or is unable to comply with an agreement to pay rent in arrears, a written request to negotiate a new agreement may be made to the Tasman Council. Council will assess this request confidentially and carefully evaluate and a new arrangement may be entered into that suits both the tenant and Council.

Rent Reviews

Rent reviews are undertaken annually. Tenants will be required to provide Council a current copy of their income statement each July. If income has increased or decreased, notice in writing will be given to the tenant regarding the rent adjustment as per the *Residential Tenancy Act 1997*.

Pets

Generally, pets are not permitted, however, a written application from a tenant, specifying the type and number of pet/s and where they will be kept, may be considered.

Smoking

Smoking is not permitted in any of the units – to do so is a breach of lease conditions and will automatically terminate any such agreement.

Ending Tenancies


Tasman Council will manage the ending of tenancies in a way that accords with the law and minimises the impact on the tenant and the organisation.

Eviction processes will follow due legal process according to the *Residential Tenancy Act 1997*. When necessary, these will be managed and issued by Council Officers under the direction of the General Manager.

Tenants will be informed of their rights and access to advocates.

All processes leading up to eviction will be documented and kept confidential.

Tenants are not evicted without just cause.

	COUNCIL PROCEDURE	POLICY NUMBER
	Tenancy Management Procedure – Independent Living Units	C025
		RESPONSIBLE OFFICER
		General Manager

When eviction proceedings are necessary, the Tasman Council will continue attempts to prevent this outcome by:

- Conducting personal interviews;
- Negotiating agreements;
- Providing referrals to support agencies;
- Providing referrals to tenancy advocacy; and
- Providing information regarding housing options, if and where possible.

Tasman Council Officers will treat tenants fairly and with respect during any eviction process.