

Ending a Tenancy

End of Tenancy Policy

Purpose

The purpose of this policy is to ensure that the process of ending a tenancy is undertaken according to the relevant legislation and dealt with sensitively.

Scope

This policy applies to all housing programs properties owned or managed by SAH.

Policy Statement

1. Tenants will be dealt with fairly when their tenancy is ending. Ultimately all tenancies will end. This may be as a result of:
 - The tenant deciding to leave the tenancy,
 - The completion of their support program
 - The decision of SAH to terminate the tenancy
 - Other reasons may include death of a tenant, necessary relocation due to loss of property.

Notification of End of Tenancy

1. The process for ending a tenancy will vary according to
 - The reason for ending the tenancy, and/or
 - The type of accommodation

Tenancy Terminated by Tenant

1. Where a tenant wishes to end a tenancy, notice should be provided as per the relevant legislation.
2. Where the tenant is a supported tenant, the support partner will work with the tenant to ensure that the unit is cleaned and that the keys are returned.
3. For other tenancies, an end of tenancy inspection will be booked with a housing worker for the end of tenancy.

End of Support

1. When a supported tenant is approaching the end of their support with the support provider, the support provider will notify SAH. SAH and the support provider will meet with the tenant to discuss the pending completion of their support and the corresponding end of tenancy.
2. Tenants will be provided with a covering letter from SAH explaining the end of support as well as being provided with a termination notice as per tenancy agreement.

Tenancy Terminated by SAH

1. From time to time, it may become necessary for SAH to terminate a tenancy. This may be as a result of:
 - Breaches of the residential tenancy agreement (or other relevant agreement)
 - Management objectives

- Abandonment by a tenant
 - Death of a tenant
2. SAH will exhaust all other options before needing to resort to evicting a tenant. Authorisation to apply for eviction of a tenant is sought from both the State Manager and Chief Executive Officer. A notice of termination will be issued to the tenant according to the legislation of the relevant jurisdiction.
 3. Tenants will be requested (where possible) to be present for an exit inspection and to make good any repairs.
 4. In the event that a tenant fails to meet the terms of the tenancy agreement, orders will be sought from the relevant tenancy tribunal/court.

Responsibilities

1. SAH will be responsible for the following at the end of tenancy:
 - Conduct a property inspection and notify the tenant of any repairs and maintenance that are the responsibility of the tenant.
 - To provide the tenant with the opportunity to do the cleaning and/or maintenance required.
 - To carry out the required repairs and maintenance to have the property available for re-letting.
 - To provide the tenant with a final account for rent and/or other charges.
 - To arrange with the tenant for the refund or excess rent or to arrange for the collection of unpaid rent and/or other charges.
 - To dispose of property as per the relevant legislation.
 - To re-let the property as soon as possible.
2. The tenant is responsible for the following at the end of tenancy:
 - Returning the property back to the landlord in the condition that it was provided to at the start of the tenancy.
 - Settling the rent account and other charges.
 - Returning the keys to SAH.

Discretion

State Managers have discretion to approve or revoke approval at any time outside of this policy framework, not including legislative requirements. The reasons for discretion must be documented on the tenant's record.

Tenants Right to Review Decisions

Tenants have the right to appeal process if they are unhappy with a decision made by SAH. If a client is not satisfied with a decision, they should be encouraged to lodge a written request of appeal to the relevant SAH office. For further information refer to the Appeals Policy.

Related Documents

Policy	Appeals Policy Arrears Management Policy Asset Maintenance Policy Complaints and Feedback Policy Inspections Policy Tenant Access to Their Records Policy Tenant Repair Cost Policy
Legislation	National Regulatory Code National Community Housing Standards State Residential Tenancies Act and Regulation

Document Control

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