

Establishing a Tenancy

Policy

BaptistCare will provide tenants with the support and assistance they require from the start of the tenancy with a goal of increasing the likelihood of the tenant having a successful tenancy.

This policy outlines the process for applicants starting a new tenancy with BaptistCare and applies to the commencement of all tenancies for the following housing types:

- Social housing
- Affordable housing
- Transitional housing

Definitions	
Affordable Housing	Housing that is appropriate for the needs of a range of very low to moderate income households and priced so that these households are also able to meet other basic living costs, such as food, clothing, transport, medical care and education. As a rule of thumb, housing is usually considered affordable if it costs less than 30% of gross household income.
Residential Tenancy Agreement (Lease)	An agreement under which a person grants to another person for value a right of occupation of residential premises for the purpose of use as a residence.
Social Housing	Housing for people on a very low to low incomes. People within this group are eligible for public housing and are registered on the NSW Housing Register and are usually in receipt of some form of Centrelink or other statutory payment, and have an annual income that is in the lowest quartile for income distribution in Australia.
Tenant	The person who has the right to occupy a residential premises under a residential tenancy agreement.
Transitional Housing	Short term tenancies, generally up to 18 months, where external support agencies refer potential tenants who have experienced domestic and family violence. Potential tenants participate in support programs and undertake transition planning to a longer term and/or permanent housing.

Procedure

Accepting an Offer

Once an applicant accepts an offer of tenancy, arrangements are then made for the applicant to sign the Lease and move into the property.

New tenants will need to pay the following:

- two weeks rent in advance;

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- bond payment, not applicable where:
 - tenant is exempt from paying bond, or
 - tenant is eligible to pay bond by instalments.

Signing the Residential Tenancy Agreement (Lease)

All tenancies will be completed according to the Residential Tenancies Act 2010.

For new tenants with BaptistCare, the following pre-requisite information is required:

- Signed Centrelink Multiple Consent Form (tenancies where household members receive Centrelink benefits)
- Signed Acceptance of Offer (all tenancies)

The tenant will sign a standard lease which outlines the agreement made between BaptistCare as the landlord and the tenant. Tenant will also complete a Rent Subsidy Application.

The following will be provided to the tenant at the time of signing the Lease:

- Standard documents provided:
 - Lease – tenant’s copy
 - Additional Terms
 - Property Condition Report (two copies)
 - Tenant Information Statement published by NSW Fair Trading Keys to the property
- Additional documents provided:
 - BaptistCare Tenant Handbook
 - Rent Subsidy Application
- The following documents will be retained by BaptistCare:
 - Lease – BaptistCare copy
 - Property Condition Report
 - Signed Centrelink Deduction Authority or Direct Debit Authority (where applicable)
 - Offer checklist form
 - Offer Response form
 - Signed consent to collect personal information
 - Authority for BaptistCare to release information

Tenant Needs Assessment Plan & Tailored Support Services Plan

BaptistCare provides tailored support co-ordination services where tenants are assisted to access appropriate support services to sustain their tenancy. Tailored Support Coordinators will assess the needs of each person in the household within six weeks of the tenant signing a Lease or within six weeks of the person being approved as an authorised household member.

Household members aged 12 years and over will also have an individual need assessment completed. BaptistCare will reassess the needs of each person in the household every 12 months or when there has been a change in circumstances that has resulted in significant change. A Tailored Support Services Plan will then be created based upon the information gathered from the Tenant Needs assessment.

Rent

BaptistCare will request the applicant’s income details to establish the rent payable.

Refer to the Rent Management policy and procedure for further information.

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Market Rent

Market rent is the rent that would be payable for the property in the private rental market. This is the rent that will be payable if the tenant ceases to be eligible for the rebated rent. This rent is shown on the first page of the RTA.

Bonds

The standard bond payment to be paid by tenants is four weeks of Rebated Rent or discounted market rent (whichever is applicable).

All bonds will be lodged with NSW Fair Trading and tenants will be advised of the option of lodging online.

Bond payments are to be paid in full prior to signing the Lease, unless satisfying one of the exemption categories below.

Full Upfront Bond Payments

Cohort/Housing Type	Bond
Seniors in Social Housing	Exempt from payment of bond
Seniors in Affordable Housing	4 week discounted market rent (eligible to pay by instalments)
Families in Social Housing	4 week rebated rent (eligible to pay by instalments)
Families in Affordable Housing	4 week discounted market rent (eligible to pay by instalments)
Transitional Housing Tenants	Generally maximum of \$500 bond payment (eligible to pay by instalments)
Affordable Housing Tenants transitioning from Social Housing	No additional bond payments required

Lease Terms

Initial fixed Lease terms will be as follows:

Housing Type	Lease Term
Social Housing	Up to 12 months
Affordable Housing	Up to 12 months
Transitional Housing	3 months

Subsequent Lease Terms

Housing Type	Tenant Type	Lease Term
Social Housing	Senior 65 & over on pension or disability support pension	12 months Can be continuous (if applicable)
	Senior less than 65	12 months
	Single parent family	12 months
Affordable Housing	Senior 65 & over	12 months Can be continuous (if applicable)
	Senior less than 65	12 months
	Single parent family	12 months
Transitional Housing	Domestic Violence Accommodation Support for women and their children	6 months up to 18 months in total inclusive of initial term

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Water

At sites where individual water meters are available; tenants will be invoiced separately for water usage.

Right of Appeal

If a tenant is not satisfied with a service provided by BaptistCare or does not agree with a decision it has made, they can ask for a formal review.

If a tenant is unhappy with the outcome of an appeal to BaptistCare, they can lodge a second level appeal with the Housing Appeals Committee. The Housing Appeals Committee is an independent agency that reviews certain decisions made by staff of Community Housing Organisations and Housing NSW. For information on the Housing Appeals Committee call 1800 629 794 or go to <http://www.hac.nsw.gov.au>.

Legislation

Housing Act 2001

Residential Tenancies Act 2010

Related Policies & Procedures

Feedback

References

[Residential Tenancies Act 2010](#)

[Residential Tenancies Regulation 2019](#)

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