

HOT70 Ending a Tenancy and Evictions

Purpose

The purpose of this policy is to describe when YWCA Housing will end a tenancy in accordance with the Residential Tenancies Act 1997 (RTA) and in a manner which minimises any adverse impact on the parties involved.

Scope

This policy applies to all housing owned or managed by YWCA Housing.

Policy Statement

- YWCA Housing offers security of tenure and will take active steps to maintain tenancies whenever possible.
- Ending a tenancy is a legal process and all actions, administrative tasks, associated record keeping will be thorough and will be undertaken in accordance with the legislative requirements of the RTA.
- YWCA Housing will facilitate natural justice for tenants (access to information, access to reasons for decisions, access to review of decisions, and privacy).
- Evictions will only occur when all avenues to resolve a problem are exhausted; or when a serious breach of the Tenancy Agreement has occurred that is identified under the RTA as warranting an immediate notice to vacate.
- YWCA Housing will provide the tenant with:
 - The opportunity to rectify the situation.
 - An opportunity to meet with YWCA Housing to discuss the matter.
 - The right to reply to any allegation.
 - WCA's complaints and appeals process.
- YWCA Housing will ensure the tenant has been offered a referral to a support agency or an independent advocate.
- When an acceptable agreement or Compliance Order has been reached with a tenant to resolve any tenancy issues, YWCA Housing will seek to maintain the tenancy. However, YWCA Housing will seek to terminate the tenancy in cases:
 - Where there are repeated breaches of the tenancy agreement; or
 - Where violence to other people or excessive damage to property has occurred

- If an eviction has been authorised, YWCA Housing works with other agencies to ensure no one is evicted into homelessness.

Abandoned Goods

- If at the end of a tenancy, goods belonging to the ex-tenant have been left behind, YWCA Housing is obliged to store the goods that cannot be disposed of for a period of 28 days and make all efforts to notify the tenant to arrange collection.
- Goods that can be disposed of are perishable foods, dangerous goods and goods of no monetary value as per the Consumer Affairs guidelines
- If there are abandoned goods in the property of a monetary value in line with, the Office of Consumer Affairs will be contacted, and a time arranged for an inspector to assess the value of the goods.
- The goods are not removed until the Office of Consumer Affairs has completed its assessment and the written report has been received.

Responsibilities

YWCA's National Housing Operations Manager has responsibility for ensuring that:

- this policy is implemented, and its application monitored,
- the policy continues to comply with relevant legislation, and
- this policy is reviewed to evaluate its ongoing effectiveness.

Appendices

N/A

Related information

YWCA	Procedure HOT70.1 Ending Tenancies
YWCA	Procedure HOT70.1.1 Resident is Evicted
Legislation	Residential Tenancies and Rooming Accommodation Act 2008 (Qld)
Legislation	Residential Tenancies Act 1999 (NT)
Legislation	Residential Tenancies Act 1997 (Vic)
Standards	Housing Registrar (Vic): Performance Standards
Standards	NRSCH: Evidence Guidelines

Document Control Data	
Ending a Tenancy	
Responsible Officer	Director, National Housing

Accountable Officer	National Housing Operations Manager
Application	YWCA staff involved in tenancy management
Supersedes	[Not applicable: new policy]

Approval and Amendment history			
Review period – 2 years			
Approval Date	Version	Amendments	Next review
	1.0		[2 years]