



# THE BUTTERY

ENRICHING LIVES

## STARTING A TENANCY POLICY

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## 1. POLICY STATEMENT

The purpose of this document is to explain the policy for starting a new tenancy at The Buttery.

## 2. SCOPE

This policy applies to all tenants of The Buttery.

## 3. DEFINITIONS

<b>Residential Tenancy Agreement</b>	Means an agreement made under section 13 of the <i>Residential Tenancies Act 2010 (NSW)</i> .
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## 4. OVERVIEW

The Buttery is a social and affordable housing landlord and community housing provider with a commitment to service delivery. The Buttery ensures that all tenants understand their rights and responsibilities when starting a tenancy and signing a Residential Tenancy Agreement with The Buttery.

The Buttery provides both fixed term and periodic tenancies in accordance with the *Residential Tenancies Act 2010* through a range of programs. These include the Housing and Accommodation Support Initiative Plus (HASI Plus) and the Transitional Housing Program.

## 5. POLICY

Each tenant will sign a Residential Tenancy Agreement which complies with the *Residential Tenancies Act 2010*. The Residential Tenancy Agreement will be signed by both the tenant and the housing manager with the rights and responsibilities of both parties (The Buttery and the tenant) explained.

The tenant can choose a support person to assist them during the starting a tenancy process. Each tenant will receive a Sign-Up Pack to assist in their tenancy with The Buttery. This pack includes:

- NSW Fair Trading Tenant Information Statement (in the tenant's first language, wherever possible)
- A signed copy of Residential Tenancy Agreement
- Two copies of the Property Condition Report
- Copy of strata scheme by-laws and mandatory information (if applicable)
- Copy of rent change letter

- Copy of signed Consent to Disclose Form (if applicable)
- Copy of Keys Received Form
- A copy of the Tenant Handbook providing general information on our policies, how to appeal and complain, and contacts for legal and financial advice.

## **6. COMMUNITY HOUSING PROGRAM**

As a Community Housing Provider, the majority of The Buttery's tenancies are leasehold and capital properties offered as part of its Community Housing Program. Eligibility is determined through Housing Pathways [www.housingpathways.nsw.gov.au](http://www.housingpathways.nsw.gov.au), the NSW common access system for social housing.

## **7. TRANSITIONING HOUSING**

Where the tenant is signing an agreement for transitional housing, The Buttery will ensure that the tenant understands that this tenancy is for a fixed term, is temporary and offered in partnership with a support agency. Formal correspondence with the tenant will confirm this.

Tenants in transitional tenancies will be aware of the need to find accommodation once the fixed term Residential Tenancy Agreement ends. The Housing Pathways applications of tenants in transitional housing remain live on the NSW Housing Register in recognition of the temporary nature of the tenancy.

## **8. COMPLAINTS AND APPEALS**

This is an appealable policy.

If a tenant is not satisfied with a service provided by The Buttery or does not agree with a decision it has made, they can ask for a formal review. To do this, the tenant can lodge a complaint pursuant to The Buttery Tenant Feedback Policy. This policy and the Tenancy Feedback Form are available from The Buttery's office and on our website [www.buttery.org.au](http://www.buttery.org.au).

If a tenant is unhappy with the outcome of an appeal to The Buttery, 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 [www.hac.nsw.gov.au](http://www.hac.nsw.gov.au).

## 9. RELATED DOCUMENTS

### 9.1. Internal

GEN.POL.020	Tenancy Feedback Policy
GEN.FORM.045	Tenancy Feedback Form

### 9.2. Legislation

- Residential Tenancies Act 2010 (NSW)
- Residential Tenancies Regulations 2019 (NSW)

## 10. REVISION HISTORY

Version	Date	CQI #	Lead author/ reviewer	Consultative panel	Significant changes
1	11/04/2023	#40	Ari Soemardi	QA Committee	New Policy