

DURING A TENANCY POLICY

1.0 PURPOSE & SCOPE

EACH Housing Limited (EHL) works with renters and their support workers (where applicable) to sustain tenancies and ensure that the tenancies are secure, affordable, sustainable and safe.

This Policy establishes the approach of EHL for the duration of a tenancy.

This policy applies to all long-term tenancies managed by EHL. It does not apply to crisis accommodation, affordable housing temporary housing programs, or accommodation provided as part of EACH program (not EHL). Examples include Youth Residential Rehabilitation and Residential Drug and Alcohol Rehabilitation programs.

2.0 POLICY STATEMENT

EHL is committed to providing long-term, sustainable housing that complies with the Residential Tenancies Act 1997 (RTA) and relevant funding agreements. This policy ensures that EHL's housing remains secure, affordable, sustainable, and safe, and outlines key tenancy management processes, including rent reviews, property inspections, tenancy transfers, and eviction prevention.

EHL prioritises early intervention and support strategies to prevent tenancy breakdowns, including proactive arrears management and linking renters with support services. EHL also ensures that tenancy management practices are culturally safe, inclusive, and underpinned by a human rights-based approach, respecting the dignity, rights, and cultural identities of all renters.

2.1 Legal Compliance

EHL ensures that all documentation and procedures comply with the RTA and additional funding requirements. Policies and processes are reviewed at least every two years to reflect legislative changes and best practices.

2.2 Security of Tenure

EHL's long-term housing programs provide renters with security of tenure. However, in cases where tenancy security is at risk due to rent arrears, breaches of tenancy agreements, or property damage, EHL works with renters, support workers, and advocates to resolve issues and prevent evictions wherever possible.

EHL follows formal procedures under the RTA and VCAT for managing rent arrears, tenancy breaches, and eviction processes. Warrants for possession are reported to the EHL Board as part of management reporting.

2.3 Sustainable Housing – Rent & Property Management

Rent Reviews: Rent is reviewed annually to ensure compliance with the RTA and EHL's Rent Setting Policy.

Property Safety & Maintenance: EHL conducts annual property inspections and manages maintenance through responsive, cyclical, planned, and capital works.

Fire & Safety Compliance: Properties must meet all occupancy and safety requirements, including smoke detectors, essential services, and compliance with essential service maintenance reports.

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2.4 Absence from Property

Renters remain responsible for rent payments during temporary absences due to participation in programs, illness, or other circumstances. In exceptional cases, EHL may approve rental reductions, or payment plans on a case-by-case basis.

Extended absences (e.g., over 60 days) will be reviewed to determine ongoing tenancy suitability, in line with the Residential Tenancies Act 1997 (Vic).

2.5 Tenancy Transfers

Renters seeking an internal transfer within EHL or a transfer to other Community Housing or Public Housing must apply for a priority transfer through the Victorian Housing Register (VHR).

Transfers outside the VHR scope will be considered case by case, based on availability and operational capacity.

2.6 Working with Renters' Support Networks

EHL adopts a Housing First approach, recognising that stable housing supports renters in living independently. While some renters may transition out of formal support, others may require ongoing or occasional periodic interventions. EHL collaborates with partner organisations and monitors the status of support to ensure renters receive necessary assistance.

2.7 Administration & Data Management

EHL maintains accurate data collection and tenancy records, ensuring systems are well-ordered to support effective tenancy management. EHL ensures that all personal and tenancy information is handled in accordance with the *Privacy and Data Protection Act 2014 (Vic)* and other relevant privacy legislation, to protect the confidentiality and rights of renters.

3.0 DEFINITIONS

In this policy:

Residential Tenancies Act 1997 (RTA)	Is the legislation governing rental agreements in Victoria, Australia. It outlines the rights and responsibilities of renters and rental providers (landlords) in residential tenancies, rooming houses, caravan parks, and specialist disability accommodation. The Act covers key aspects such as rent, repairs, bonds, breaches, evictions, dispute resolution, and compliance with rental laws.
Renter	A person who occupies a property rented from a rental provider (landlord) under a legal tenancy agreement.
Victorian Civil and Administrative Tribunal (VCAT)	A tribunal that hears and resolves disputes under the RTA, including tenancy-related matters such as rent arrears, breaches of agreements, and eviction proceedings.
Victorian Housing Register (VHR)	The centralised waiting list for social and community housing in Victoria, which prioritises applicants based on housing needs and eligibility.

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Breach of Tenancy Agreement	A violation of the terms and conditions set out in a renter's tenancy agreement, such as non-payment of rent, property damage, or disruptive behaviour.
Security of Tenure	The legal right of a renter to remain in a property as long as they comply with the tenancy agreement, without the risk of eviction without just cause.
Responsive Maintenance	Repairs carried out to address immediate health and safety concerns in a rental property.
Cyclical Maintenance	Regular, scheduled maintenance tasks (e.g., servicing smoke alarms, heating systems) to keep properties in good condition.
Capital Works	Major upgrades or replacements to a property's structure or essential systems, such as roofing, plumbing, or electrical rewiring.

4.0 DOCUMENT OWNER

The Manager Housing services, EHL is the subject matter expert and person responsible for this document review.

5.0 REFERENCES AND RELATED DOCUMENTS

Legislation and Regulatory Requirements

This policy aligns with EHL's obligations under:

- Housing Act 1983 (Vic)
- Residential Tenancies Act 1997 (Vic)
- Performance Standards for Registered Housing Agencies (Housing Registrar)
- Victorian Housing Register (VHR) Operational Guidelines
- EHL Policies and Procedures
- Rent Setting Policy
- Starting, During, and Ending a Tenancy Policies