

ENDING OF TENANCIES POLICY

1.0 PURPOSE AND SCOPE

The purpose of this policy is to detail EACH Housing Limited (EHL)'s approach to ending tenancies, including voluntary exits, forced terminations, abandonment, and situations where a property is no longer available for lease.

This policy ensures decisions are fair, transparent, person-centred, and in accordance with the *Residential Tenancies Act 1997 (Vic)* (RTA), Housing Registrar Performance Standards, and the *Charter of Human Rights and Responsibilities*.

2.0 POLICY STATEMENT

EHL is committed to:

- Sustaining tenancies wherever possible through early intervention, proactive support, and positive renter engagement.
- Managing tenancy endings in compliance with the *Residential Tenancies Act 1997 (Vic)* (RTA), *Housing Act 1983 (Vic)*, and Housing Registrar Performance Standards.
- Ensuring tenancy endings are fair, transparent, and respectful, with proper consideration of the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*.
- Providing renters with clear information about their rights, obligations, and support options.
- Ensuring procedural fairness, including adequate notice, genuine opportunities to respond, and access to advocacy.
- Minimising the adverse impact of tenancy endings on renters through respectful communication and assistance with alternative housing options where appropriate.

2.1 Legal Compliance

EHL ensures that all tenancy endings comply with the RTA, relevant funding agreements, and regulatory standards. Policies and procedures are reviewed at least every two years to reflect legislative changes and best practice.

2.2 Voluntary Tenancy Endings

Renters have the right to end their tenancy at any time by providing notice in accordance with the RTA. EHL supports renters through this process by:

EHL provides clear guidance to renters about ending their tenancy, including notice periods and obligations.

2.3 Abandonment

Where abandonment is suspected, EHL undertakes reasonable steps to confirm, including contacting renters, support workers, and next of kin; inspecting the property; and checking utility and rent status. If abandonment is confirmed, EHL may seek a VCAT order or otherwise take lawful possession.

2.4 Death of a Renter

EHL liaises with the renter's next of kin or legal representative to end the tenancy and arrange for belongings. If necessary, EHL applies to VCAT to terminate the agreement in accordance with the RTA.

2.5 Eviction Processes

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Eviction is a last resort. EHL ensures all alternatives have been explored, support referrals offered, and a human rights assessment completed. The Manager Housing Services, must approve applications to VCAT for Possession Orders.

2.6 Property No Longer Available

Where a property becomes unavailable for lease, EHL provides early notice and works with renters to secure suitable alternative housing, prioritising internal transfers where possible.

2.7 Human Rights and Procedural Fairness

All tenancy ending decisions consider the Charter of Human Rights. EHL ensures actions are lawful, necessary, reasonable, and proportionate. Renters are given opportunities to respond, and all actions are documented.

2.8 Data Management and Privacy

EHL manages tenancy ending records in accordance with the *Privacy and Data Protection Act 2014 (Vic)*.

2.9 Exit Process and Support

EHL ensures that when any renter vacates or is evicted, the process is respectful and clear. This includes providing final account details, guidance on bond recovery, opportunities for feedback, and assistance to connect with housing or support services if appropriate.

3.0 DEFINITIONS

Abandonment	When a renter leaves a property without notice or intention to return.
Charter of Human Rights	The Charter of Human Rights and Responsibilities Act 2006 (Vic) sets out the rights, freedoms, and responsibilities of all people in Victoria. It guides EHL in ensuring tenancy decisions respect those rights.
Possession Order	An order from VCAT permitting EHL to take possession of a property.
Notice to Vacate	A legal notice requiring the renter to leave the property.
RTA	Residential Tenancies Act 1997 (Vic).
VCAT	Victorian Civil and Administrative Tribunal.
Warrant of Possession	Document authorising police to evict a renter following a Possession Order.

4.0 DOCUMENT OWNER

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

5.0 REFERENCES AND RELATED DOCUMENTS

- Charter of Human Rights (the Charter)
- Abandoned Goods Policy and Procedure
- Death of a Renter Policy and Procedure
- Rent Arrears Policy and Procedure
- Charter of Human Rights Form
- Residential Tenancies Act 1997 (Vic)
- Housing Registrar (Vic) Performance Standards
- End of Tenancies Procedure