



Title: Procedure - Collection of Rent and Arrears		
Policy Area: Social Programs - Housing		
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Principles:

- Rental collection is to be undertaken by Woomera Aboriginal Corporation (WAC) in accordance with the requirements of the NSW Residential Tenancies Act 2010, the tenancy agreements in place and WACs housing procedures
- **The Property Officer is not permitted to terminate the lease of any tenant without the approval of the Management Board.**

Procedures:

Rent Assistance

- The Property Officer should routinely encourage tenants to apply for rent assistance to supplement the cost of their rent as they may be eligible for Government rent assistance

Overdue Rents

- If rent becomes overdue tenants will be encouraged to pay a regular amount appropriate to the arrears and within their financial capacity
- The Property Officer should contact the tenant to arrange a repayment plan when a tenant has missed a payment or is more than a fortnight behind in rent
- If the tenant is unresponsive to the request within seven (7) days, the Property Officer should issue the following letters:
 1. **First Request – Reminder** to Enter into a Repayment Agreement. The tenant should be given another seven (7) days to action this letter.
 2. **Second - Notice to Remedy** will be issued when a tenant has not responded to the first letter and Property Officer has been unsuccessful in contacting the tenant. The tenant has a further seven (7) days to action this letter

Termination of Tenancy

- When a tenant has failed to respond to the second Notice to Remedy letter and the Property Officer has been unsuccessful in contacting the tenant a **Notice of Intention to Terminate the Lease** should be issued

- If the tenant has not responded to any of the above correspondence the Property Officer should **brief the Management Board and seek approval** to make application to the NSW Civil and Administrative Tribunal (NCAT) for **termination of the tenancy**
- If the Management Board approves the termination of the tenancy the Property Officer is responsible for preparing the application to NCAT
- **The Property Officer should note that under sections 89(2) and 89(3) of the Residential Tenancies Act 2010 any action taken to terminate the tenancy for rental arrears cease to have effect if the tenant pays all the rent owing**
- If the termination of the tenancy / eviction action is carried out to completion WAC should seek recovery of any outstanding debts as a result of rental arrears, and any cost incurred as a result of any damage to the property caused by the tenant from the tenant

Related Policy and Procedures:

Reviewing Rents Policy and Procedures

Debt Recovery Policy and Procedures

Guidelines / References:

Residential Tenancies Act 2010

Tenants' Rights Factsheet 05

Letters

Letter 1 **First Request – Reminder** to Enter into a Repayment Agreement

Letter 2 **Second - Notice to Remedy**

Letter 3 **Notice of Intention to Terminate the Lease**