

COLLECTION OF RENT AND ARREARS PROCEDURE

1.1 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 Housing Officer is not permitted to terminate the lease of any tenant without the approval of the Management Board.

1.2 SCOPE

This policy applies to all Woomera Aboriginal Corporation (WAC) housing employees.

1.3 PROCEDURE

Rent Assistance

The Housing 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

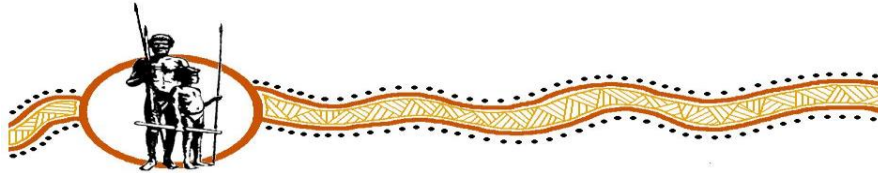
The Housing Officer should contact the tenant to arrange a repayment plan when a tenant has missed a payment or is more than a fortnight behind in rent.

If the tenant is unresponsive to the request within seven (7) days, the Housing Officer should issue the following letters:

- **First Request – Reminder** to Enter into a Repayment Agreement. The tenant should be given another seven (7) days to action on this letter.
- **Second - Notice to Remedy** will be issued when a tenant has not responded to the first letter and the Housing Officer has been unsuccessful in contacting the tenant. The tenant has a further seven (7) days to act on this letter.

Termination of tenancy

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



Woomera Aboriginal Corporation

If the tenant has not responded to any of the above correspondence the Housing Officer and Team Leader should **brief the CEO and seek approval** to make an application to the NSW Civil and Administrative Tribunal (NCAT) for **termination of the tenancy**.

The CEO will take the request to the Management Board. If the Management Board approves the termination of the tenancy the Housing Officer and Team Leader are responsible for preparing the application to NCAT.

WAC 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 because of rental arrears, and any cost incurred as a result of any damage to the property caused by the tenant from the tenant.

1.4 RELATED POLICIES AND PROCEDURES

Reviewing Rents Policy and Procedures Debt
Recovery Policy and Procedures

1.5 GUIDELINES/REFERENCES

Residential Tenancies Act 2010 Tenants Rights Factsheet 05

Form:

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**

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