

## Rent Arrears Policy

Version date: April 2019  
Review date: April 2022  
Policy owner: Director Housing and Homelessness

### Purpose

The purpose of this policy is to ensure that rents are managed proactively and that where arrears are identified, place managers intervene as early and effectively as possible.

### Scope

This policy is applicable to all Unison long-term tenancies.

### Principles

Unison is committed to ensuring a consistent and proactive process to achieving the best possible outcomes for tenants and the organisation.

Unison's approach to rent arrears follows these principles:

- Rent arrears are identified and addressed early to give the tenant the best chance to sustain their tenancy as delays diminish the tenant's ability to resolve the issue
- Eviction for rent arrears must only occur when all avenues to address the arrears have been exhausted
- Care must be taken to establish a rent paying culture from the beginning of the tenancy
- Rent arrears can be a sign of broader tenancy issues and can provide an opportunity to resolve these issues
- Engagement with support agencies may assist in addressing arrears.

### Application

#### Roles and Responsibilities

Unison Place Managers will:

- Ensure that tenant/s human rights are considered in line with the Charter of Human Rights and Responsibilities Act 2006
- Monitor rents regularly
- Try different strategies with a tenant/s (where needed with support agencies) to resolve rent arrears
- Organise a Rent Arrears Agreement between Unison and the tenant/s

Unison tenants will:

- Comply with lease agreements in accordance with the Residential Tenancies Act 1997 (RTA)
- Communicate with their Unison place manager during times of hardship
- Where required enter into a Rent Arrears Agreement

## Consent Order, Order of Possession and Eviction

Where there is non-compliance or where the tenant/s refuse to communicate with Unison, place managers may, in consultation with the relevant Team Leader issue a Notice to Vacate (NTV) and arrange an application to the Victorian Civil and Administrative Tribunal (VCAT) for a Consent Order or Order of Possession.

If a tenant/s breach these orders and an Order of Possession is in place Unison may purchase a warrant of possession ensuring that great care is taken to execute the eviction in a respectful way that is in line with the Charter of Human Rights and Responsibilities Act 2006. A warrant of possession cannot be purchased without the written approval of the relevant Manager, Place Management.

## Glossary

Rent Arrears - Where a tenant or resident does not pay their rent by the due date, they are considered to be "in arrears".

Default on agreement – Where a tenant has not paid their rent plus repayment amount. Paying only the rent or a partial amount of rent is also a default on agreement.

VCAT - Victorian Civil and Administrative Tribunal.

Notice to Vacate (NTV) - A formal notice served to the tenant by the landlord required prior to any hearings at VCAT.

Consent Order - A formal agreement made by VCAT specifying an arrears agreement, outlining the conditions for the re-payment of the rent arrears.

Order of Possession - An order authorising the return of the property to the possession of the landlord.

Warrant of Possession - A warrant issued by VCAT, executed by the police to terminate the tenancy.

Eviction - A tenancy that has been terminated following the purchase of a Warrant of Possession.



## Review of policy

This policy will be reviewed every three years as delegated by the responsible Director