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| Date of Review | Authorised Signature |
| See Version Tracking Table | |

TITLE: **04.08 Housing Services Rent Management Policy**

SCOPE: RQ Housing programs

POLICY: RQ is committed to having a rent management system that is fair and sensitive to tenant's needs and circumstances whilst ensuring the organisation's viability.

PURPOSE: To provide guidelines on how RQ works with tenants who are in arrears whilst responding to organisational viability concerns and meeting the needs of vulnerable tenants.

DEFINITION/S: RQ – Roseberry Qld
 GM - General Manager also refers to Acting General Manager
 Staff refers to all paid and unpaid workers
 DHPW - Department of Housing and Public Works
 LTCH – Long Term Community Housing
 CMSU – Community Managed Studio Units
 CAP – Crisis Accommodation Program
 RTA – Residential Tenancies Authority
 RTRAA – Residential Tenancy and Rooming Accommodation Act 2008
 RPM – Rental Property Management software

PROCEDURES: **04.08.01 Identification of Rent Arrears**

1. RQ Housing Services staff works in conjunction with RQ Business and Business team to obtain up to date information regarding frequency and amount of rent payments made to the RQ Bank account via direct deposits.
2. .
 The Business Team enters rent payment received via cash or direct deposit to Reckon Accounts. From this software, a .csv file is extracted and uploaded to RPM software, to update each tenant's rent ledger, who pay via this method.
3. RQ Housing Services staff checks the Services Australia reports provided by Centrepay on a daily basis. Centrepay reports, extracted as .csv files, are uploaded to RPM, to update each tenant's rent ledger, who pay via this method.

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4. Once data has been entered into RPM, RQ Housing Officers are provided an up to date report on tenant arrears. These arrears are discussed at weekly meetings between Housing Officers and the Housing Manager to discuss and negotiate strategies to deal with the rent arrears.

04.08.02 Rent Arrears Recovery

1. Where it is identified that the tenant has not made a rent payment and is in arrears, RQ Housing staff will:
 - a) Attempt to make contact with the tenant using the phone to check out whether they were aware that a payment or payments had not been received.
 - b) If the tenant can be contacted, RQ Housing Staff will negotiate with them a remedy to the situation which may include the tenant paying the full amount owed or entering into a repayment agreement with RQ to pay an extra amount with each rent payment until the arrears are caught up.
 - c) Whatever the arrangement the tenant makes with the RQ Housing staff, this is documented in a letter and where applicable or appropriate a – Notice to Remedy Breach. This is noted in tenant's file on RPM and/or case notes on SHIP.
 - d) Tenants who have a history with RQ of rent arrears will always have a Notice to Remedy Breach issued at this time with the letter, to ensure that the organisation has followed legal process in the recovery of the outstanding arrears. This process is always completed in consultation with the RQ Housing Services Manager and Housing Officers.

04.08.03 Repayment Agreements

1. At all times throughout this process, RQ will negotiate a repayment agreement with tenants who are in arrears. Wherever required and with the tenant's permission, RQ will seek assistance and support for the tenant to assist them prevent the situation from occurring again.
2. RQ does not utilise the capacity of the RTRAA 2008 that is tenants breach their tenancy agreement for the same breach within a 12-month period. RQ accepts that the nature of the client group is such that at times rent arrears and tenancy breaches will occur and it is the responsibility of the organisation

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to work with tenants to sustain and maintain their tenancies wherever possible.

3. The agreement made between RQ and the tenant will be based on an amount that is fair and can be paid back without causing difficulty for the tenant. RQ will document the agreement in a letter that will include:
 - a) The amount of arrears to be paid,
 - b) How much extra on top of the weekly/fortnightly rent that is to be paid,
 - c) What to do the tenant experiences any difficulty in maintaining the agreement i.e. contact and discuss situation with RQ Housing Officers immediately the difficulty is identified. RQ Housing will negotiate with the tenant if they have been maintaining the agreement and where necessary and only with permission of the tenant, Housing Officers will assist with a referral to Emergency Relief providers in Gladstone.
4. A copy of this agreement is provided to the tenant and a copy is maintained on the tenant's file.

04.08.04 RTA Process

1. If RQ tenants do not respond to attempts of RQ Housing Officers seeking information on why they have not paid their rent, RQ Housing Officers will follow the legal process as defined by the RTA, as follows:
 - a) Notice to Remedy Breach will be issued with a letter, advising the tenant of why they have been breached, and what they have to do to remedy the breach, i.e. pay outstanding arrears. This notice provides tenants with 7 days to remedy the breach.
 - b) If the tenant does not remedy the breach within 7 days, the RQ Housing Officers will again attempt to make contact and if able to contact, will negotiate a repayment agreement at this time. If an agreement is negotiated and maintained, the Notice to Remedy Breach will not be acted upon.
 - c) If unable to contact, a Notice to Leave will be issued, again with a letter advising that RQ is still prepared to negotiate an agreement if the tenant contacts Housing Officers.
 - d) If still no contact received, RQ Housing Services will progress with the involuntary termination of tenancy process as per the RQ

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04.08.05 Appeals and Disputes regarding Rent Arrears

1. If a tenant is unhappy with how RQ Housing Service deals with the rent arrears process they are welcome and encouraged to appeal the decision or how the process was handled following the RQ 02.17 Complaints Appeals and Disputes Policy. The tenant will also be provided the RQ Information Sheet on How to Make a Complaint and Appeal a Decision to assist them progress the appeal or dispute.
2. Tenants are encouraged to speak directly with the Housing Officers to discuss situation first and if they remain unhappy or the situation is unresolved, they can speak directly with the Manager of Housing Services informally, or they are welcome to lodge a formal complaint or appeal in writing.
3. Depending on who has already been involved with the complaint or appeal will direct who the first point of contact will be for the formal process i.e. either the Manager of Housing Services or the General Manager. This person will investigate the matter using such as evidence as financial reports, copies of receipts, rent ledger reports, correspondence and bank statements.
4. If the issue remains unresolved or the tenant remains unsatisfied, they shall be provided information the RTA to seek further advice.
5. RQ will attend any mediation session organised through the RTA willingly to assist any appeal or complaint regarding the rent management and dealing with arrears.
6. Complaints are welcomed as part of the RQ commitment to improving service delivery.

04.08.06 Documentation regarding Rent Arrears

1. RQ Housing Staff ensure that comprehensive records are maintained regarding the RQ Rent Management system, including rent arrears reports generated by RPM, records of payments made direct into the RQ bank accounts, notices and correspondence issued and repayment agreements. This documentation is maintained on the tenants file and on the tenancy and property management software, RPM.
2. RQ Housing Services staff provides a weekly report to the Manager of Housing Services. These reports provide the Manager of Housing Services detailed information on which tenants are in arrears, how

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much they are in arrears and what actions have been taken to address. This information is also discussed at weekly meetings with Housing staff and the Manager of Housing Services.

3. The Manager of Housing Services provides a monthly report to the General Manager that includes information on a range of factors including rent arrears, how much and what actions have been taken to address.
4. Information on complaints and appeals is also provided to the General Manager and Board of Directors via monthly reports from RQ Housing Services staff and Manager.

ACCOUNTABILITY: RQ Housing Officers
RQ Housing Manager

EVALUATION METHOD: Annual Tenant Survey
Annual External Stakeholder Survey
Monthly Reports to the Housing Manager and General Manager
Review of Complaints Register

OTHER RELATED POLICIES / DOCUMENTS: Community Housing Rent Policy
Housing Act 2003
Housing Regulation 2017
RTRAA – Residential Tenancy and Rooming Accommodation Act 2008
RTA Form 18a General Tenancy Agreement
RTA Form 11 Notice to Remedy Breach
RTA Form 12 Notice to Leave
RCS Tenant Information Kit
04.13 Housing Services Ending Tenancies Policy

| Policy Review and Version Tracking | | | | |
|---|----------------------|-------------------------------|--------------------|----------------------|
| Review | Reviewed Date | Policy Amended: Yes/No | Approved By | Date Approved |
| 1 | 22/05/2018 | Yes | RQ Board | 05/06/2018 |
| 2 | November 2018 | No | N/A | N/A |
| 3 | 16/03/2020 | Yes | RQ Board | 27/06/2020 |
| 4 | December 2020 | No | N/A | N/A |

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