

2.4.1 Tenure

Preamble

Women's Housing Company (WHC) is a community housing association as part of the social housing system in NSW. WHC provides long term housing for single women and medium term housing through support partnerships.

WHC guarantees the following of all landlord responsibilities as stated in the NSW Residential Tenancy Act 1987.

WHC recognises the need for women to have security of tenure over their housing situation. Such security enables single women to have stability of their housing, often for the first time in their lives due to the high cost of home ownership and increasingly high rentals.

This is particularly so in a tight private rental market such as the Sydney Metropolitan area combined with housing purchasing affordability being limited to high income earning households which single women are too often excluded from. This allows single women to be part of a community which they otherwise would not be included in, or could participate in, only in a compromised way.

POLICY

All long term tenants are guaranteed security of tenure as long as no breaches of their tenancy are present.

Women's Housing Company provides long term housing to the majority of tenants.

Exceptions are;

- tenants are housed under a support partnership arrangement for a fixed term
- tenants are housed in a bedsit
- tenants are covered by a fixed term lease which is the result of a negotiation between the tenant and WHC to deal with a tenancy matter
- the tenant no longer meets eligibility criteria for WHC

As a significant number of tenancies are provided by WHC in properties rented on the private rental market, from time to time WHC receives notice to vacate these properties. Such termination notices are beyond the control of WHC.

In such cases the long term tenant remains a long term tenant with WHC. However, a new property needs to be allocated to the tenant, see [2.3.1.1 Management Transfer](#).

Women's Housing Company will return possession of property as per regulations stated in the Residential Tenancy Act 1987 see [2.4.2.1 Handing back of leasehold properties](#).

PROCEDURE

For all long term tenants, Women's Housing Company will not terminate tenancies unless a breach of tenancy agreement is established or the tenant becomes ineligible for housing with WHC.

For tenants on fixed term leases, Women's Housing Company will give 14 days (+4 days postage) notice to vacate the property due to the end of a fixed term. This notice must be served before the fixed term has expired.

If no response was established from the tenant, the housing worker will visit the relevant property the day after the date specified as vacant possession date. If the tenant is still at the premises and refuses to vacate, an application to the Consumer Trader and Tenancy Tribunal to take possession will be issued.

If the tenant is not answering, the housing worker will ascertain if the property is vacated by knocking on the door, ringing the bell, looking through windows if this does not interfere with other tenants' rights.

If it is unclear if the property has been vacated, WHC will check if rent has been paid over the last two weeks and with the electricity provider if power is still connected. If neither is the case, the housing worker together with another worker can enter the property based on the verifiable assumption that the property has been vacated.

If the property has not been vacated e.g. a substantial amount of goods has been found at the property, an application to the CTTT will be made to take possession see [2.4.2 No Grounds Termination & CTTT](#).

Date developed: 1/1/06

Date/s policy was ratified and/or changed by Board: 28/8/07

Note: Procedures are designed to guide the implementation of a policy and will be updated on a regular basis as part of ongoing best practice service improvement.