

RENT ARREARS POLICY

1. Why we need this policy

- 1.1 Launch Housing is a registered Community Housing Provider, regulated by the Victorian Housing Registrar.
- 1.2 Launch Housing aims to support renters to sustain their tenancies, prevent homelessness, and uses rent collected in order to continue providing a supply of affordable community and social housing.
- 1.3 The purpose of this policy is to detail Launch Housing's approach to managing a tenancy when a renter falls behind in their regular rent payments accruing rent arrears.

2. Who this policy applies to

- 2.1 This policy applies to renters in Long-Term, Transitional Housing Management (THM), Affordable Housing, and Head Lease properties owned or managed by Launch Housing.
- 2.2 This policy applies to Launch Housing staff managing these properties.

3. Which Launch Housing properties this policy applies to

- 3.1 This policy applies to all Long-Term, Transitional Housing Management (THM), Affordable Housing, and Head Lease properties owned or managed by Launch Housing.
- 3.2 This policy does not apply to the following housing programs managed by Launch Housing:
 - i. temporary or Crisis Supported Accommodation;
 - ii. Education First Youth Foyers;
 - iii. properties managed by HomeGround Real Estate.

4. What this policy includes

4.1 Policy overview

- 4.1.1 This policy outlines how rent arrears will be managed for Launch Housing renters, specifically:
 - i. Managing rent arrears; and
 - ii. Repayment agreements.

4.2 Guiding principles

- 4.2.1 Launch Housing sets affordable rents in accordance with Launch Housing's *Rent Setting Policy* and will provide clear communication to renters about their rental rights and responsibilities.
- 4.2.2 Where rental payments are late or rent arrears accrue, Launch Housing will contact renters as early as possible to ensure rent arrears are addressed, that renters have access to support services if needed, and the rental income necessary to fund the supply of Launch Housing's community housing is collected.
- 4.2.3 In applying this policy Launch Housing will ensure:
 - i. Renters are provided with timely and accurate information about their rent and other debt accounts;
 - ii. Issues are addressed as early as possible to minimise rent arrears and support renters to sustain their tenancy;
 - iii. Eviction is a measure of last resort;
 - iv. Consistent, fair, and accountable processes are followed, and renters are provided with information about processes that impact their tenancy;
 - v. Proper consideration is given to the human rights of renters that may be impacted by decisions around evictions, in accordance with the Charter of Human Rights and Responsibilities 2006 (Vic);
 - vi. Compliance with the Residential Tenancies Act 1997 (Vic) (RTA) in relation to rent is met;
 - vii. All contractual, legal, and regulatory duties are met.

4.3 Managing rent arrears

- 4.3.1 Launch Housing aims to support all renters to meet their rent payment responsibilities in a way that minimises rental debt and supports renters to sustain their tenancy.
- 4.3.2 At commencement of a tenancy, Launch Housing will provide renters with information on the weekly rent payment amount, including any rebate calculation, and additional property charges as per Launch Housing’s *Rent Setting Policy*. Renters will be provided with information on how to make a rent payment and how to contact Launch Housing if there are any issues with making a rent payment by the due date.
- 4.3.3 Rental accounts will be monitored on a weekly basis to promptly identify rent arrears. In the first instance, and where there is less than 14 days in rent owing, renters will be contacted as soon as possible to remind them about their missed rent payment. Contact methods may include by letter, SMS, phone call, or email.

4.4 Repayment agreements

- 4.4.1 Renters will be provided with the option to pay the arrears in full, or to enter into a Repayment Agreement to pay the arrears at agreed instalments. Where a Repayment Agreement is made, renters will be provided with a copy of the signed agreement, the repayment schedule, and the final payment due date. All Repayment Agreements will be formalised through the Victorian Civil and Administrative Tribunal (VCAT).
- 4.4.2 If renters fail to comply with the terms of the Repayment Agreement, Launch Housing will contact the renter/s and will consider options for escalating repayment actions.
- 4.4.3 If the arrears remain unpaid, Launch Housing may use different strategies to recover the debt depending on the circumstances of the household. These strategies may include:
 - i. Negotiating a repayment agreement;
 - ii. Requesting a lump sum payment;
 - iii. Issuing a notice to vacate and applying for an order through VCAT where arrears have remained unpaid for more than 14 days under a rental agreement and seven (7) days for a rooming house agreement;
 - iv. If a renter has provided consent for Launch Housing to contact their support worker, Launch Housing will attempt to make contact prior to serving any notice;
 - v. Terminating a tenancy where we have tried all other options and the arrears remains unpaid, as per Launch Housing’s *End of Tenancy Policy*.
 - vi. Making a claim against the bond if the tenancy is ended and there are outstanding arrears owing, as per Launch Housing’s *End of Tenancy Policy*.
- 4.4.4 Launch Housing recognises that there are circumstances where a household may not be able to pay their full weekly rent amount, Launch Housing will work with the renter/s to support and manage these circumstances, as per Launch Housing’s *Hardship and Temporary Absence Policy*.
- 4.4.5 Launch Housing may make a claim against the bond if the tenancy is ended and there are outstanding arrears owing.

5. Who is responsible for this policy

Who is responsible	Key activities
Launch Housing	<ul style="list-style-type: none"> • Support renters to manage their rent arrears to sustain their tenancies.
Renters	<ul style="list-style-type: none"> • Pay rent on time and engage with Launch Housing where this isn’t possible.

APPENDIX: ADMINISTRATION

6. Definitions

Term	Definition
Notice to vacate	A legal notice to a renter that the rental provider wants them to vacate the property by a certain date.
Order of compensation	An order granted by VCAT giving the rental provider the right to seek reimbursement from the renter.
Possession order	An order granted by VCAT giving the rental provider the right to obtain a warrant to regain possession of the property.
Rental agreement	A lease under the Residential Tenancies Act 1997 (Vic), which sets out the rights and duties of the renter/s and the rental provider.
Rent arrears	Unpaid rent owed by the renter to the rental provider.
RTA	The Residential Tenancies Act 1997 (Vic). The principal legislation governing rental housing in Victoria.
RTBA	The Residential Tenancies Bond Authority. A statutory authority that holds all Victorian residential tenancy bonds.
VCAT	Victorian Civil and Administrative Tribunal. A legal institution set up to administer several Acts. For residential tenancies, the Tribunal administers the Residential Tenancies Act 1997 (Vic).
Warrant of possession	A legal document issued by VCAT authorising police to evict renters from a property.

7. Related Launch Housing Policies

Document name	Description
Client / Renter Feedback, Complaints and Appeals Policy	Details Launch Housing's policy and process for managing feedback, complaints and appeals made by clients, renters and stakeholders.
End of Tenancy Policy	Details Launch Housing's arrangements, processes and considerations for ending tenancies.
Hardship and Temporary Absence Policy	Details how Launch Housing aids renters experiencing significant financial hardship.
Renter Recharge Policy	Details the responsibility for payment of maintenance undertaken on Launch Housing's properties.
Rent Setting Policy	Details how rent is determined for Launch Housing renters.

8. Legislation

This policy meets the following legislative requirements:

Name	Description
Charter of Human Rights and Responsibilities Act 2006 (Vic)	The primary piece of legislation that protects 20 civil, political, and cultural rights and imposes obligations on Parliament, courts, and public authorities.
Housing Act 1983 (Vic)	The primary piece of legislation for housing law, which seeks to improve housing administration in Victoria.
Residential Tenancies Act (Vic)	The primary piece of legislation that regulates the rights and obligations of landlords and tenants in Victoria.

9. Regulatory / accreditation standards

This policy meets the following regulatory and/or accreditation requirements:

Standard	Standard reference
Housing Registrar Performance Standards	Standard 1: Tenant and housing services (Determining and managing rents).

10. Amendments to this Policy

This policy may be amended, terminated or replaced at Launch Housing's discretion. This policy will be reviewed, and updated as required, on a periodic basis.

In the event any related State or Commonwealth legislation changes, the legislation/directions will prevail to the extent of any inconsistency with this policy.

Amendments			
Date last approved:	11/10/2024	Date of effect:	11/10/2024
Date last amended:	02/10/2024	Date of next review:	11/10/2026
Owner:	Group Manager, Housing Services	Approver:	Executive Director, Housing Solutions
Audience:	Renters in Long-Term, Transitional Housing Management (THM), Affordable Housing, and Head Lease properties owned or managed by Launch Housing, and staff managing these properties.		

11. Version Control

Version	Effective Date	Amended by	Approved By	Amendment
V1.0	20/05/2015	General Manager, Keeping Housing	General Manager, Keeping Housing	First Version
V2.0	30/04/2019	General Manager, Keeping Housing	General Manager, Keeping Housing	Updated to bring in-line with VHR & Housing Registrar requirements
V3.0	29/03/2021	General Manager, Keeping Housing	General Manager, Keeping Housing	Updated terminology as per RTA changes
V4.0	11/10/2024	Group Manager, Housing Services	Executive Director, Housing Solutions	Expanded details – Guiding principles and agreements.