



RENTAL DEBT POLICY

SPO17

Responsible Manager: Executive Manager Housing Services

Heads of power: *Residential Tenancies and Rooming Accommodation Act 2008 (Qld)*
Department of Housing and Public Works'
Community Housing Rent Policy for Indigenous Councils
Social Housing Policy PO12

Authorised by: Council

Authorised on: July 2017

Implemented from: July 2017

Last reviewed: N/A

Review history: N/A

To be reviewed on: June 2019

Corporate Plan: Environment

1. POLICY STATEMENT

- a) Torres Strait Island Regional Council shall actively pursue outstanding debts from both current and former tenants.
- b) Debts from a former tenancy cannot be transferred to a tenant's current or pending rental agreement as the debt has no bearing on the current tenancy. Council shall deal with the debts separately.
- c) Council shall not allocate new housing to a tenant in debt until:
 - i. tenant repays the whole of the debt; or
 - ii. tenant has made an agreement with Council and has progressed repaying the debt through an arrears payment plan.
- d) If an applicant for new housing is assessed as being of a very high or high level of need, Council shall not delay the allocation because of the debt. The new tenant must sign a rent and arrears payment plan as part of their new general tenancy agreement. If the new tenant declines to sign a rent and arrears payment plan, applications may be approved but the allocation will be deferred until tenant has made payments towards their debt.
- e) If the applicant is assessed as being of a moderate to low level of need, Council will not proceed with the new allocation of housing until the new tenant has entered into a rent and arrears payment plan as part of their new general tenancy agreement. If the new tenant declines to sign a rent and arrears payment plan, Council will not proceed with the new allocation of housing for that tenant.
- f) Council's Chief Executive Officer has power to waive statute-barred debts relating to housing.
- g) Multiple tenants who signed a general tenancy agreement are jointly and severally responsible for debts incurred under that agreement.
- h) Tenants who are deemed by the delegated officer to have an implied tenancy will be responsible for any debt accrued while they have resided in a Council housing property.

2. SCOPE

This Policy applies to all Council tenants, including employees, Councillors, contractors, agents and assigns of Council.

3. PROCEDURE

This Policy is to be applied in conjunction with Debt Recovery Procedure PO5-PR7 and Rental Debt Management Procedure SPO13-PR2.

4. AUTHORISATION

This Policy was duly authorised by Council as Torres Strait Island Regional Council Rental Debt Policy on 19 July 2017 and shall hereby supersede any previous policies of the same intent.



Chris McLaughlin
Acting Chief Executive Officer

Date: 19 / 07 / 2017