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## 1. Statement

Ipswich City Council is committed to the responsible management of Council owned residential properties by being consistent, equitable and transparent to maximise community benefit.

## 2. Purpose and Principles

This policy is to establish guidelines for council on how General Tenancy Agreements are to be entered into for council owned housing made available for residential purposes.

## 3. Strategic Plan Links

This policy aligns with the following iFuture 2021-2026 Corporate Plan themes:

- Vibrant and Growing
- Safe, Inclusive and Creative

## 4. Regulatory Authority

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Property Law Act 1974*
- *Residential Tenancies and Rooming Accommodation Act 2008*

## 5. Human Rights Commitment

Ipswich City Council (Council) has considered the human rights protected under the *Human Rights Act 2019 (Qld)* (the Act) when adopting and/or amending this policy. When applying this policy, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

## 6. Scope

This policy applies to council owned residential properties (Properties) and will be managed in accordance with the Residential Tenancies Authority (RTA).

The General Tenancy Agreement (Agreement) developed and updated by the RTA will be used with additional clauses where required. All Agreements will comply with the statutory provisions of the *Residential Tenancies and Rooming Accommodation Act 2008*.

Properties are to be managed by council's appointed third-party property manager.

Managing Agents will be selected through council's Expression of Interest process. To terminate an existing managing agent, council will need to advise the managing agent in writing and provide 30 days' notice.

Properties for rent will be advertised to the open market by the managing agent. The renewal of agreements will be offered to the existing tenant unless one of the following occurs:

- Council requires the property for the purpose in which it was acquired;
- The tenant is in breach of the current terms and conditions of their agreement;
- Council declares the property surplus to its requirements; or
- The property becomes unliveable and/or irreparable.

Rent will be determined by the market assessment. Council will be guided by recommendations on rent provided by the managing agent and current vacancy rates.

When the rent is increased in a tenancy renewal, the bond will also be increased accordingly. A bond equal to four (4) weeks rent will be held with the RTA at all times.

To terminate a tenancy, two months written notice is required, unless the tenant has an unremedied breach notice such as rent arrears. For other notice periods for additional reasons for ending a tenancy see the [Form 12 Notice to Leave](#).

Repairs and maintenance to a residential premises will be carried out in accordance with the terms of the RTA General Tenancy Agreement.

Council will insure all residential buildings owned by Council.

Tenants are responsibility for contents insurance for their own chattels and possessions.

A maximum of two pets of any kind will be approved unless otherwise agreed by council in writing. No snakes, rats or mice will be permitted. Tenants will be responsible for any damage caused by pets. Fish and birds are not permitted in carpeted areas.

Smoking is prohibited inside dwellings and sheds.

The tenant must not transfer the lease or sublet the premises.

## **7. Roles and Responsibilities**

The Property Services Manager is responsible for the implementation and ongoing management of this policy to ensure occupiers of council residential properties have an appropriate lease in place and deliver their obligations in accordance with the General Tenancy Agreement.

## **8. Key Stakeholders**

- Infrastructure Strategy Branch – Asset and Infrastructure Services Department
- Community and Cultural Services Branch – Community, Cultural and Economic Development Department
- Natural Environment Branch – Environment and Sustainability Department

**9. Monitoring and Evaluation**

- Ensure a market assessment is undertaken by a qualified property professional to achieve a fair market rent.
- All tenancy of council owned properties are on the standard RTA agreement as per the legislation.
- Council conducts annually risk assessments on the property to ensure it complies with the relevant legislation.

**10. Definitions**

<b>Council</b>	Means Ipswich City Council
<b>Tenants</b>	A person whom has the right to occupy property under a residential tenancy agreement
<b>Residential Tenancy Agreement</b>	A written agreement under which Council gives the right to someone else to occupy the property
<b>Dwelling</b>	A house, flat or other place of residence

**11. Policy Owner**

The General Manager (Corporate Services) is the policy owner and the Property Services Manager – Property Services Section (Corporate Services) is responsible for authoring and reviewing this policy.