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| Tenancy Condition Reports Operational Guidelines |
| November 2024 |
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# Revision history

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| --- | --- | --- | --- |
| Version | Amended section | Effective | Detail |
| 1.0 |  | 22 March 2021 |  |
| 1.1 |  | 10 November 2021 |  |
| 1.2 | Throughout | November 2024 | * Inclusion of H24.02 HiiP release enhancement, which mandates the completion of move-out Tenancy Condition Reports. * All sections have been reorganised, renamed, and updated to align with current processes. |

# Overview

The completion of Tenancy Condition Reports (TCRs) at the start and end of tenancies are mandated under Section 35 of the Residential Tenancies Act 1997. They document the condition of rental properties and their amenities. To ensure compliance with this legislative requirement, the Housing Integrated Information Program (HiiP) mandates the completion of TCRs. Mandatory completion also supports:

* Efforts to maintain accurate records of property conditions
* Safe and habitable environments for public housing renters
* Long-term sustainability of public housing stock.

# HiiP Connect

HiiP Connect is a digital tool that allows staff to perform housing functions offsite, including completing TCRs and capturing photo documentation. Staff can use HiiP Connect to take photos and fill out the necessary sections of the TCR, with both photos and details uploading automatically to HiiP.

HiiP Connect photo capture process includes:

* Automatic date and room location stamps on each photo.
* A requirement to tick the photos column to confirm that photos have been taken for each relevant item.
* Supporting photos for items graded as Unclean, Damaged, or Not Working, providing visual evidence for the comments in the TCR.

When completing a TCR, HiiP Connect defaults to the most recent assessment, allowing staff to amend only the items that require updates.

To access HiiP Connect Guides and HiiP release notes for completing TCRs refer to the [HiiP resources](https://dhhsvicgovau.sharepoint.com/sites/Publichousingresources/SitePages/HiiP%20resources.aspx) page on the Public Housing Resources SharePoint <https://dhhsvicgovau.sharepoint.com/sites/Publichousingresources/SitePages/HiiP%20resources.aspx>.

# Assessment of Items

The TCR is organised by:

* Rooms
* Locations, and
* Areas of the premises
  + detailing fittings, fixtures, and finishes.

Each item must be graded as:

* **Clean**: No visible grime, dirt, markings, or stains.
* **Undamaged:** No structural or surface damage.
* **Working:** Functions as intended.

These assessments are recorded by marking **Yes (Y) or No (N)** in the appropriate columns. Comments are required to explain the assessment, along with supporting photos. For example, if the carpet is threadbare, a ‘N’ is noted in the Undamaged column, accompanied by a description in the comments.

## Non-standard items

Non-standard items that exist or are added as part of the vacant unit work—such as pergolas—should be documented in the:

* ‘Other – specify’ section
  + With a detailed description of the item and
  + corresponding photo for reference.

# New Tenancies

At the start of each tenancy, staff must sign the TCR and provide **two copies** to renters during the sign-up interview. Renters must be informed to:

* Carefully review the TCR for any discrepancies or issues.
* Document any disagreements directly on both copies, noting specific concerns.
* Return a signed copy within **five** business days and
* Keep a copy for future reference or potential disputes.

**Note:** When renters identify items needing repair, it serves as a formal written notice. Staff should ensure timely action is taken by initiating a HiiP Repairs job.

If the TCR is not returned, staff should:

* Request a signed copy during the **initial home visit**
* Document their attempts to obtain the TCR from the renter.
* Consider the TCR as accurate if it remains unreturned.

# Dispute Resolution

If disputes arise between renters and Homes Victoria, either party may apply to the Victorian Civil and Administrative Tribunal (VCAT) within 30 days of the tenancy start date to seek resolution.

**Staff responsibilities in dispute resolution:**

* **Active Engagement:** Staff should actively engage with renters to understand the nature of the dispute. This involves listening carefully to their concerns and ensuring that all relevant information is gathered.
* **Documentation:** All communications and attempts to resolve the issue should be documented. This includes noting the:
  + specifics of the dispute
  + any agreements made, and
  + the steps taken to address the concerns.
* **Mediation:** If appropriate, staff should facilitate a mediation process between the parties involved to encourage a mutually agreeable solution before escalating to VCAT.
* **Follow-Up:** After a dispute has been resolved or escalated, staff should follow up with renters to ensure that any agreed-upon actions have been implemented and to address any further concerns.

By taking these proactive steps, staff can help mitigate conflicts and foster a positive relationship with renters, ultimately leading to more effective dispute resolution.

# Engaging Renters in the End-of-Rental Agreement TCR

Under Section 35 of the Residential Tenancies Act, it is mandated that:

* within **10 days** after the end of a residential rental agreement
  + the residential rental provider, must complete a TCR.

This must be done either:

* in the presence of the renter, or
* in their absence, provided the renter was given a reasonable opportunity to be present.

Staff must therefore inform renters of their opportunity to participate in the end-of-rental agreement TCR when:

* a notice of intent to vacate is received
* when keys are returned with a termination notice or
* make reasonable attempts to contact the former renter to discuss this opportunity.

If renters choose not to participate in the TCR, this decision must be documented in HiiP.

Staff should emphasise to renters the benefits of participation, including:

* ensuring an accurate record of the rental condition and
* supporting fair assessments of any potential damages.

Additionally, renters should be made aware that not participating may limit their ability to contest claims related to the condition of the property.

**Note:** In HiiP, it is mandatory for staff to complete an end-of-rental agreement TCR. Failure to do so will prevent staff from proceeding with making a housing offer.

## End of rental agreement inspection

During the inspection, staff must:

* Use HiiP Connect or alternative methods to record the condition of each item.
* Take photos for documentation purposes.

If the former renter is present, staff must:

* Discuss the condition of any items deemed damaged or identified as non-standard fixtures.
* Explain the maintenance claim process regarding property damage or the removal of non-standard fixtures.
* Advise that a copy of the TCR will be sent to them using their preferred communication method.
* Record the discussions had with the renter on the TCR and in HiiP.