

Residential Application to Lease

3ER

The 'Form 3ER – Residential Application to Lease' is to be completed when a Responsible Body is seeking to lease a property which is to be occupied as a residence. This form does NOT require a 'Form 1 - Getting Started' or a Pre-Application Meeting (unless advised by Property Services due to complexity). **For renewal of existing leases, only certain sections of the form will need to be completed.** If it is proposed that the property will be used for a Rooming House or for any other purpose than a residence (eg office, church, medical clinic) a 'Form 1 – Getting Started' MUST be submitted (Commercial properties require completion of 'Form 3EC – Commercial Application to Lease'). Additional information: www.victas.uca.org.au/resources/property/ , property@victas.uca.org.au , Ph: (03) 9116 1956. Print and complete form by hand or electronically using ONLY Adobe software, available free at <https://acrobat.adobe.com/au/en/acrobat/pdf-reader.html>

RESPONSIBLE BODY & AGREEMENT TYPE

If you require more space for your answers, please attach additional pages to this form

1. RESPONSIBLE BODY

Responsible Body Name			
Discernment Partner/ Presbytery			
Contact Person			
Position			
Email			
Phone	Ph	Mobile	
Address (Postal)			

2. LANDLORD/TENANT

Is the Responsible Body the landlord/tenant	Landlord	Tenant
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3. REQUIREMENTS FOR RENTING A RESIDENTIAL PROPERTY (N/A if tenant)

Please complete the Appendix Checklist relating to Victoria or Tasmania as applicable

The appendix checklist is completed and ATTACHED	Yes	No
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4. RENEWAL OR NEW LEASE

Is this an application for renewal of an existing lease/Rental Agreement?	Yes	No
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If yes, proceed to Section B

CHECKLIST – APPROVALS AND ATTACHMENTS

Prepare and Sign Form 3ER – Residential Application to Lease by Church Council/ Responsible Body Board

Signed Form 3ER – Residential Application to Lease by Presbytery/ Authorising Body

Attach* 2 x Independent Real Estate Agent market rent appraisals (within 30 days) also covering their proposed leasing commission, marketing costs and management fee (n/a if lease renewal)

Attach* the Appendix Checklist relating to Victoria or Tasmania as applicable

If a renewal, **Attach** a copy of the current lease

If a renewal, **Attach*** a copy of Agent's correspondence confirming current rent is still at market eg email

*N/A if Responsible Body is the tenant

SECTION A: NEW LEASE

5. RESIDENTIAL PROPERTY FOR LEASE

Property Address			
Description of property inc no. rooms			
Condition	Good (well maintained)	Fair	Poor

6. RENT

Proposed Rental	\$	per week	per month	p.a.
Market Rental Value (N/A if Responsible Body is the tenant)	\$	per week	per month	p.a.
Please ATTACH 2X market rent appraisals by licensed real estate agents (within the last 30 days) (N/A if Responsible Body is the tenant)				
Advise reason if rent is less than market				

7. OTHER DETAILS OF PROPOSAL

Reason for Lease

Asylum Seeker program	Not required for Minister in placement	No Minister
Awaiting Minister for placement	Affordable/Social Housing program	Other
Lease term (maximum 12 months)		Commencement date

Advise reason if lease already commenced (Note: contravention of UCA regulations)

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Bond amount and who is coordinating collection of the Bond eg Agent
(By law residential tenancy bonds must be held by the RTBA-Vic/RDA Tas)

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Who is preparing the lease eg Agent

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Special Conditions to be included in the Lease (if applicable)

NB: In Victoria, tenants can now request their landlord's consent to bring a new pet into the property. Landlords must not unreasonably refuse. If you require more space please include on a separate page and attach.

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Proposed tenant(s), if known

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If Responsible Body is the tenant, please proceed to Question 11

8. LAND TAX/ COUNCIL RATES

In Victoria land which is NOT exclusively used "as a residence of a practising Minister of religion" or exclusively for charitable purposes (including the advancement of religion) is liable for council rates and land tax. In Tasmania, ministers' residences are exempt from land tax, but council rates are subject to each Council's charitable purposes rates exemption policies.

In the first instance, please contact Property Services, (03) 9116 1956, to understand annual council rates and land tax liabilities as a result of leasing this property. Please do not contact the State Revenue Office (SRO) or your local council direct to discuss.

In Victoria to estimate land tax liability <https://www.e-business.sro.vic.gov.au/calculators/land-tax>

In Tasmania to estimate land tax liability <https://www.sro.tas.gov.au/land-tax/land-tax-calculator>

Has Property Services been contacted to discuss Council Rates/Land Tax?	Yes	No
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9. LEASE INCOME AND EXPENSES

Please provide details of estimated rental income and expenditure

Please note: Standing Committee resolution (10th Oct 2009) "every Council or body responsible for maintenance of a manse set aside 15% of the amount of the manse allowance each year into a local fund dedicated to upkeep of the manse"; in addition Property Services recommends that an allowance of \$4000 or 20% (the greater of the two) be set aside each year to an accumulating maintenance/sinking fund.

Gross Rental Income per annum	\$
Less costs:	
• Insurance	\$
• Rates	\$
• Land tax	\$
• Water	\$
• Annual smoke alarm check	\$
• Annual electrical safety check	\$
• Annual gas safety check	\$
• Annual maintenance provision (routine maintenance)	\$
• Maintenance sinking fund	\$
• Other costs	\$
• Agent's costs	\$
Net Rental Income	\$

What will the net rental income be used for?:

10. PROPERTY MANAGEMENT – please complete either 10a OR 10b as applicable

10a. Please provide details of the proposed real estate agent who will manage the property

Agency Firm			
Managing Agent Name			
Phone/Mobile		Email	
Agency commission	%	Advertising Budget	\$

Please forward the 'Leasing and Managing Authority' to Property Services for signing by the Property Trust AFTER the lease is APPROVED.

Please proceed to Question 12

10b. Property will NOT be managed by agent and will be managed by the following

Name			
Position			
Phone/Mobile		Email	

Please outline reason agent has not been engaged, how bond will be handled, how will rent arrears and property damage be handled in the event it occurs (Note: Property Services strongly recommend an agent be engaged)

Please proceed to Question 12

11. IF RESPONSIBLE BODY IS THE TENANT - Please detail ability to service rent and outgoings

Gross Rental	\$
Gross Outgoings	\$
How will these costs be covered	
If by a grant, does it cover term of lease	

12. PROPERTY UNDER OVERSIGHT OF APPLICANT

Please list all property under the oversight of the applicant. (eg manses, churches, vacant land, shops etc)

Please proceed to Section C

SECTION B: RESIDENTIAL LEASE RENEWAL

13. CURRENT LEASE AND PROPOSED RENEWAL

ATTACH a copy of the current lease

If available, Synod Reference No./ Application No. for previously approved lease
(refer to past Approval Letter)

Proposed term for renewal	6 months	12 months
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ATTACH a copy of Agent's correspondence confirming current rent is still at market eg email

If rent is currently below market, please complete **Question 6 RENT**.

SECTION C: Approvals & Authorising Body Comment

Responsible Body Approval

Responsible Body Name:

Details of Approval:

At a meeting held on _____ (date), this application was approved by the:

Church Council	Congregation	Other
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Signed:

Signed:

(type name or print, sign and scan. Note insertion of electronic signature will lock form from future edits)

(type name or print, sign and scan. Note insertion of electronic signature will lock form from future edits)

Date:

Date:

Name:

Name:

Position:

Position:

Presbytery/ Authorising Body Approval

Presbytery/Authorising body:

Details of Approval:

At a meeting held on _____ (date), this application was approved by the:

Presbytery:	Standing Committee:	Delegated Committee:	Other:
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Signed:

Signed:

(type name or print, sign and scan. Note insertion of electronic signature will lock form from future edits)

(type name or print, sign and scan. Note insertion of electronic signature will lock form from future edits)

Date:

Date:

Name:

Name:

Position:

Position:

Comment from Presbytery/ Authorising Body
Provide comment and/or list reasons application supported/not supported. Please do not leave blank.

REQUIREMENTS FOR RENTING A RESIDENTIAL PROPERTY

Renting of residential properties on the residential market comes with a number of obligations as a landlord. Apart from the legal requirements, as a property of the Uniting Church we have an expectation to uphold a consistent standard of property across the Synod. The following checklists have been developed in line with the relevant legislation as applicable to Victoria and Tasmania. This legislation includes:

- Victorian Residential Tenancies Act 1997
- Victorian Residential Tenancies Regulations 2019 (new regulations in force Mar 2021)
- Victorian Building Act 1983
- Victorian Building Regulations 2018
- Tasmanian Residential Tenancy Act 1997
- Tasmanian Residential Tenancy (Smoke Alarms) Regulations 2012
- Tasmanian Building Act 2016

- National Construction Code - NCC (formerly known as the Building Code of Australia)
- Australian Consumer Law (the property is fit for purpose)

APPENDIX: CHECKLIST VICTORIA - RENTING OUT A RESIDENTIAL PROPERTY

ATTACH the following	ATTACHED YES	NO
<p>Smoke Alarm Check Certificate of Compliance (annual) ^{1, 2}</p> <p><i>This will confirm the smoke alarm is:</i></p> <ul style="list-style-type: none"> • functional • within its expiry date (must be replaced every 10 years) • positioned as required by law • complying with Australian Standards AS 3786 <ul style="list-style-type: none"> - Residential homes constructed after 1 Aug 1997, or homes which have undergone a major renovation or extension, must have smoke alarms connected to 240-volt mains power with battery backup. - Residential homes constructed before 1 Aug 1997 may have battery-operated smoke alarms. <p>Residential homes constructed after 1 May 2014, or homes which have undergone a major renovation or extension, must have smoke alarms interconnected (if there is a requirement for more than one smoke alarm).</p> <p>Receipt/report of gas appliance/s service/safety check (every 2 yrs) by a VBA licensed gas fitter/plumber ¹ https://esv.vic.gov.au/safety-education/gas-safety-at-home/heating-your-home-with-gas/landlords-and-tenancy/</p>		
<p>Carbon monoxide CO report by VBA licensed gas fitter/plumber (every 2 yrs) ¹ https://www.consumer.vic.gov.au/housing/renting/during-a-lease-or-residency/safety-advice-for-tenants-and-residents/gas-appliances</p>		
<p>Electrical service/safety check by registered electrical contractor for all landlord installed electrical appliances¹ https://esv.vic.gov.au/safety-education/electrical-safety-at-home/landlord-and-tenancy/</p>		
<p>Information to be disclosed to the tenant ¹¹</p> <ul style="list-style-type: none"> ▪ If the rented premises comply with the rental minimum standard (see minimum standards below) ▪ On and from 31 December 2021, if the residential rental provider has received a repair notice, in the last 3 years, relating to mould or damp in the premises caused by or related to the building structure; ▪ The date of the most recent gas safety check, electrical safety check, and pool barrier compliance check, if required, for the rented premises; AND any outstanding recommendations for work to be completed from a gas safety check and electrical safety check; ▪ If the rented premises is a registered place (Heritage) ▪ If there is a current domestic building work dispute under the Domestic Building Contracts Act 1995 which applies to or affects the rented premises; ▪ If there is a current dispute under Part 10 of the Owners Corporations Act 2006 which applies to or affects the rented premises; ▪ a copy of any owners corporation rules applicable to the rented premises. <p>If the rented premises is known by the landlord</p> <ul style="list-style-type: none"> ▪ to have been the location of a homicide in the last 5 years ▪ to be contaminated because of prior use of the rented premises for the trafficking or cultivation of a drug of dependence in the last 5 years ▪ to have been used for the storage of a drug of dependence ▪ to have friable or non-friable asbestos based on an inspection by a suitably qualified person ▪ to be affected by a building or planning application that has been lodged with the relevant authority <p>Disclose any notice, order, declaration, report or recommendation issued by a relevant building surveyor, public authority or government department that applies to the rented premises at the time of disclosure</p>	N/A	

APPENDIX: CHECKLIST VICTORIA - RENTING OUT A RESIDENTIAL PROPERTY continued

CONFIRM the following	CONFIRM	
	YES	NO
Minimum standards ¹ https://engage.vic.gov.au/rentingregulations		
Weatherproof (no weather entering the property that should not be)		
Structurally sound		
Each room is free from mould and damp caused by or related to the building structure		
Premises is reasonably clean , in good repair and in fit condition for occupation		
External entry/exit doors (excluding screen doors attached to an external door) have a functioning single action deadlock; and if they are not able to be secured with a deadlock must have a lock that is operated by a key from the outside and may be unlocked from the inside with or without a key.		
External windows which are capable of opening are able to be set in a closed or open position; and have functioning latches to secure against external entry.		
Working flushing toilet properly connected to a sewer or septic system, located in a suitable room (inc bathroom)		
The bathroom must comprise a washbasin, and a shower or bath and supply a reasonable amount of hot and cold running water. If a shower is present it must have a shower head with a 3-star rating (some exceptions apply depending on the age, nature and structure of the plumbing).		
Within the kitchen there is: (a) a dedicated area which is intended to be used for cooking and food preparation; (b) a sink in good working order that is connected to a reasonable supply of hot and cold water; (c) an oven in good working order; (d) a cooktop in good working order that has 2 or more burners.		
Any laundry present is connected to a reasonable supply of hot and cold water.		
In regard to lighting , interior rooms, corridors and hallways have access to light, natural or artificial, which provides a level of illuminance appropriate to the function or use of those rooms. Each habitable room (includes bedrooms, kitchen and living areas) has access to— (a) natural light, including borrowed light from an adjoining room, during daylight hours, which provides a level of illuminance appropriate to the function or use of the room; and (b) artificial light during non-daylight hours which provides a level of illuminance appropriate to the function or use of the room. (NB: some Heritage properties may be exempt).		
For domestic or residential buildings (single, standalone single houses and horizontally attached houses, such as terrace houses, row houses or townhouses); on and from 29 March 2021 until 28 March 2023 that a fixed heater in good working order is installed in the main living area of the rented premises; from 29 March 2023 this heater must be energy efficient. <i>Definitions: energy efficient fixed heater means— (a) a non-ducted air conditioner or heat pump with a 2 star or above heating rating in the prescribed energy rating system for non-ducted air conditioners or heat pumps; or (b) a gas space heater with a 2 star or above heating rating in the prescribed energy rating system for gas space heaters; or (c) a ducted heating or hydronic heating system which has an outlet in the main living area of the rented premises; or (d) a domestic solid fuel burning appliance; fixed heater means a heater that is not designed or manufactured to be portable. For apartments please contact Property Services 9116 1956.</i>		
On and from 29 March 2022, bedroom and living area windows are to be fitted with a curtain or blind that can be opened or closed to reasonably block light and provide privacy.		
In relation to electrical safety , on and from 29 March 2023, all power outlets and lighting circuits in the rented premises are to be connected to—(a) a switchboard type Circuit Breaker that complies with AS/NZS 3000 Electrical Installations as published from time to time; and (b) a switchboard type Residual Current Device that complies with— (i) AS/NZS 3190 Approval and test specification—Residual current devices (current-operated earth-leakage devices), as published from time to time; or (ii) AS/NZS 61008.1 Residual current operated circuit-breakers without integral overcurrent protection for household and similar uses (RCCBs): Part 1: General rules, as published from time to time; or (iii) AS/NZS 61009.1 Residual current operated circuit-breakers with integral overcurrent protection for household and similar uses (RCCBs) Part 1: General rules, as published from time to time.		
For domestic or residential buildings (single, standalone single houses and horizontally attached houses, such as terrace houses, row houses or townhouses) each habitable room, bathroom, shower room, toilet and laundry must have ventilation satisfying Performance Requirement P2.4.5 of the BCA Volume Two, or the Acceptable Construction Practice in Part 3.8.5 of the BCA Volume Two. For apartments each habitable room, bathroom, shower room, toilet and laundry must have ventilation satisfying Performance Requirements FP4.3, FP4.4 and FP4.5 of the BCA Volume One, or the Deemed-to-Satisfy Provisions requirements in F4.5, F4.6 and F4.7 of the BCA Volume One.		
Smoke Alarms throughout ² Fire Service Victoria recommends smoke alarms in all bedrooms and living areas https://www.frv.vic.gov.au/smoke-alarms		
If there is a pool or spa on the premises it is compliantly gated and fenced ^{1,2}	N/A	
Cords for blinds and curtains are secured so they cannot form a loop/ pose harm to children ²		
Balcony windows, balconies, balustrades and decks do not pose a fall risk to children ²	N/A	
Entrances and exits are easy to operate in case of emergency escape and are safe and free of any fault or obstruction (including porches, verandas, handrails, doors and stairs) ²		

¹ Current legislative requirement in Victoria (or will be from 29 Mar 2021)

² NCC or Safety best practice

APPENDIX: CHECKLIST **TASMANIA** - RENTING OUT A RESIDENTIAL PROPERTY

ATTACH the following	ATTACHED	
	YES	NO
Smoke Alarm Check Certificate of Compliance (annual) ^{3, 2} <i>This will confirm the smoke alarm is functional, within its expiry date and compliant (either mains powered or powered by a 10 year non-removable lithium battery and meet the Australian Standard AS 3786—2014 OR AS 1670.1—2015, and positioned as required by law)</i> https://www.cbos.tas.gov.au/topics/housing/renting/beginning-tenancy/smoke-alarms Receipt/report of gas appliance/s service/safety check (every 2 yrs) by a licensed gas fitter/plumber ^{2, 4}		
Carbon monoxide CO report by licensed gas fitter/plumber (every 2 yrs) ^{2, 4}		
Electrical service/safety check by registered electrical contractor for all landlord installed electrical appliances ^{2, 4}		
CONFIRM the following	CONFIRM	
Minimum standards ³	YES	NO
https://www.cbos.tas.gov.au/topics/housing/renting/beginning-tenancy/minimum-standards/types Weatherproof (no weather entering the property that should not be)		
Structurally sound where the roof, floors, ceilings, walls and stairs – (a) are in good repair; and (b) are not subject to significant dampness; and (c) are not liable to collapse because they are rotted or otherwise defective.		
Basic level (or above) of cleanliness and hygiene (includes free of serious mould/rising damp)		
In a state of good repair (there are no issues with a tenant's safety, or sanitation, or their ability to use the property as it was intended)		
Functioning locks , suitable to keep the property secure (doors and windows)		
Working flushing toilet properly connected to a sewer or septic system, and is located in a suitable room (inc bathroom) with a vent, opening window, or extraction fan		
The bathroom , which might inc a toilet, must be in a private room that comprises a washbasin, and a shower, a bath or both, that all supply a reasonable amount of hot and cold running water.		
Kitchen (or area intended for cooking) which has a sink, hot and cold water, a stove top, and an oven. The stove top must have at least 2 elements if the property has 2 or fewer bedrooms; or at least 3 elements if it has 3 or more bedrooms. The oven must be a conventional oven, or a convection oven, or a microwave oven.		
Each room has adequate natural or artificial lighting (excluding a storage room or garage)		
Heater in the main living area of the property. A heater can be: a fixed* electric or gas heater a heat pump a wood heater (but not an open fire place) *Fixed means attached to the wall. There is no requirement that heating be hard-wired. The heating should be available to a tenant on demand (for example, not take too long to provide heat like off-peak heaters or underfloor heating). The heat from the heater should be to a reasonable minimum level for the area it is heating.		
Curtains or blinds covering each window in the bedrooms and living/lounge room		
Adequate ventilation is provided to each room. A room is considered adequately ventilated, when it has a window to an outside area. The window should not be smaller than 5% of the floor area of the room. If there is no window to an outside area, the room can alternatively be connected to another room, which has a window or a door and does not contain a toilet. Both the connecting opening between the two rooms and the other door or window in the second room must each be larger than 5% of the floor area of the second room. Windows must be lockable into a position that creates a gap between the window and the window frame. The gap should be not less than 15cm wide and should not enable a person to enter the room in which the window is situated. Rooms including toilets, bathrooms and laundries may also be ventilated by an exhaust fan or a similar device, that takes air either from the room to the outside or an adequately ventilated roof space.		
Smoke Alarms throughout ² Tasmania Fire Service recommends smoke alarms in all bedrooms and living areas http://www.fire.fas.gov.au/Show?pageld=colSmokeAlarm		
IF there is a pool or spa on the premises it is compliantly gated and fenced ^{3, 2}	N/A	
Cords for blinds and curtains are secured so they cannot form a loop/ pose harm to children ²		
Balcony windows, balconies, balustrades and decks do not pose a fall risk to children ²	N/A	
Entrances and exits are easy to operate in case of emergency escape and are safe and free of any fault or obstruction (including porches, verandas, handrails, doors and stairs) ²		

² NCC or Safety best practice

³ Current legislative requirement Tasmania

⁴ Tasmanian Residential Tenancies Act 1997, essential services are to be safe and functional