

Residential Property Management Procedures Manual

IMPORTANT INFORMATION

The manual should be used as follows to ensure best practice, compliance with the Legislation, Office of Fair Trading Compliance requirements and office protocols:

1. The principal/licencee-in-charge should read the text and make whatever changes necessary to ensure that the amended edition for the office is exactly what they require.

2. Staff such as the sales and property managers should assist in providing input to changes and additional information.

3. Staff should then be required to read the procedures/sections that impact on their work and seek clarity and understanding on all issues by exchange of questions and answers. They will then need to “sign off” on the sections of the manual that affect them. This will work to achieve their commitment to complying with the procedures, and also to reduce the risk of litigation and fines, etc to the office if they act outside their stipulated procedures. A Form similar to the one at Form 27 should be used and a copy retained by the office and the staff member.

4. Policies and procedures need to be in constant review and not only changed when there are amendments to legislation or new laws impacting on the industry. There should be a review done every twelve months, six monthly preferably, and for each revision a “revision date” recorded at page 1 to also demonstrate to Fair Trading auditors that adequate supervision of the offices systems, policies and procedures is being done.

5. It is fine to have documented policies and procedures that staff have read, but it is just as important for them to be monitored to ensure staff are carrying out their duties as specified. This “supervision” monitoring needs also to be documented in the form of minutes in records of meetings- see Forms Section for Meeting Agendas.

6. To comply with some State/Territory Legislation a licencee must also be able to produce information in the form of written records such as procedures in manuals, minutes of meetings, diary entries and file notes demonstrating compliance.

To comply with NSW OFT Supervision Guidelines (Supervision Guideline No: 6) a licencee must also be able to produce such information demonstrating the regular use and maintenance of the OFT specified documentation by the office.

7. The licensee must also ensure that staff are adequately trained in all aspects of their job(s), as without same they cannot be expected to comply with policies and procedures adequately – again a requirement of Supervision Guideline No:6 for NSW offices.

8. NSW OFT Supervision Guidelines that became effective a few years ago require Licensees to have documented procedures for trust funds, price estimating, sales checklists, complaint handling and general documentation of other office policies and procedures, all contained in the Manual.

Purpose of Manual

The Manual contains the office Policies and Procedures, its purpose is to inform staff about your office protocols and should be used as an important reference tool for information, improving skills and knowledge, training staff and to provide work operational guidelines for them to follow

The Policies and Procedures in the Manual must be adhered to at all times by staff, and it is each staff members responsibility to ensure their compliance. Staff need to be notified of changes that are made to the Manual when this occurs.

Management should invite staff comments and feedback on the Manual and its contents which should always be welcome.

The content of this Manual should form part of the conditions of all staffs' employment, and the consequence of breaching a company policy or procedure needs to be treated seriously and action may include the termination of employment.

In that regard, all staff should be required to sign Forms 27 and 28 in the Manual.

The contents of the Manual must be confidential and staff should not be permitted to disclose it to or discuss it with any person other than those they work with.

1. THE OFFICE

1.1 Appearance and Layout

1.1.1 General

1.1.2 Office Interior

1.1.3 Window Displays

1.1.4 Employees

1.2 General Office Systems and Procedures

1.2.1 Books/Registers/Data Systems

1.2.2 The Telephone

1.2.3 Money Handling Procedures

1.2.4 Records and Files

1.3 General

1.3.1 Licences

1.3.2 Insurance Policies and Procedures

1.3.3 Personnel Records, Payroll and Leave

1.3.4 Taxes

1.3.5 Keys

1.3.6 Motor Vehicles

1.3.7 Fire Regulations

1.3.8 Monitoring of staff utilisation of mandatory documentation

1.4 Client and Customer Relations

1.4.1 Building Rapport

1.4.2 Avoiding and Handling Complaints

1.5 Referrals

1.6 The Competition

1.7 Information Technology

1.8 Meetings

1.8.1 Types of meetings

1.8.2 Scheduling

1.8.3 Agendas.

1.8.4 Protocols

1.8.5 Minutes

1.8.6 Meetings with difficult landlords/tenants

1.9 OH&S - Overview

1.9.1 Employer responsibilities

1.9.1.1 For employees

1.9.1.2 For others

1.9.2.3 For Company directors, managers and supervisors

1.9.3 Duty of care

1.9.3.1 Employees working late at night

1.9.4 Implications of the Act for Employers to create an individual OH&S Policy

1.9.5 Main areas to be addressed

1.9.6.6 Checklist

1.9.7 Handling cash

1.9.8 Fire regulations

1.9.9 Safety codes

1.9.10 Anti-Discrimination

1.9.11.1 Sexual Harassment

1.9.11.2 Bullying

1.9.11.3 Reporting of harassment or bullying

1.9.12 Robbery/armed hold up procedures

2. PROPERTY MANAGEMENT PROCEDURES

2.1 Residential Tenancies Act 2010 - key changes

2.2 General Procedures

2.2.1 Canvassing

2.2.2 Listing procedure

2.2.3 Tenants Details

2.2.4 Condition Reports and Management Inventories

2.2.5 Rent statements and payments to landlords

2.2.6 Disclosure of sale, mortgagee actions etc to tenants

2.2.7 Landlords general obligations for residential premises

2.3 Qualifying Tenants

2.4 Tenancy Agreements

2.5. Bonds and holding deposits/fees

2.5.1 Bond payments

2.5.1 Bond refunds

2.5.3 Holding fees/deposits

2.6 Rent payments by tenants

2.7 After Occupation

2.7.1 Repairs and maintenance, water usage charges

2.7.2 Inspections

2.7.2.1 Routine inspections

2.7.2.2 Inspections on sale of residential premises

2.7.3 Rent Increases/reductions

2.7.4 Rent Arrears Procedures

2.7.5 Termination Procedures

2.7.6 Vacating Notices – general

2.7.7 Disposal Notices for Tenant's goods

- 2.7.8 Alterations to premises by tenants
- 2.7.9 Tenant's rights to quiet enjoyment
- 2.7.10 Access by landlord /agent to premises without tenant consent
- 2.7.11 Urgent repairs to premises- reimbursement of costs to tenants
- 2.7.12 Threats, abuse, intimidation or harassment by tenants
- 2.7.13 Tenant databases
 - 2.7.13.1 Notice of Tenant database listing
 - 2.7.13.1 Restrictions on database listing of tenants
- 2.7.14 Sub-letting
- 2.7.15 Rights of co-tenants
- 2.7.16 Domestic violence
- 2.7.17 Tribunal Orders

2.8 Insurance Claims

2.9 Lost managements

2.10 Rental price estimation and advertising

2.11 Misrepresentation Guidelines Summary

2.12 Updating Management Agreements with Landlords

3. MANAGEMENT

- 3.1 Management and principles
- 3.2 Leadership
- 3.3 Planning, the System and Control
- 3.4 Staff: retention and motivators
- 3.5 Time Management - the written plan
- 3.6 Staff management
 - 3.6.1 Appraisals
 - 3.6.2 Counselling and terminating employment

3.6.3 Training

3.6.4 Staff Meetings

3.6.5 Staffing Requirements

4. THE CONSUMER TRADER & TENANCY TRIBUNAL

4.1 Anti-discrimination matters

4.2 Disagreements/disputes

4.3 The Application

4.4 Preparation of evidence.

4.5 Common mistakes made by agents

4.6 At the Tribunal Hearing

4.7 Brief rules for cross examination

4.8 Tribunal Orders

5. RISK MANAGEMENT ISSUES

5.1 Keys

5.1.1 Maintenance of Key Register

5.1.2 Accuracy of entries

5.1.3 Security of the register and keys

5.1.4 Key coding and security

5.1.5 Access to keys

5.1.6 The recording system

5.1.7 Release of keys

5.1.8 Lost keys

5.2 Property Inspections

5.2.1 Arrangements for property inspections

5.2.2 Property presentation

- 5.2.3 Promoting the property
- 5.2.4 Guest register
- 5.2.5 Conducting 'Open House'
- 5.2.6 Preparation for inspection
- 5.2.7 Accessibility
- 5.2.8 Feedback
- 5.2.9 Documentation
- 5.2.10 Security

6. PROPERTY MANAGEMENT LETTERS

- 1. To landlord - sending agreement for signature
- 2. To landlord - on signing of management agency agreement
- 3. To landlord on their approval of letting of property
- 4. Absentee owners - canvass letter
- 5. Canvassing for managements – out of area landlords
- 6. General Canvass Letter
- 7. Letter to tenant - re inspection
- 8. Letter to landlord - re inspection
- 9. Rental Price estimation - variation advice to Landlord
- 10. Sale of Property letter to tenant
- 11. Sale of Property letter to tenant who won't agree to access
- 12. Sale of premises – Termination Notice to tenant on periodic lease
- 13. Notice of Termination of fixed term tenancy
- 14. Notice of Termination of periodic agreement
- 15. Tenant 'Intention to Vacate' – 21 days Notice to Agent of periodic agreement
- 16. Tenant 'Intention to Vacate' advice – 14 days Notice to Agent for a fixed term
- 17. Letter to all tenants re new RTA 2010

18. Letter to Landlords re new RTA 2010
19. Seven day arrears letter to tenants
20. Notice of Termination for non-payment of rent
21. Disposal of goods Notice to tenant
22. Disposal of perishable goods Notice to tenant
23. Managing Agency Agreement Update Proposal
24. New Residential Leasing and Management Proposal Letter

7. FORMS

1. PROPERTY MANAGEMENT MEETING AGENDA
2. PROPERTY MANAGEMENT MAINTENANCE RECORD FORM
3. TRUST ACCOUNT PROCEDURES - CHECKLISTS
4. TRUST ACCOUNT CASH BOOK CHECKLIST
5. STAFF DECLARATION – OFFICE PROCEDURES
6. STAFF DECLARATION – MISREPRESENTATION GUIDELINES
7. RESIDENTIAL TENANCY AGREEMENT – FRONT PAGE
8. TENANT ADVICE FORM – ARREARS POLICY

8. OH&S CHECKLIST

9. LISTING KIT

10. TIPS FOR IMPROVING YOUR BUSINESS SUCCESS