



# Anglican Church Diocese of Sydney

St Andrew's House  
Sydney Square  
New South Wales  
Australia

PO Box Q190  
QVB Post Office NSW 1230

Telephone: 61 2 9265 1555

Facsimile: 61 2 9261 4485

## **Guidelines for Leases and Licence Agreements - Change of Policy for Residential Leases – 17 August 2001**

- [What is the policy change?](#)
- [Which leases are affected?](#)
- [What does the change mean for churchwardens?](#)
- [We currently have a parish residence leased - what do we do?](#)
- [We want to lease a parish residence - what do we do?](#)
- [Where else can I access this information?](#)

1. The Property Trust has changed its policy concerning residential leases. A revised copy of the [Guidelines for Leases and Licence Agreements](#) is attached. This copy replaces the guidelines dated 25 September 2000 found in the yellow covered book "The Property Trust and the New Tax System - September 2000" issued to all parishes last year.

### **What is the policy change?**

2. Rents from residential leases may now be collected directly by the churchwardens of the principal church of the parish where the rent does not exceed \$750 per week per lease.

### **Which leases are affected?**

3. The new policy only applies to residential leases. A residential lease is correctly known as a Residential Tenancy Agreement. The Residential Tenancies Act requires that there must be a written tenancy agreement between a landlord and tenant. A Residential Tenancy Agreement is the standard form of tenancy agreement that must be used in all circumstances in accordance with the Act.

### **What does the change mean for churchwardens?**

4. Churchwardens may now collect rents directly from the tenant or managing agent, where the rent does not exceed \$750 per week. It is no longer necessary for the rent to be paid to the Property Trust.

5. Where the rent exceeds \$750 per week the lease must be administered by the Property Trust. In this case the tenant or managing agent must pay the rent directly to the Property Trust. Please read the enclosed guidelines for a detailed explanation. The Property Trust charges a fee for the administration of a lease.

### **We currently have a parish residence leased - what do we do?**

6. The Property Trust has reviewed all residential leases for which it collects rent. Where a residential lease falls under the new policy the Property Trust will write to the churchwardens and to the tenant or managing agent advising the change of policy.

### **We want to lease a parish residence - what do we do?**

7. You should read the enclosed [Guidelines for Leases and Licence Agreements](#). Only the Property Trust can sign a Residential Tenancy Agreement and the Management Agency Agreement appointing a real estate agent to manage the property. The enclosed guidelines tell you how to obtain the signature of the Property Trust as landlord.

### Where else can I access this information?

8. The revised Guidelines for Leases and Licence Agreements can be found on the website at [www.sydney.anglican.asn.au/synod/handbook/index.htm](http://www.sydney.anglican.asn.au/synod/handbook/index.htm) or additional copies can be obtained from the Property Trust by telephoning 9265 1579.

9. Finally if you have any questions concerning the new policy please call [Sarah Blakelock](#) on 9265 1557 or [Andrew Sillar](#) on 9265 1686.

ANDREW SILLAR  
Secretary, Anglican Church Property Trust Diocese of Sydney