

H16. DURING A TENANCY - RUNNING A BUSINESS

Content:	Illawarra Aboriginal Corporation Policies and Procedures
Version:	2.0
Section:	Housing
Applies To:	Board, Management and Staff of all IAC Services
Date:	October 2015 (Review October 2018)

Background and Purpose

The IAC's Housing policies articulate our aims, goals and philosophies in providing housing services for Aboriginal tenants and their families. They explain how the Illawarra Aboriginal Corporation works with its staff and other agencies to ensure that our tenants are afforded the best and most appropriate services and that we meet all of the requirements of the Aboriginal Housing Office and the Office of Community Housing.

Running a Business from Home

A tenant may run a legal business from their property provided they continue to live in the property and:

- Have the approval of the IAC, and
- Have a current public liability insurance policy appropriate to the business type, and
- Have the approval of the local council and all other relevant authorities.

Evidence criteria includes:

- A document outlining the approval of the local council or other relevant authorities, and
- A public liability insurance policy certificate.

Where there may be a risk to the IAC (as in the case of home-based child care), the IAC will ask the tenant to enter into a short deed of agreement that details the terms and conditions of operating the business.

Where a tenant stops complying with any relevant laws and local government regulations that apply to their business, the IAC will automatically withdraw its approval to run the business without providing notice to the tenant.

The IAC may withdraw approval to run a business at any time where the business causes nuisance or other possible harm to neighbours.

COMPLIANCE

This policy complies with:

- NSW Housing Act 2001
- NSW Residential Tenancies Act 2010

Running a Business from Home (cont)

The IAC will only give approval to operate a business if it is satisfied that both the business and the tenant:

- Will comply with any relevant laws and local government regulations that apply to operating a business from a residential property, including, where relevant, seeking any necessary approval from the local council prior to starting the business, and
- Will not increase wear and tear over and above the level that would be normal for a home, or increase utilities (such as non-metered water in flats) that increase the IAC's costs, and
- Will not make any alterations or additions to the property without seeking written approval from the IAC, and
- Will meet their obligations under the Tenancy Agreement, in particular, where the tenant agrees 'not to cause or permit a nuisance, and not to interfere or cause or permit any interference with the reasonable peace, privacy or comfort of any neighbour', and
- Has a current public liability insurance policy appropriate to the type of business, and
- Will not expose the IAC to excessive risk, and
- Will comply with other relevant IAC policies.

REFERENCES

This policy should be read with:

- **Housing NSW** "During a Tenancy Policy"
- **National Regulatory Code** - 1. Tenant and housing services