

<b>Title</b>	<b>Demonstrate knowledge of and complete a residential tenancy agreement</b>		
<b>Level</b>	<b>4</b>	<b>Credits</b>	<b>8</b>

<b>Purpose</b>	<p>This unit standard is for people who operate in residential tenancy and property management.</p> <p>People credited with this unit standard are able to:</p> <ul style="list-style-type: none"> <li>– explain rights, responsibilities, and obligations of all parties in a residential tenancy agreement;</li> <li>– demonstrate knowledge of the process to take a prospective tenant through a property;</li> <li>– explain the process of qualifying prospective tenants for a residential property; and</li> <li>– explain and complete a residential tenancy agreement and other documentation.</li> </ul>
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<b>Classification</b>	Real Estate > Residential and Commercial Property Management
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<b>Available grade</b>	Achieved
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## Guidance Information

### 1 References

Property Management Institute of New Zealand (PROMINZ). *Code of Practice and Code of Ethics*, available at <https://propertyinstitute.nz>.  
 Real Estate Institute of New Zealand Inc. (REINZ). *Code of Practice for Residential Property Management* (Code of Practice), available at <http://www.reinz.co.nz>.

### 2 Legislation

Fair Trading Act 1986;  
 Healthy Homes Guarantee Act 2017;  
 Health and Safety at Work Act 2015;  
 Human Rights Act 1993;  
 Privacy Act 2020;  
 Real Estate Agents Act (Professional Conduct and Client Care) Rules 2012;  
 Residential Tenancies Act 1986;  
 and all subsequent amendments and replacements.

### 3 Definitions

*Industry practice* refers to activities of experienced, competent property management personnel which are in accordance with the Code of Practice and the Residential Tenancies Act 1986.

*Landlord* refers a person who has offered to grant tenancy to any other person, or who has entered into negotiations with any other person for the granting of a tenancy to that person.

*Organisational practice* refers to an organisation's routine to conduct a particular function.

*Party* refers to a person or people forming one side in an agreement or dispute.

*Tenant* is individual who occupies or possesses land or premises by way of a grant of an estate of some type, such as in fee, for life, for years, or at will. A person who has the right to temporary use and possession of particular real property, which has been conveyed to that person by a landlord.

*Property Management Authority* refers to an agreement that gives the property manager the exclusive right to manage the rental premises.

#### 4 Assessment Information

Assessment against practical aspects in this unit standard must be based on evidence of demonstrated performance in the workplace or in simulated workplace situations designed to draw upon similar performance that is required in the workplace.

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### Outcomes and performance criteria

#### Outcome 1

Explain rights, responsibilities and obligations of all parties in a residential tenancy agreement.

##### Performance criteria

- 1.1 Explain the rights, responsibilities, and obligations of a tenant and a landlord.
- 1.2 Explain the responsibilities of the property manager to a tenant and a landlord.

#### Outcome 2

Demonstrate knowledge of the process to take a prospective tenant through a property.

##### Performance criteria

- 2.1 Identify and explain the legislative requirements involved in showing a property to a prospective tenant.
  - Range includes but is not limited to – Health and Safety at Work Act 2015, Residential Tenancies Act 1986, Human Rights Act 1993, Privacy Act 2020.
- 2.2 Explain the considerations when showing a prospective tenant through a property in accordance with organisational practice.
  - Range considerations may include but is not limited to – security of people and property, terms and conditions of the management authority, features of the property, amenities, setting up a viewing.

- 2.3 Explain the application process to a prospective tenant in accordance with organisational practice and legislative requirements.

### Outcome 3

Explain the process of qualifying prospective tenants for a residential property.

#### Performance criteria

- 3.1 Determine the requirements of prospective tenants in accordance with organisational practice.
- Range includes but is not limited to – type of property needed or wanted, timeframes, financial situation.
- 3.2 Explain processing of tenancy application forms for prospective tenants including relevant checks in accordance with organisational practice and legislative requirements.
- Range includes but is not limited to – reference checks, credit checks, tribunal orders, validation of completed application form, timing of application, timeframe of response to tenants.
- 3.3 Communicate with a landlord regarding proposed tenants, provide referred applicants, and obtain approval of tenant selection in accordance with organisational practice, Property Management Authority, and the Humans Right Act 1993, Privacy Act 2020.
- 3.4 Explain the importance of communicating the outcome of an application with prospective tenants.

### Outcome 4

Explain and complete a residential tenancy agreement and other documentation.

#### Performance criteria

- 4.1 Explain the requirement of a tenancy agreement and the information that the agreement contains in accordance with the Residential Tenancies Act 1986.
- Range information includes but is not limited to – purpose, rights and responsibilities for a landlord and a tenant, contracting outside the Residential Tenancies Act 1986, including irrelevant clauses.
- 4.2 Identify situations that will require additional documentation to supplement a tenancy agreement, identify the documentation required, and justify the need to use these documents with the tenancy agreement.
- Range documentation may include but is not limited to – healthy homes statement, chattel list, instruction manuals, bond forms, tenancy information, key release, insurance details, body corporate rules.

- 4.3 Explain the terms and conditions of the tenancy agreement with the successful applicant in accordance with industry practice.
- 4.4 Explain the process to confirm financial obligations have been met in accordance with organisational practice and the Residential Tenancies Act 1986.
- 4.5 Explain the procedure for giving possession of the property in accordance with organisational practice and the Residential Tenancies Act 1986.
- 4.6 Complete a tenancy agreement and other relevant documents pertaining to the tenancy and obtain appropriate signatures on all relevant documents in accordance with the Residential Tenancies Act 1986.
- 4.7 Explain the requirements for storing, securing, and accessing information in accordance with the Privacy Act 2020.

<b>Replacement information</b>	This unit standard replaced unit standard 27492.
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<b>Planned review date</b>	31 December 2025
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#### Status information and last date for assessment for superseded versions

Process	Version	Date	Last Date for Assessment
Registration	1	20 October 2016	31 December 2022
Review	2	28 January 2021	31 December 2022
Revision	3	28 October 2021	N/A

<b>Consent and Moderation Requirements (CMR) reference</b>	0003
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

#### Comments on this unit standard

Please contact The Skills Organisation [reviewcomments@skills.org.nz](mailto:reviewcomments@skills.org.nz) if you wish to suggest changes to the content of this unit standard.