



# National Rental Affordability Scheme

## Approved participants code of conduct

The purpose of this information sheet is to inform National Affordability Rental Scheme (NRAS) approved participants and investors of the approved participants code of conduct, which is set out under section 27 of the National Rental Affordability Scheme Regulations 2020 (the Regulations). The code of conduct lists the legal obligations that approved participants have to meet when their NRAS allocations cover rental dwellings owned by investors.

Under section 67 of the Regulations, all approved participants must provide investors with a summary of the code of conduct within 28 days after the investor becomes an investor for the dwelling.

The code of conduct, as outlined in section 27 of the Regulations, is set out in full below.

### Code of conduct

The approved participant for a rental dwelling:

- (a) must comply with legal obligations relating to investors in a timely manner; and
- (b) must comply with the Scheme, and with any other law of the Commonwealth or of a state or territory that relates to dealings with investors and tenants; and
- (c) must lodge an annual Statement of Compliance in relation to the dwelling; and
- (d) must respond to a communication from an investor within 30 days, unless the approved participant has a reasonable excuse; and
- (e) must have an internal or external dispute resolution mechanism for use by investors; and
- (f) must not enforce, seek to enforce, or threaten to enforce, an unfair arrangement; and
- (g) must not make a misrepresentation to an investor; and
- (h) must not engage in misleading or deceptive conduct in relation to an investor; and

- (i) must not threaten or coerce an investor to take an action the investor is not required to take under an arrangement; and
- (j) must not prevent an investor from entering into an arrangement with a suitably qualified and experienced person in relation to the dwelling; and
- (k) must not threaten to take action that would result in an investor not receiving incentive to which the investor is entitled under law; and
- (l) must not require an investor to enter into an arrangement with another person in relation to the dwelling, unless the arrangement relates to a property management service provider and the approved participant is able to ensure that the provider:
  - (i) complies with the arrangement between the provider and the investor; and
  - (ii) complies with legal obligations relating to the investor in a timely manner; and
  - (iii) complies with the laws of the Commonwealth and the states and territories in relation to dealings with investors and tenants; and
  - (iv) does not enforce, seek to enforce, or threaten to enforce, an unfair arrangement with an investor; and
  - (v) does not make a misrepresentation to an investor; and
  - (vi) does not engage in misleading or deceptive conduct in relation to an investor; and
  - (vii) does not threaten or coerce an investor to take action the investor is not required to take under contract; and
- (m) if the approved participant requires the investor to enter into an arrangement as mentioned in paragraph (l)—must ensure that the property management service provider acts in accordance with subparagraphs (l)(i) to (vii).