



HOW TO ENGAGE A REAL ESTATE AGENT TO LEASE A CHURCH PROPERTY.

Background

When the church council decided to lease out a Church property to a third party it is agreed to be best practice to engage a licenced real estate agent, for Commercial Properties potentially just for the listing, for residential properties leasing and tenancy management.

We have prepared the following fact sheet to assist you in efficiently leasing out your property to ensure that the managing agent is appointed in line with the requirements of our regulations and insurance.

Process

1. Church Council Resolves to lease out the building.

Before the property can be leased out the church council needs to resolve to lease the property. The resolution should include key details including the Property Address, expected rental amount and an agent (if one has been chosen). Some congregations may choose to delegate final approval to a member of the church council to enable efficient leasing of the property.

Example resolution

It was resolved by Consensus¹The Church Council resolves to approve the leasing of the Upper house on 60 Bayliss St Auchenflower for no less than \$500/wk. The council approve the engagement of Bob Jones Real estate as per the engagement schedule provided to the council and delegate to the Chair of the council final approval of agents recommended tenant with them to report back final out come after successful agent moves in.

2. Engage with the Presbytery and Synod Property Department

Each Presbytery has their own requirements for leasing out property, please contact your presbytery contact to confirm their requirements.

The Synod office through the Synod Property Officer and General Secretary are delegated to approve leases up to 10 years in total length. If the proposed lease is under this time, they may be able to approve without the need for a submission to FIPB. As Part of their Due Diligence of exercising this delegation they will want to see evidence that the lease is at a market rate or reasonable rational why its under. The delegates reserve the right to refer leases to FIPB if they are uncomfortable with the request for further guidance.

¹ Refer to the Bylaws and Manual for meeting with regards to decision making but the resolution can be made by Flying Minute, Consensus Agreement, formal majority.

Revisions

Version	Approval date	Approved by	Effective date	Next Scheduled Review
1.0	TBA	Document Owner	TBA	3 years from creation



3. Ask the agent to prepare the Form 6 engagement Form

The appointed real estate agent will be able to prepare the required form. The owners details for the property are following

Owner 1

The Uniting Church in Australia Property Trust (Q.) represented by <<Insert Responsible Body Name Here>>
Responsible Body ABN
c/- GPO Box 674 Brisbane Q 4001
07 3377 9777 property@ucaqld.com.au

We also require the following authorisation to be included in the section 4 of the form 6

Agent’s Authorities –

1. All Tenancy Agreements must be executed by authorised persons of The Uniting Church in Australia Property Trust (Q.), the Trust does not delegate authority to the Managing Agent or it’s representative;
2. Prior to lodgement or application of any form of legal action or the services of notice for such action (including QCAT) the Managing Agent must seek written consent from the appropriate Synod body (via Property inbox) in accordance with UCA Regulation 4.9.1;
3. The agent ensures that the obligations of the Uniting Church in Australia Property Trust (Q) are met under the Property Occupations Act 2014 as part of the Agent’s Management obligations; and
4. Day to day matters in regards to the property and income statements should be sent to the Responsible Body’s delegate and these details can be updated by request of the Church Council Chair or Secretary

4. Signing

All documents need to be signed by the authorised member of the Property Trust, Please send through the documents required to be signed, and a copy of the minute from your church council to Property@ucaqld.com.au to be processed and ready for signing.

Contact details:

If you require any assistance on this process please contact Synod Records Registrar on email property@ucaqld.com.au.

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