

Absence from Property Policy (QLD)

1. Purpose

To define HOME in PLACE (Queensland) (HOME in PLACE QLD)'s approach to ensuring properties are not left vacant for extended periods of time and how HOME in PLACE (QLD) manages absences from properties.

2. Scope

This policy applies to social housing properties and social housing tenancies managed by HOME in PLACE. This policy does not apply to top affordable housing properties.

This is a group policy and applies to HOME in PLACE and the Group of entities it controls (HOME in PLACE Group). References to HOME in PLACE in this policy refer to all HOME in PLACE Group companies unless specified otherwise.

The policy applies to all workers, directors and members of HOME in PLACE decision-making committees and advisory bodies. The policy applies to third parties engaged to carry out activities on behalf of HOME in PLACE if stipulated by agreements.

3. Policy Statement

HOME in PLACE QLD recognises that social and affordable housing is a limited resource and in high demand. HOME in PLACE QLD expects tenants to live in their property in accordance with their tenancy agreement. To ensure HOME in PLACE QLD meets its obligations as a social and affordable housing provider it is essential that properties are not left vacant by tenants for extended periods of time. Tenants have a right to be away from their properties for reasonable purposes and for fair periods of time. In managing tenant absences HOME in PLACE QLD must balance the needs of the tenants with the needs of those people waiting for housing assistance and ensure the use of community housing is maximised.

Reasons for absences

Tenants who are away from their property for longer than eight (8) weeks need approval from HOME in PLACE QLD prior to the absence. HOME in PLACE QLD will approve an absence if it is satisfied that the tenant has an acceptable reason for being away, this includes, but may not be limited to:

- For improved health and wellbeing such as for treatment, hospitalisation or rehabilitation or to meet care responsibilities;
- To allow tenants to improve their circumstances through work/training/study;
- In recognition and support of cultural needs;
- For travel related to a significant life event, circumstance or emergencies;

- Where there is domestic violence or family violence or child safety issues;
- To contribute to outcomes that reduce reoffending and homelessness for tenant who are incarcerated with a release date in the near future.

Tenant will be required to provide evidence for an absence. Tenants are expected to continue to meet their obligations in accordance with their tenancy agreement during their absence.

Obtaining approval for absences

For absences of more than eight (8) weeks up to a maximum of five (5) months, at a time, or in total in a twelve (12) month period tenant must have HOME in PLACE QLD approval. Tenants must provide the following information to assist in the assessment of their request:

- The reasons for the proposed absence;
- Who remains in the property during the proposed absence;
- Confirm contact details during the proposed absence;
- If a tenant is not contactable during the absence they are to provide contact details for their nominated contact person;
- Arrangements for caring for and monitoring the property during the proposed absence

Each request will be assessed and tenants notified of the outcome in writing.

Tenants do not need approval to be absent from their property for periods up to eight (8) weeks at a time, or in total in any twelve (12) month period. Tenants will be responsible for paying rent and caring for the property during their absence. However, tenants are requested to notify HOME in PLACE QLD of their intention to be absent and provide HOME in PLACE QLD with the following information:

- contact details during these absences;
- who will remain in the property during the tenant's absence;

When tenants are absent from their property for unreasonable periods HOME in PLACE QLD will reassess the tenant's need for ongoing subsidised community housing assistance.

Absences without approval or in excess of agreed time limit

If a tenant is away from the property without HOME in PLACE QLD approval, or away for longer than the agreed period, HOME in PLACE QLD will try to contact the tenant to discuss the absence. HOME in PLACE QLD may also take the following action:

- applying market rent;
- issuing a Notice to Leave.

Tenants who are incarcerated

If a tenant goes to prison, they can apply to retain their tenancy for an initial period of three (3) months.

An absence due to incarceration may be extended on review at the end of the three (3) month period for a maximum period of six (6) months in total. If a tenant is incarcerated for longer than six (6) months they will be asked to relinquish the tenancy.

If the incarceration is related to a breach of the tenancy agreement, HOME in PLACE QLD will take action to terminate the tenancy.

Tenants moving into aged care

If a tenant moves into an aged care facility, HOME in PLACE QLD will request the tenant end their tenancy unless the stay in the facility is for short term respite care.

Care of the property during absences

The tenant has obligations during any absences. The tenant:

- is required to continue to pay their rent and any other non-rent charges such as water usage;
- must ensure the property is secure during the absence;
- must plan for the property to be maintained during the absence, for example, lawns and gardens are maintained.

A tenant may appoint someone else to act on their behalf during the absence, if this occurs the tenant will provide HOME in PLACE QLD with:

- written consent for HOME in PLACE QLD to discuss any tenancy matter with the nominated person;
- name and contact details for the nominated person.

The nominated person must:

- be over 18 years of age;
- may be another household member, family member, friend, support provider or legal representative;
- inspect and maintain the property during the tenant's absence

Eligibility for reduced rent

If, during an approved absence, the tenant is required to pay a fee to stay in an aged care facility (respite), hospital, rehabilitation or refuge accommodation HOME in PLACE QLD will consider applying a reduced rent. The tenant will be required to provide evidence of any fees or reduced income.

When a tenant is incarcerated HOME in PLACE QLD may apply reduced rent for an initial period of three (3) months.

Review of decisions

If a tenant's application for an absence from the property is declined, the tenant should first discuss this with a Tenancy Relations Officer. If the tenant is still dissatisfied, they have the right to lodge an appeal for a formal review of the decision. Appeal Request forms are available on the HOME in PLACE QLD website or by contacting a HOME in PLACE QLD branch

4. Responsibilities

All HOME in PLACE workers have an obligation to:

- familiarise themselves with and ensure they have a clear understanding of HOME in PLACE policies and procedures,
- observe and implement such policies, and associated procedures in delivering services to HOME in PLACE clients,
- inform HOME in PLACE's clients of the impact of this policy on them and assist them to understand their rights and obligations, as required,
- identify issues that require amendment to this policy document and complete the relevant documentation to propose any amendments, and
- report breaches of HOME in PLACE's policies or procedures.

The relevant Group Executive Manager is ultimately responsible to:

- ensure all stakeholders within their area of responsibility are informed about HOME in PLACE Policies and Procedures,
- ensure appropriate processes and controls are implemented to enable the correct application of and adherence to relevant policies and procedures, and
- ensure appropriate processes and controls are implemented to enable breaches of approved HOME in PLACE's Policy and Procedures to be reported and managed.

5. Implementation and Review

This policy is listed on HOME in PLACE's Controlled Documents Register and is a controlled document requiring approval of any changes. It may not be amended or shared outside HOME in PLACE without approval. The policy is reviewed regularly and published on HOME in PLACE's SharePoint intranet once approved. Employees receive communications and training on new and reviewed policies and procedures.

HOME in PLACE complies with relevant contractual compliance obligations and jurisdictional laws and regulations when implementing this policy. Confirmation of internal compliance with this policy is undertaken regularly.

It is the responsibility of HOME in PLACE Group Executive Services to maintain and update the HOME in PLACE's Master Policy Document, Policy Directory and the Policy Review Register, administer the review and approval process and inform and distribute new and amended policies and procedures once approved (refer PROC-011 Policy and Procedure Development Approval).

HOME in PLACE Workers should refer to SharePoint Company Documents Policy and Procedure site for the latest version which takes precedent over any uncontrolled version. If this document is printed, downloaded, or saved elsewhere from this site it becomes an uncontrolled version.

For further information contact the Responsible Officer listed under Document Information

6. Resources and related documents

Related documents

- Home in Place Ending Tenancies Policy
- Home in Place Review of Decisions (Appeals) Policy
- Community Housing Tenancy Management Policy (Qld Government)
- General Tenancy Agreement

Related legislation/standards

- Residential Tenancies and Rooming Accommodation Act 2008 (Qld)
- Housing regulations 2005
- Housing Act 2003

7. Definitions

Please refer to HOME in PLACE Glossary of Definitions for Policies and Procedures. Terms and definitions identified below are specific to this policy and are critical to its effectiveness:

Term	Definition
Appeals	A Community housing appeal is defined as ‘any expression of dissatisfaction with a decision made by a social housing provider to provide or not provide a service (such as housing, transfer or priority on the housing register) or, a decision relating to a tenant or service user’s dissatisfaction of a decision made by the organisation.’ An application for a decision to be reversed or overturned. Includes but is not limited to: • Allocation decisions; • Level of rent or rent subsidy; • Eligibility for a housing transfer; • Permission to undertake modifications; • Permission to keep pets; • Calculation of water charges;
Compass	Compass Housing Services Co. Ltd. Trading as HOME in PLACE and includes its related body corporate (as defined by section 9 of the Corporations Act 2001 (Cth)) and as a charity with the Australian Charities and Not-for-profit Commission (ACNC) .
Complainant	Person with a Complaint ongoing with HOME in PLACE.
Complaints	An expression of dissatisfaction with an aspect of the services provided by [Organisation], where the complainant is unhappy with the standard or type of service. Types of Complaint include: Where HOME in PLACE have failed to provide or there has been a delay or problem in providing a service; Where HOME in PLACE have failed to follow or have been unfair or inconsistent in applying our policies or procedures. Where HOME in PLACE have failed to keep Tenants informed, through lack of or insufficient information Where there has been inappropriate behaviour or attitude from a HOME in PLACE Employee or contractor.
Director	Has the same meaning as defined in the Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary in Australia and as defined in the Companies Act 1993 Part 1 Section 2 Interpretation.

Term	Definition
Employee	A person engaged under an employment agreement or award by any company in the HOME in PLACE Group.
Executive Manager	Many positions within HOME in PLACE include the title “Executive Manager”. Regardless of whether an Executive Manager heads a Business Unit, the delegated authority of each Executive Manager depends on the functions and reporting relationship of the Business Unit for which the Executive Manager is responsible. Executive Managers should refer to the document HOME in PLACE Organisational Chart in Terms of Levels of Delegated Authority for confirmation of the band of authority they hold.
HOME in PLACE	Compass Housing Services Co. Ltd. Trading as HOME in PLACE and includes its related body corporate (as defined by section 9 of the Corporations Act 2001 (Cth)). This includes Compass Housing Services Co (Queensland) Ltd Trading as HOME in PLACE and Compass Housing Services Co (Victoria) Ltd Trading as HOME in PLACE both of which are a wholly owned subsidiary of Compass registered in Australia.
HOME in PLACE (New Zealand)	HOME IN PLACE (NEW ZEALAND) LIMITED (formerly Compass Housing Services (NZ) Co Ltd) is registered in New Zealand under the Companies Act and as a charity registered with Charities NZ under the Charities Act
HOME in PLACE Group	The corporate structure that includes HOME in PLACE (as the Parent Company) and the boards of Subsidiary Companies, Governance Committees and advisory groups as created from time to time.
Independent contractor	means a party engaged directly by HOME in PLACE pursuant to a contract for services. In the context of workforce engagements, this includes sole traders, companies, or partnerships with whom HOME in PLACE enters into an agreement for the provision of specified individuals to supply specific skills, services, or consultancy arrangements. It does not include individuals engaged through labour hire agencies. Independent contractors are not employees of HOME in PLACE.
Officer	Has the same meaning as defined in the Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary in Australia and as defined in the Companies Act 1993 Part 1 Section 2 Interpretation in New Zealand
Parent Board	The current directors of HOME in PLACE.
Parent Company	HOME in PLACE
Stakeholder	person or organisation that can affect, be affected by, or perceive themselves to be affected by a decision or activity, may also be called ‘interested party’.
Subsidiary Boards	The appointed board of directors of a Subsidiary Company.
Subsidiary Company	A company in which HOME in PLACE owns all or at least a majority of the shares.
User	any person or entity that use HOME in PLACE Information or ICT Assets.
Worker (HOME in PLACE)	has the same meaning as defined in the NSW Work Health and Safety Act 2011 No 10 Subdivision 2 Part 7 Meaning of ‘worker’ (1) A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as: an employee, or an independent contractor or subcontractor, or an employee of a contractor or subcontractor, or an employee of a labour hire company who has been assigned to work in the person’s business or undertaking, or

Term	Definition
	an outworker, or an apprentice or trainee, or a student gaining work experience, or a volunteer, or a person of a prescribed class.
Worker (HOME in PLACE QLD)	is 'a person who works under a contract and, in relation to the work, is an employee for the purpose of assessment for PAYG withholding under the Taxation Administration Act 1953 (Cwlth), schedule 1, part 2-5'. This applies to a person for whom PAYG tax instalments are required or would be required to be withheld by their employer.
Worker (HOME in PLACE VIC)	A worker is defined as an individual who: performs work for an employer or agrees with an employer to perform work at the employer's direction, instruction or request, whether under a contract of employment (whether express, implied, oral or in writing) or otherwise or who is deemed to be a worker by the legislation.

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