

Occupancy of Property Policy

1. Purpose

This document defines HOME in PLACE (Australia) Limited approach to occupancy of HOME in PLACE properties, including tenant occupancy, additional occupants and visitors.

2. Scope

This policy applies to all tenants and household members of HOME in PLACE properties.

3. Policy Statement

HOME in PLACE recognises that social and affordable housing is a limited resource and in high demand. HOME in PLACE expects tenants to live in their property in accordance with the obligations of their Residential Tenancy Agreement. HOME in PLACE recognises the changing needs of tenants in relation to their tenancy and the property they live in. HOME in PLACE is committed to addressing the changing needs of tenants and will endeavour to meet their needs in the most appropriate way.

Personal Occupancy

It is a term of the Residential Tenancy Agreement that the tenant will personally occupy the property at all times. If a tenant is required to be away from the property for more than four (4) weeks, they must, where possible, notify HOME in PLACE and apply for approval to be absent from the property.

Visitors

A visitor is a person who temporarily stays at the property at the invitation of the tenant. Visitors can stay for a maximum of 28 days only. If the tenant wants the visitor to stay longer, the tenant must apply to HOME in PLACE for approval to extend the stay. HOME in PLACE will only consider extensions in exceptional circumstances. If the tenant allows the visitor to remain at the property for longer than 28 days without approval, the tenant may be in breach of their Residential Tenancy Agreement for allowing unauthorised occupant(s) to reside at the property.

Additional Occupant(s)

Tenants are allocated properties based on their household size and are charged rent based on the combined household income. When a tenant signs a Residential Tenancy Agreement the agreement states the maximum number of people who can occupy the property. This number is based on a number of factors relative to the type and location of the property, including health and safety issues, household composition including age and gender of household members.

Title	Occupancy of Property Policy	POL-025-33	Version	V2.1	Last Review	20/03/2023	Page 1 of 3
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Application for Additional Occupant(s)

When a tenant wants to add an additional person to their household, they are required to complete an Additional Occupant application form and submit this to HOME in PLACE before the person moves into the property. The application must include income details for the proposed additional occupant(s).

Assessing Application for Additional Occupant(s)

HOME in PLACE will assess applications for additional occupant(s) fairly and transparently. The assessment of applications will consider:

- The tenant's rent and non-rent accounts are up to date;
- Approval of the application will not cause overcrowding;
- The proposed additional occupant meets the criteria to live in social housing;
- The proposed additional occupant does not have a poor record of tenancy with HOME in PLACE or another housing provider;
- The proposed additional occupant is not an unsatisfactory former tenant or ineligible former tenant;
- A nuisance or annoyance will not occur by approving the additional occupant;
- The proposed new household composition is suitable for the type of property;
- The proposed additional occupant does not owe money to HOME in PLACE from a previous tenancy, or has made acceptable arrangement to repay the debt; and
- The proposed additional occupant has finalised any current tenancy they may have with another social housing provider.

Approval of Additional Occupant(s)

If the application for the additional occupant(s) is approved HOME in PLACE will:

- Notify the tenant in writing outlining their responsibilities for the additional occupant; and
- Recalculate the rent based on the assessable household income.

Declining the Application for Additional Occupant(s)

If, based on the information available, HOME in PLACE declines the application for additional occupant(s) HOME in PLACE will:

- Inform the tenant in writing;
- Provide reasons for declining the application; and
- Provide information on HOME in PLACE's 'review of decisions' process.

Unauthorised Occupants

If the tenant does not apply in writing for approval to house an additional occupant(s), and HOME in PLACE has reasonable grounds to believe there is a non-approved occupant(s) living at the property, HOME in PLACE will give the tenant 14 days to submit an application for the person(s) to become an additional occupant or move out of the property. If the tenant does not submit an application or the unauthorised person does not leave the property, HOME in PLACE may cancel the tenant's rent subsidy and they will be charged market rent.

Household Members Vacating the Property

If a household member leaves the property, the tenant must notify HOME in PLACE and provide evidence that the former household member has vacated, the types of evidence HOME in PLACE will accept includes:

- A Residential Tenancy Agreement in the name of the vacated tenant;
- Recent utility or telephone bills in the name of the vacated tenant;
- Driver's licence or government issued Photo Card (ID card) with the address;
- Statutory Declaration.

When confirmation is received HOME in PLACE will recalculate the rent based on the remaining household income and advise the tenant of any change in rent payments.

Review of Decisions

If a tenant does not agree with a decision HOME in PLACE has made, they 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 website or by contacting a HOME in PLACE branch.

4. Definitions and Acronyms Glossary

For clarification of any definitions or acronyms contained within this document, please click on the [Glossary](#) for information.

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