

# Changing needs of tenants

## Succession of tenancy policy

Policy section: 1.0

Section name: Changing needs of tenants

Policy: 1.3.4

Document name	Succession of tenancy
Applicability	Mission Australia Housing
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## 1 Purpose

- 1.1 To outline when Mission Australian Housing (MAH) may approve a household member to take over a tenancy.
- 1.2 To outline requirements and processes where household members lodge an Application for **Succession of Tenancy**.
- 1.3 To outline the rights and responsibilities of household members who apply to succeed a tenancy.

## 2 Related policies

- 2.1 This policy should be read in conjunction with the:
  - 2.1.1 Eligibility Policy, which outlines eligibility requirements for MAH housing.
  - 2.1.2 Start of Tenancy and Payments at the Start of Tenancy Policy, which outlines requirements for the start of tenancies including for tenancy succession.

## 3 Scope

This policy applies to staff responsible for managing tenants and properties of MAH. Short term and affordable housing programs are excluded from this policy.

## 4 Guiding principles

- 4.1 MAH aims to prevent homelessness through succession of tenancy wherever possible.
- 4.2 MAH ensures that each applicant is eligible for the housing program they have applied for, and that any applicants are able to sustain a tenancy with or without support.
- 4.3 MAH provides information about and referral to alternative external accommodation options where an application for succession of tenancy has been declined
- 4.4 Tenants and household members are given opportunities to appeal organisational decisions and to complain about the services of MAH.
- 4.5 MAH upholds accountability and transparency through its record keeping practices.

## 5 Policy

- 5.1 MAH aims wherever possible to prevent homelessness through succession of tenancy arrangements. Succession of tenancy occurs where MAH grants approval for a household member to take over the tenancy of a property from the main tenant. Household members are encouraged to consider succeeding the tenancy for a property where the main tenant:
  - Deceases
  - Is relocated to a nursing home or health facility, or has been incarcerated
  - Has moved overseas or interstate
  - Decides to move out of their property on a permanent basis.
  - To be considered appropriate to take over a tenancy, a household member must:
    - Be an approved occupant included on any Household Declaration Forms as per the [Additional and Unauthorised Occupants Policy](#)
    - Demonstrate that they have been living at a property for a minimum of 12 months and that they have been included in any household rent assessments for this entire period
    - Be eligible for the specific housing program they are applying for as per the [Eligibility Policy](#)
    - Be able to live independently and sustain a tenancy, either with or without support.
- 5.2 MAH may not approve a succession of tenancy application where there have been tenancy management issues, such as noise complaints, rental arrears or anti-social behaviour during a tenancy, whether caused by a tenant or household members. Each application will be considered on a case-by-case basis.

- 5.3 MAH may not be able to approve a succession of tenancy application where housing applicants with a higher assessed priority require a property as per the [Housing Applications Policy](#).
- 5.4 Where approval has been given for a household member to take over a tenancy, the household member will be required to sign a lease or rooming accommodation agreement and to provide MAH with any payments that are required at the start of tenancy as per the [Start of Tenancy Policy](#).
- 5.5 Staff will inform tenants and household members of their right to complain about the services of MAH and to appeal organisational decisions as per the [Appeals Policy](#) and [Complaints Policy](#).
- 5.6 Staff will store any information relating to succession of tenancy arrangements in the tenancy management system.

## 6 Definitions

**Succession of tenancy:** a succession of tenancy occurs when the right to a social housing tenancy with MAH is transferred from the tenant named on the lease agreement to another eligible member of the household. Applicants wishing to succeed a tenancy must meet eligibility criteria and provide evidence as required to support their application.