

# Establishing and maintaining tenancies

## Additional and unauthorised occupants policy

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Section name: Establishing and maintaining tenancies

Document name	Additional and unauthorised occupants
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## 1 Purpose

- 1.1 To outline requirements for tenants of Mission Australia Housing (MAH) who wish to have, or require, an **additional occupant** at their property.
- 1.2 To outline requirements for staff involved in reviewing occupancy applications.
- 1.3 To outline possible actions MAH may take where an **unauthorised occupant** or occupants have been found living at a property.

## 2 Related policies

- 2.1 This policy is to be read in conjunction with the:
  - 2.1.1 Visitors Policy, which outlines the requirements of MAH when tenants have visitors at their property.
  - 2.1.2 Eligibility Policy, which outlines the eligibility requirements for tenants and household members of MAH.
  - 2.1.3 Rental Fraud Policy, which outlines the processes used by MAH to investigate and manage incidents and suspected incidents of rental fraud.
  - 2.1.4 Housing Allocations Policy, which outlines the number of bedrooms available for different household compositions.

## 3 Scope

**3.1** This policy applies to staff responsible for managing tenants and properties of MAH.

**3.2** This policy does not apply to visitors of tenants who, as temporary guests, are permitted to stay for a period of up to 28 days as per the [Visitors Policy](#).

## **4 Guiding principles**

**4.1** MAH has consistent processes to manage requests for additional occupants and changes to household composition.

**4.2** MAH is responsive to the changing needs of tenants.

**4.3** MAH aims to ensure the suitability of its properties for household growth and change.

**4.4** MAH charges rent consistently and fairly based on household type, composition and housing program.

**4.5** Unauthorised occupants are managed in accordance with the requirements of residential tenancy and rooming accommodation legislation.

**4.6** Tenants are given opportunities to appeal organisational decisions and to complain about the services of MAH.

**4.7** MAH upholds accountability and transparency through its record keeping practices.

## **5 Policy**

### **5.1 Additional occupants**

**5.1.1** Tenants who wish to have another person live with them, whether on a short (over 28 days), medium or longer term basis, must apply in writing and provide MAH with income details for the additional person/s and their household.

**5.1.2** Senior Managers will be responsible for approving applications for additional occupants. In assessing applications, in addition to household income, Senior Managers will consider:

- Property size and occupant capacity
- The characteristics of the neighbourhood, existing tenants and occupants
- Whether all internal and external accommodation options have been explored
- Whether a household change would impact the eligibility of a tenant as per the [Eligibility Policy](#)
- Whether the proposed additional occupant is a former tenant of MAH as per the [Rehousing Former Tenants of Mission Australia Housing Policy](#). Any proposed occupants with a history of tenancy management issues or anti-social behaviour at a property of MAH will not be approved.

- Applications for an additional occupant may be declined where it would cause **overcrowding**.

5.1.3 Tenants will be advised that where an additional occupant has been approved, the amount of rent they pay for their property may increase as per the [Rent and Rebate Policy](#).

## 5.2 Unauthorised occupants

5.2.1 Tenants who are identified to have, either intentionally or unintentionally, failed to inform MAH of an additional occupant living at their property will be in breach of their residential tenancy or rooming accommodation agreement and staff will take action in line with MAH policy and with state based legislation. The additional occupant will be considered unauthorised and any rental rebate allocated may be cancelled, resulting in a rent increase.

## 5.3 General requirements

- 5.3.1 Staff will inform tenants of their right to appeal organisational decisions and to complain about the services of MAH as per the [Appeals and Complaints Policy](#).
- 5.3.2 Staff will store any information relating to occupants and occupancy issues in the tenancy management system.

# 6 Definitions

**Additional occupant:** a member of a household who has been approved by MAH to live in a property with a tenant or who became a co-tenant after a tenancy started.

**Overcrowding:** where, following the minimum number of bedrooms allocated to applicants under the Housing Allocations Policy, a household would require one or more additional bedrooms to accommodate the household members, the household is considered to be overcrowded.

**Unauthorised occupant:** a person who lives in a property of MAH without providing the necessary disclosure and seeking the permissions required in accordance with this policy. Under residential tenancy and rooming accommodation legislation, MAH must always be informed of household composition changes and failure to do so is unlawful. Tenants who do not report occupancy changes may also have committed rental fraud as per the [Rental Fraud Policy](#).