

Succession Policy

Scope

This policy covers the transfer of tenancy rights to another household member, where a tenant leaves a property or dies

Policy

There may be times when a tenant no longer resides in a property, leaving other household members in the property. This may be because:

- of death;
- If the tenant is incarcerated for a period of time longer than three months (if less than three months, the Absentee Rent Policy may apply);
- the tenant moves into permanent residential care; or
- for any reason where the tenant leaves the property, with no intention of returning.

Foundation Housing acknowledges that such circumstances are likely to be stressful for the remaining household member/s and that a loss of secure housing may further compound stress and place the person/s involved at risk of homelessness.

Foundation Housing will deal with all such circumstances in a sensitive and efficient manner.

Where the tenancy is a joint tenancy, the remaining tenant is entitled to become the sole tenant, provided that they were living in the home when the tenant died or left.

When a sole tenant leaves the tenancy, depending on the circumstances, a member of his or her household may succeed to the tenancy, provided:

- there is evidence the household member was residing in the property for at least 12 months prior to the application; i.e. the household member was previously declared on the Household Declaration;
- the household member is using the property as their only or main home;
- the household member meets the eligibility criteria for the housing program that the property is managed under;
- there is no debt in relation to the property, or, if there is, the household member and Foundation Housing agree to a debt payment arrangement that is acceptable to Foundation Housing.

Where these changed circumstances lead to under occupancy – for either joint or sole tenants - Foundation Housing will make it a condition of the new tenancy that the remaining household member/s agrees to move to a property more suitable to their household size and which they would be eligible for under the organisation's Allocations Policy.

Where a sole tenant has left the property and does not intend to return, Foundation Housing will require confirmation of the tenant's intention to relinquish the property, before negotiating a new tenancy with the remaining household member.

The decision to offer a new tenancy under this Policy will be made by a Team Leader in consultation with the Housing Services Manager. The Housing Services Manager will have final approval on any succession decisions if there is any disagreement amongst responsible staff.

The decision by Foundation Housing to reject a succession application is appealable in accordance with the organisation's Appeals Policy. The household member/s may remain in the property subject to the appeal outcome.



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Related Documents

- Allocations Policy
- Appeals Policy
- Appeals Procedure