

Tenant and Housing Services

Succession Policy

Document Name	Succession Policy
Department	Tenancy
Responsible Officer	Tenancy Manager
Revision	1.1
Next Review	6/11/2018
Status	Approved
Date Approved	6/11/2015

1. Rationale

This policy outlines CHL responsibility in managing succession within a tenancy

2. Exceptions

2.1. This policy does not apply to

- Supported tenancies housed under the Nation Building Economic Stimulus Plan (NBESP) Program
- NRAS tenancies unless approval is given in writing by the Landlord

3. Legislation and Other Policies

3.1. CHL will comply with the following legislation (as amended):

- Residential Tenancies Act 1995
- National Rental Affordability Scheme Regulations 2008
- National Rental Affordability Scheme Act 2008

3.2. CHL will comply with the following policies (as amended):

- CHL By-Law 1
- CHL Eligibility, Applications & Allocations Policy
- CHL Dispute and Resolution Policy

4. Policy

4.1. CHL staff will deal with succession rights in a sensitive manner, respecting and acknowledging the legal rights of a member of tenant's household being their partner, an adult child or otherwise related to the tenant.

4.2. Succession will be deemed appropriate if the tenant:

- Dies
- Leaves permanently
- Is Incarcerated
- Is admitted to hospital for an extended period of time.

4.3. The right for succession will only apply if the person requesting succession rights ('the applicant') is recognised by CHL as an extra person living at the property with the named tenant.

4.4. The applicant for succession must:

- Be the tenant's partner, an adult child or otherwise related to the tenant.
- Have lived at the property for a reasonable period of time
- Not be responsible for tenancy breaches leading to action to terminate the previous tenancy

- 4.5. If the property becomes unsuitable due to the occupancy restrictions (under occupancy), CHL may terminate any lease or right to occupy the current premises, however;
- a) if the succession applicant continues to make rent payments, and;
 - b) completes all documentation as required,
- CHL may, where possible, offer the applicant a transfer of housing and become a tenant in their own right.
- 4.6. If a transfer of housing is offered to the applicant and is declined without adequate reason, CHL may terminate any lease or right to occupy the current premises.
- 4.7. Applicants to succeed a tenancy must complete a Community Housing Application Form.
- 4.8. Upon application CHL will determine whether:
- The applicant is eligible for community housing as per the CHL Eligibility, Applications & Allocations Policy.
 - If it would be fair to select them as a tenant, and
 - If it is appropriate to allocate this particular property to them.
- 4.9. If the applicant's application is successful, the Tenancy Commencement, Bond and Eligibility, Applications and Allocations policies and procedures must be followed.

Change Log		
Revision	Change	Date
1.0		3/12/2014
1.1	<ul style="list-style-type: none"> - Added <i>Change Log</i> - Rebranded to CHL - Removed 'Date Last Revised' from document block 	6/11/2015