



Succession of Tenancy

What is Succession of Tenancy?

Succession of tenancy is when Housing Plus agrees to transfer a client's rights to live in a Housing Plus property to another member of their household.

Housing Plus will deal with succession rights in a sensitive manner respecting and acknowledging the legal rights of a member of a client's household being their partner, an adult child or other household member to take over a tenancy when the client dies, leaves permanently or will be in prison, hospital or away for a very long time.

This right will only apply if the person requesting succession rights was living in the property with the client as their only home at the time. This person must be included on the household form as approved person to live in the dwelling.

Housing Plus has a succession of tenancy policy to ensure that eligible household members will not be made homeless or forced to suffer undue hardship because the client dies or leaves the property.

Who is eligible?

Household members who are eligible for

succession of tenancy include:

- + Spouse or de facto partner (including same sex partners),
- + An adult child or other household member that wishes to remain living in their home
- + Legal guardian of children of the household

In general when applying for succession of tenancy, the applicant must:

- + Have lived at the property for a reasonable period of time or have established a pattern of occupation, and
- + Not be responsible for tenancy breaches leading to action to terminate the previous tenancy, and
- + Meet income eligibility requirements for social housing.

If the property is no longer suitable as to household size and provided that the succession applicant continues to make payments, and completes all documentation as required by Housing Plus, the applicant may not be required to vacate that property until an equally appropriate and secure property can be sought and offered to them by Housing Plus. If the applicant remains in the property they will be signed up to a short fixed term lease eg 2 to 3 months

only, and will be issued with a Notice of Termination to end that lease. The lease will be reviewed pending any suitable offers being made to the applicant. The applicant will remain on a fixed term until a suitable property becomes available.

If two alternative properties offered by Housing Plus are declined without adequate reason, then the Tenancy Officer may, with approval from the Tenancy Services Manager, terminate any lease or right to occupy the current premises.

If the applicant does not meet the allocation criteria for their current property the transfer policy will be implemented.

How to apply?

To succeed a tenancy, applicants must complete an Application for Succession



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of Tenancy form. The Tenancy Officer in consultation with the Tenancy Services Manager, will decide if the applicant is eligible for housing, whether it would be fair to select them as a client and whether it is appropriate to allocate this particular property to them.

If the applicant is approved for succession of tenancy, the applicant will either be offered a tenancy for the current property giving them the same rights to the previous client or a new tenancy in a more appropriate property. If the applicant was a joint client previously they should be advised that they will be liable for any debts outstanding from the previous tenancy.

If the survivor is not eligible for housing by the organisation written notice of that fact will be forwarded to the applicant. Clients will be advised of the Appeals process of Housing Plus and information in relation to the Housing Appeals Committee.



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