

OCCUPANCY POLICY

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1 Purpose and Objective

This policy explains how Housing Plus manages the occupancy of properties.

2 Scope

- a. This policy applies to all Housing Plus' and its subsidiaries' employees, management and other stakeholders including volunteers.
- b. This policy applies to all Housing Plus tenants and applicants.
- c. This policy describes the organisation's objectives and policies regarding occupancy.

3 References

3.1 Legislation

- NSW Housing Act 2001
- NSW Residential Tenancies Act 2010

3.2 Policies

- Housing Plus Eligibility Policy
- Housing Plus Allocations Policy
- Housing Plus Rent Management Policy
- Housing Plus Ending a Tenancy Policy
- Housing Plus Sustaining Tenancies Policy
- Housing Plus Customer Feedback, Appeals and Complaints Policy

4 Definitions

Term: Company

Definition: Housing Plus, ABN 83 147 459 461, and all of its related and associated entities

Term: Employee

Definition: An individual who is directly engaged and paid by the Company as an Employee

Term: Manager

Definition: An Employee who has direct reports (includes Executive, Senior Management and Team Leaders). In situations involving volunteers, 'Manager' refers to the Volunteer Supervisor

Term: Executive

Definition: A member of the Executive team

Term: Volunteer or Other Stakeholders

Definition: Collectively refers to any individual(s) who is not an Employee but who carries out work (whether paid or unpaid) for the Company, including (but not limited to) work as a volunteer, contractor, secondee, consultant or subcontractor, labour hire company, an apprentice or trainee, and a student gaining work experience.

Term: Work Environment

Definition: Includes but is not limited to:

- During and outside normal working hours.
- All functions, events and places which are work related (e.g. Including working from home under the flexible work policy, work lunches, conferences, Christmas parties and client functions).
- During the recruitment process; any environment which has sufficient connection to employment; decisions about promotions and other career opportunities, or in the termination of employment.
- In the course of providing goods and services.

Term: Social housing

Definition: Properties made available to customers on low to moderate incomes and managed by Community Housing Providers or Homes NSW. Rent subsidies are available to customers to reduce their weekly rent payments.

Term: Tenancy agreement

Definition: The *Residential Tenancies Act 2010* (NSW) ("RTA 2010") defines a residential tenancy agreement as 'an agreement under which a person grants to another person for value a right of occupation of residential premises for the purpose of use as a residence' (section 13(1)).

5 Responsibilities

5.1 Executive

- a. Ensure adequate resources are provided to implement and support this policy.
- b. Manage the implementation of and adherence to this policy.

- c. Model appropriate standards of behaviour.

5.2 Management

- a. Ensure that all Employees and Other Stakeholders are aware this policy and understand their obligations.
- b. Ensure effective implementation of and adherence to this policy.
- c. Model appropriate standards of behaviour.

5.3 Employees, Volunteers and other Stakeholders

- a. Understand and comply with this policy.
- b. Model appropriate standards of behaviour.

6 Policy

6.1 Occupancy

The tenancy agreement outlines how many people are approved to live at a property.

An additional occupant is a person who was not a household member at the start of the tenancy but has obtained written approval from Housing Plus to become a household member. Housing Plus includes an additional occupant's income when calculating household rent (see *Rent Management Policy*).

An unauthorised occupant is a person who has been living at the property for more than 28 days but is not an approved member of the household and is not included in the rent calculation. Housing Plus investigates reports of unauthorised occupants residing at a property.

Under the terms of the tenancy agreement, tenants must advise Housing Plus within 21 days of any change to the household. Housing Plus may take action under the *NSW Residential Tenancies Act 2010* if an unauthorised occupant continues to live at the property. Housing Plus may also:

- Cancel the rent subsidy and charge market rent
- Reassess previous subsidies and place resulting debt on the rental account.

6.2 Visitors

A visitor is a person who temporarily stays at a property for up to 28 days, who lives elsewhere and has a different home address on their documents. Tenants are responsible for the behaviour of their visitors.

Tenants must ask permission if a visitor is staying longer than 28 days within a 6 month period. Housing Plus will provide information on how to apply for additional occupant approval.

Housing Plus may ask for evidence that a visitor does not live at the property. Evidence showing their current residential address can include:

- Current driver's license or identity card
- Current Centrelink statement
- Current Utility bill in that person's name.

Any person staying for an extended period at a Housing Plus property who cannot provide evidence that they permanently reside at an alternative address will be considered an unauthorised additional occupant.

6.3 Absence from property

All tenants who will be away from their property for more than six (6) weeks must apply for approval from Housing Plus. This includes when other people will be staying at the property. Housing Plus will assess each case based on the circumstances. Tenants will be asked to include evidence in their application to demonstrate the following criteria:

Table 1 – Evidence requirements

Evidence requirement	Example
Rent and water charges will be paid	<ul style="list-style-type: none"> • Pre-payment • Centrepay deduction • Direct debit
The property is secure and will be adequately cared for	<ul style="list-style-type: none"> • Contact details in case of emergency • Details of a responsible person over 18 who will maintain the property
The tenant has an acceptable reason for going away	<ul style="list-style-type: none"> • Caring for sick/frail family members • Hospitalisation, institutional care, imprisonment, nursing home care or rehabilitation • Escaping domestic and family violence, harassment or threats of violence • Employment, education or training

Housing Plus will not approve extended absences from social housing properties unless there are exceptional circumstances. If a tenant is away from their property for more than six (6) weeks without approval from Housing Plus or away for longer than the period approved by Housing Plus, all reasonable efforts will be made to contact the tenant before action is taken.

Social housing is a scarce resource. If a tenant is away from the property without approval and cannot be contacted, Housing Plus may terminate the tenancy so that the property can be made available to other people in housing need.

7 Appeals and Reviews of Decisions

Decisions made under this policy can be reviewed or appealed. For more information, refer to the *Customer Feedback, Appeals and Complaints Policy*.

8 Document Control

8.1 Document History

Action	Responsible Person	Date
Created draft	Lena Jenson Chris Maybin Harmony Meath Therese Short	June 2024
Reviewed by	Liz Stamatelos	December 2024
Approved by	Justin Cantelo	February 2025