

ASSIGNMENT OF LONG-TERM HOUSING POLICY

1.0 PURPOSE AND SCOPE

The purpose of this policy is to detail the arrangements, processes, and considerations for assignment of a tenancy from one renter to another household member.

This policy applies to all long-term rental properties owned or managed by EACH Housing Ltd (EHL)

This policy does not apply to the following housing programs run by EHL:

- Properties managed by EHL under the Homelessness to a Home (H2H) program.
- Temporary or crisis accommodation.
- SDA Accommodation

2.0 POLICY STATEMENT

2.1 Assignment (also known as succession) of tenancy occurs when the rights and responsibilities under a rental agreement are transferred from the existing renter/s to another household member or other household members.

Applications for assignment may be made when an existing renter intends to vacate the property or passes away, and other household members wish to remain living in the property.

The existing renters are those whose names are on the Rental Agreement and who hold tenancy rights and responsibilities in line with that agreement with EHL and the Residential Tenancies Act.

A household member is any other person who has been living in the property.

This policy does not apply to circumstances where existing renter/s remain living in the property and remain on the rental agreement (for example if a second renter is added to the existing rental agreement, turning the agreement from a sole tenancy to a joint tenancy).

If a household member wishes to seek permission for assignment, they should apply to EHL as soon as possible. For example, if an existing renter is vacating, they should apply as soon as they are aware that the existing renter/s are intending to vacate.

EHL provides long-term, secure housing to people in need in line with our charitable mission, vision, and values. The individual circumstances of anyone applying for assignment under this policy will be considered. Other considerations will include the need to ensure housing is made available in a fair and transparent manner to those in need of housing registered on the VHR as well as the need to comply with sector performance standards and demonstrate capacity to manage a viable social housing business.

Any household member seeking to be assigned a tenancy may contact EHL to make this request, either verbally or in writing. A written application should address each of the factors outlined in the considerations section of this policy (see below). If a verbal application is made, a staff member will interview the applicant and ask for details that relate to these considerations. Evidence may be required, and all evidence submitted with an application will be considered.

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To consider the application, the details of any other proposed household members will be required.

All personal circumstance of the applicant will be considered with reference to the factors outlined below. A response will be provided to the applicant within two weeks of an application being made. The response will be in writing and provide an outcome along with reasons for the decision.

If the application is unsuccessful, EHL will discuss other possible housing and support options with the applicant. The applicant may appeal the decision in line with EHL's appeal policy and will be provided with details of relevant legal services and other support services as required.

If the application is unsuccessful and the renter/s is intending to vacate or is no longer living in the property, the applicant will also be expected to vacate.

3.0 Considerations

An application for assignment made in line with this policy will be assessed with reference to the following factors:

Eligibility

In most cases, the applicant will need to meet the [VHR eligibility criteria](#) in order to be considered for assignment.

However, applicants who were formerly eligible but have since become ineligible will still be considered where they have been approved as an additional household member/s whose income has been included in the assessment of household income for rent calculations prior to the application.

Impact on applicant and their family

Any negative impacts on the applicant and their family of not approving the request will be considered. This will include a consideration of whether severe hardship will be caused and any impacts to health, the wellbeing of children, connection to family and connection to community and culture.

Connection to Property

The connection of the applicant and their family to the property will be considered including the length of time the applicant and their family have been living in the property. It is expected that any applicant will have already been approved as an additional household member and that their income will have been included in the assessment of household income for rent calculations prior to the application. If special circumstances exist for why this has not been the case, these circumstances will be considered.

Mission alignment

If the applicant is not on the VHR and does not meet the [VHR eligibility criteria](#), EHL will consider the impact that approving the application would have on their ability to meet their charitable mission, and obligations to the Housing Registrar and Homes Victoria to house eligible low-income households.

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Property Suitability and Utilisation

EHL follows housing size guidelines to ensure properties are well utilised and the number of people occupying properties is appropriate for the property size. Some properties may also have a minimum rent required to support the financial viability of the housing program.

Further considerations in assessing property suitability will include whether the property is part of a particular targeted program (e.g. for older renters or renters with disabilities) and whether disability modifications have been made to the property that are not needed by the applicant.

Promoting Successful and Sustainable Tenancies

EHL is committed to establishing successful and sustainable tenancies and the applicant's ability to maintain the tenancy will be considered. This will include the commitment of the applicant to pay the rent, not be involved in antisocial behaviour and to take reasonable care of the property.

4.0 Evidence

EHL will consider any evidence an applicant provides with an application related to the considerations above and may request further evidence to assist in assessing the application.

5.0 DEFINITIONS

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| Applicant | means a person who has applied for housing via the VHR or, where permitted by this policy, directly to EHL. |
| DHHS | means the Victorian Department of Health and Human Services. |
| Director of Housing | means the Victorian government statutory authority that owns all public housing land in Victoria, and which is the principal funding body for community housing. |
| NDIA / NDIS | Means the National Disability Insurance Agency / National Disability Insurance Scheme |
| Nomination rights | means arrangements between EHL and third-party support providers where the support provider nominates applicants for certain vacant properties. |
| Priority Access | means applicants on the VHR who have been assessed as having a priority housing need. The Priority Access Categories are: <ul style="list-style-type: none"> • Emergency Management Housing • Priority Transfers • Homeless with Support • Supported Housing • Temporary Absence • Special Housing Needs • Special Housing Needs (Aged 55 years and over) |

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| Targeted Social Housing | means the properties that are considered Targeted Social Housing under agreements between EHL and the Director of Housing. |
| VHR | means the Victorian Housing Register, the Statewide common application for people seeking public housing and community housing. |

6.0 DOCUMENT OWNER

The Operations Housing, EHL is the subject matter expert and person responsible for this document review.

7.0 REFERENCES AND RELATED DOCUMENTS

This policy implements EHL's obligations under:

- Housing Act 1983 (Vic)
- Performance Standards for Registered Housing Agencies (Housing Registrar)
- Legal agreements between EHL and the Director of Housing relating to the VHR
- DHHS Victorian Housing Register Operational Guidelines
- Application documents
- Starting, During and Ending a Tenancy documents
- Eligibility Policy
- Eligibility Procedure
- Allocations to VHR policy