

## 1. Purpose

The purpose of this policy is to outline Housing Trust's policy regarding occupancy (including 'over' and 'under' occupancy) and the circumstances when tenants seek to have additional persons move into their home.

## 2. Guiding Principles

Tenants can expect Housing Trust to:

- Understand that families' circumstances change over time and that tenants may wish to have additional persons reside with them
- Ensure that social housing is utilised in an efficient and appropriate manner
- Assess all applications for additional household occupants fairly and reasonably
- Respect that tenants have a right to have visitors to their homes
- Investigate allegations of additional occupants and, where appropriate, take action to enforce the terms of a residential tenancy agreement

## 3. Policy Statement

At the commencement of every tenancy, Housing Trust will identify the tenant and any additional occupants who are authorised to reside at the property (see Start of Tenancy Policy).

Tenants are allocated properties according to their household size and are charged rent based on their household income.

For this reason, tenants are required to seek approval from Housing Trust for any additional persons who may wish to reside in the premises for more than 28 consecutive days.

Where it is alleged that an unauthorised occupant is residing at a HT property, an investigation will occur in accordance with THT's Rental Fraud & Non-Disclosure Policy.

If it is found that an unauthorised occupant is residing at the property, Housing Trust will give tenants 14 days to either submit a request for the person to become an additional occupant or for the person to vacate the property.

## 4. Occupancy categories

**Normal occupancy** is where the number of household members is in accord with Housing Trust's bedroom entitlement (see Allocations Policy).

**Severe over-occupancy** is when the household size and composition changes and results in the household having fewer bedrooms than they are entitled to, and the over-occupancy is considered to be severe. Examples include:

- Four or more children sharing a bedroom
- Three or more unrelated adults sharing a bedroom

**Over-occupancy** is when the household size and composition changes and results in the household having fewer bedrooms than they are entitled to, but the over-occupancy is not considered to be severe. Examples include:

- Three children sharing a bedroom
- An adult or couple sharing a bedroom with a child over 2 years of age
- Two unrelated adults sharing a bedroom

**Under-occupancy** is when the household size is such that the property has one or more bedrooms unoccupied than the household is entitled to.

## 5. Visitors

All tenants may have visitors reside at their home for short periods up to 28 days without requiring notification to or approval from Housing Trust.

Housing Trust understands that from time to time some tenants may require visitors to reside in the premises for longer (but still temporary) periods. Examples may include:

- Providing temporary respite or medical support and care
- Family or cultural support
- Other reasons such as employment or relocation to a new area

These situations will be assessed on a case by case basis and requires General Manager approval.

## 6. Assessing applications for additional occupants

Tenants seeking to have additional occupants reside at their premises must apply to Housing Trust for approval and will be assessed within 28 days and the additional occupant will be notified in writing of the outcome of their application.

When submitting an application for an additional occupant, tenants can expect Housing Trust to:

- Make enquiries about the person(s) seeking approval as additional occupants, including whether they have had a prior social housing tenancy
- Ensure the tenant is aware that, if approved, their household rent will be recalculated taking into account the additional occupant's income
- Consider the suitability of the home for the additional occupant, particularly where they have medical or other needs (eg disability)
- Consider the impact on neighbours
- Generally decline applications if the outcome would result in severe over-occupancy or if the person does not meet relevant eligibility criteria for a particular property type (eg. seniors housing)

If additional occupants are approved, housing additional persons is not accepted as sufficient reason to be transferred to a larger dwelling.

Where approval is granted, the household rent will be recalculated in accordance with the Rent & Rent Management Policy.

## 7. Under occupancy

Where a household is under occupying the property Housing Trust will seek to transfer their household to a more suitable property. If the tenant refuses to relocate or transfer housing trust will issue a 90 day notice of termination.

## 8. Former tenants

Where a person has been a former tenant of Housing Trust, the previous tenancy history will be considered as part of any application to be an additional occupant. This will include whether there

were previous complaints, history of arrears, or other behavioural concerns during the tenancy.

Housing Trust will generally decline an application if the person is a former social housing tenant who has an outstanding debt with either another community housing provider or Housing NSW, unless:

- The person has acknowledged that debt, and
- Can demonstrate consistent repayments of the debt over a 6 month period

## 9. Declined applications

If a tenant's application for an additional occupant is declined and the person is residing with the tenant, Housing Trust will provide reasonable opportunity for the person to find alternative accommodation. This will generally be no longer than 14 days.

If the person continues to reside at the property, the matter may be addressed by Housing Trust:

- In accordance with Housing Trust's Rental Fraud & Non-Disclosure Policy, or
- As a breach of the tenant's lease agreement which may result in termination under the *Residential Tenancy Act 2010*