

**PURPOSE:**

The purpose of this policy is to provide the guidelines for the Company and co-op management in situations where members/tenants of the landlord have persons who are not members of the household residing in the property. Friends and relatives who visit members/tenants of the landlord for social or holiday purposes are not regarded as additional occupants. They are regarded as visitors.

**1. SCOPE**

- 1.1. Applies to all staff
- 1.2. Applies to co-operatives

**2. EXCEPTIONS:**

NA

**3. DEFINITIONS**

- 3.1. **Landlord** -the person who grants the right to occupy residential premises under a residential tenancy agreement.
- 3.2. **Co-op** - governance structure where residents become 'members' of the cooperative, and play an active part in running the organisation.
- 3.3. **Tenant** -the person who has the right to occupy residential premises under a residential tenancy agreement.
- 3.4. **A Visitor** – is a person who is not a member of the household approved by the landlord at the beginning of the tenancy. Visitors can stay for up to 6 weeks with a prior approval of the landlord. After the period of 6 weeks expires the visitors need to be approved by the landlord to stay longer up to a maximum of 3 months. The tenant/member is required to inform the landlord in writing prior to the 6 weeks elapsing.
- 3.5. **An Additional Occupant** - is any person that the member/tenant allows to live **indefinitely** in their home who is not listed as a household member on the tenancy agreement and is approved by the landlord.
- 3.6. **An Unauthorised Occupant** – is a person living in a property managed by the landlord without the permission of the landlord.

**4. RESPONSIBILITIES****4.1. Chief Executive Officer (CEO)**

- 4.1.1. Providing resources
- 4.1.2. Oversight of process etc

**4.2. Manager**

- 4.2.1. Staff competency
- 4.2.2. Monitoring

### 4.3. Board

### 4.4. Quality Coordinator (QC)

- 4.4.1. Review the policy with relevant staff as per schedule or when required

## 5. CONTENT

### **Additional Occupants:**

- 5.1. Members/tenants need to lodge a written application to the co-op for permission before allowing an additional occupant to live with them. (If they do not, the additional person will be considered an unauthorised occupant).
- 5.2. The co-op will base its decision on approving the application for additional occupancy on this policy.
- 5.3. The co-op will acknowledge the application of the tenant/member in writing outlining any specific obligations regarding the additional occupant, including additional rent payments
- 5.4. The specific nature of the co-op will be taken into account when assessing the additional occupancy application. For example a co-op with a target group to house single women and single women with children may not approve a male additional occupant regardless of the relationship to the tenant.

### **Visitors:**

- 5.5. Members/tenants must apply to the co-op before allowing visitors to stay with them.
- 5.6. The maximum length of stay by visitors **authorised** by the co- op is up to 6 weeks with a possible 6 week extension.
- 5.7. The member/ tenant is responsible for the behavior of visitors who stay.
- 5.8. It is the responsibility of the tenant housing the visitor to ensure they do not overstay their visit. It is a breach of the residential tenancy agreement to have additional occupants without the permission of the co-op.
- 5.9. A member/tenant may apply to include visitor/s as an additional occupant.
- 5.10. In most cases the application for visitors to be included as additional occupants will be approved if –
  - It does not cause overcrowding, and
  - The additional occupant does not have a poor tenancy record, and
  - The household composition is suitable for the type of property. For example, if an additional occupant wishes to take up residency in a Seniors Community property the landlord will only approve the application if the composition remains consistent with the objectives of the community, and
  - The additional occupant does not cause a nuisance

- 5.11.** If landlord approves the application, the rental subsidy will be re-calculated based on the new total household income or Market Rent may apply.
- 5.12.** If the landlord refuses the application the visitor will not be entitled to stay.
- 5.13.** If members /tenants have an unauthorised additional occupant or visitor living with them, their rental subsidy may be cancelled, market rent applied and this can also be reason to end the tenancy.
- 5.14.** If the landlord does not approve an application for a visitor or an additional occupant, members/tenants can ask for the decision to be reviewed (see appeals policy and procedure).

## **6. REFERENCES**

- 6.1.** During a Tenancy Policy FaCS - Housing NSW

## **7. ASSOCIATED DOCUMENTS**

- 7.1.** Tenants Handbook
- 7.2.** C1.14. Complaints and Appeals Policy and Procedure