

Succession of Tenancy Policy

Purpose

This policy explains what a succession of tenancy is and how CatholicCare Victoria Housing Ltd (CCVH) will manage applications for succession of tenancy.

Scope

This policy applies to all general tenancies managed by CCVH. It does not apply to residents of rooming houses.

Policy Statement

Guiding Principles

CCVH is committed to:

- Meeting our contractual, legal, and regulatory duties
- Consistent and transparent decision making with clearly documented practices
- Properly and effectively utilising housing stock
- Balancing the needs of household members applying for succession of tenancy together with the needs of existing applicants on the Victorian Housing Register (VHR)
- Giving due consideration to human rights and considering the impact of any decisions we make under the *Charter of Human Rights and Responsibilities 2006*.

Succession of Tenancy

A succession of tenancy occurs when CCVH agrees to transfer a renter's right to live in a CCVH property to another household member. The renter is the person who is named on the rental agreement and in whose name the tenancy is held. A household member is any other person who is approved by CCVH to be living in the property and is included in the rent calculation.

A succession of tenancy involves the previous rental agreement terminating and a new rental agreement being signed by applicants who are determined to be eligible for succession under this policy.

Applications for Succession of Tenancy

Household members are required to request a succession of tenancy in writing to CCVH. The household member should apply for succession within 28 days of the renter no longer residing at the property and preferably 14 days before the renter has left. CCVH will assess the application and inform the household members of the outcome within 10 business days. The household members can continue living in the property at this time and will be liable for the weekly rent payment.

To be eligible for a succession of tenancy, an applicant must:

- Meet the eligibility criteria for social housing as determined by the Victorian Housing Register.
- Meet the eligibility criteria for the housing program, if applicable.
- Be an approved additional occupant of the household for at least 12 months, or for the entirety of the tenancy. If it is shorter than 12 months or can demonstrate sufficient and continuous links to the property.
- Have not breached the rental agreement during the term of the tenancy and be able to maintain a tenancy independently.
- When assessing the application for succession of tenancy, CCVH will balance the extent of any likely potential negative impact on the new household and the principles of this policy. This includes whether declining the application would:
 - Cause severe hardship to the applicant
 - Negatively impact on the applicant or any children residing in the property.

Any decisions to approve succession of tenancy outside of the eligibility criteria in this policy are at the discretion of the CEO of CCVH on a case-by-case basis.

Entitlements of Succession of Tenancy

Succession of tenancy gives the applicant the right to a tenancy with CCVH. Noting that CCVH cannot guarantee that the household member applying to succeed the tenancy will be able to stay in the same property and may be transferred to another property that is more appropriate to their housing needs.

When CCVH assesses applications for succession, the bedroom entitlement and needs of the household will be reviewed. As a condition of succession, we may move the household to another property that is better suited to the household. We will provide offers of housing as outlined in the *CCVH Allocations Policy*.

Generally, the cost of relocation will be the responsibility of the new household.

Unsuccessful Applications for Succession of Tenancy

If a succession of tenancy applications is unsuccessful, CCVH will provide details of other housing options or assistance which may be available to the household.

If the renter has vacated the property and CCVH decides to regain possession of the dwelling, because succession is declined and the remaining household members have not vacated, CCVH will seek an order of possession from the Victorian Civil and Administrative Tribunal (VCAT).

Related Information

- CCVH End of Tenancy Policy

- CCVH Family Violence Policy
- CCVH Allocations and Sign-Up Policy
- CCVH Asset Maintenance Policy
- CCVH Financial Hardship and Temporary Absence Policy
- CCVH Sustainable Tenancies Policy
- Housing Act 1983 (Vic)
- Residential Tenancies Act 2021 (Vic)
- Victorian Housing Registrar Performance Standard 1 (Renter and housing services)

Transparency and Accessibility

This policy will be publicly available on our website.

Version Control

Version	#1	Review frequency	Approved: June 2023 Next Review: June 2025
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