

Assignment Policy

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Policy owner: Director Housing and Homelessness

1 Purpose

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.

2 Scope

This policy applies to all long-term renters in social or affordable housing.

3 Policy Statement

Principles

- 3.1 Assignment (also known as succession) of a tenancy occurs when the rights and responsibilities under the rental agreement are transferred from the existing renter/s to another household member or other household members.
- 3.2 Applications for assignment may be made when an existing renter dies or intends to vacate the property and other household members wish to remain living in the property.
- 3.3 The existing renters are those whose names are on the Rental Agreement and who hold tenancy rights and responsibilities under the *Residential Tenancies Act 1997* (RTA).
- 3.4 A household member is any other person who has been living at the property.
- 3.5 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).
- 3.6 If a household member wishes to seek assignment, they must apply to Unison as soon as possible. For example, if an existing renter is vacating, an application for assignment should be made as soon as the applicant becomes aware that the existing renter/s intends to vacate
- 3.7 Unison provides long-term, secure housing to people in need in line with our 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 Victorian Housing Register as well as the need to comply with sector performance standards and to manage a viable housing program.

Application

- 3.8** Any household member seeking to be assigned a tenancy must contact Unison 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 place manager must document items that relate to these considerations. Evidence may be required.
- 3.9** To consider the application, the details of all other proposed household members will be required.
- 3.10** 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.
- 3.11** If the application is unsuccessful, Unison will discuss other possible housing and support options with the applicant. The applicant may appeal the decision in line with Unison’s complaints policy and will be provided with details of relevant legal services and other support services as required.
- 3.12** 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.
- 3.13** An application for assignment made in line with this policy will be assessed with reference to the following considerations:
- a** 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 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
 - b** 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.
 - c** 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.
 - d** Mission alignment

If the applicant is not on the VHR and does not meet the VHR eligibility criteria, Unison will consider the impact that approving the application would have on its ability to meet its mission, vision and values as well as obligations to the Housing Registrar and Homes Victoria.
 - e** Property Suitability and Utilisation
 - i** Unison 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 organisation.

- ii 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.

f Promoting Successful and Sustainable Tenancies

Unison 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.

g Evidence

Unison 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.

4 Definitions

In this policy:

Applicant	Means a person who has applied for housing via the VHR or, with reference to assignment, a person who has applied directly to Unison Housing for assignment in line with this policy.
Assignment	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.
Existing Renter	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 Unison Housing and the Residential Tenancies Act.
Household Member	Any person other than the existing renter/s who has been living in the property.
Rental Agreement	Lease under the <i>Residential Tenancies Act 1997</i> , which sets out the rights and duties of the renter/s and the rental provider.
Succession	See definition of assignment, above.
VHR	The Victorian Housing Register, the state-wide common application for people seeking public housing and community housing

5 Review

This policy will be reviewed every three years as delegated by the responsible Executive.