

Williamstown Rental Housing Co-operative Policy Document

Policy Number:	010
Policy Name:	Transfer and Succession
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1. Introduction

Williamstown Rental Housing Co-operative Ltd. (WRHC) recognises that tenancy agreements will evolve over a period time and that there will be circumstances where the primary tenant member may leave or die. This policy is designed to allow for the negotiation of ongoing housing for those household members remaining in the property after such an occurrence.

2. Purpose

The policy is to ensure that household members left behind after the death or departure of the primary tenant are not forced into homelessness, in particular where there are children, youth and dependent adults involved.

This policy does not apply to circumstances of eviction due to breaches of a tenancy agreement or end of fixed-term agreements.

This policy deals with

- transfers; and
- succession of tenancy where a member dies or leaves.

3. Scope

All tenancies managed by WRCH.

4. Relevant Co-operative Objectives

Accountability: Maintaining honest, transparent processes for making decisions and following the legal requirements of the Director of Housing.

5. Policy

5.1 Transfers

WRHC recognises that over a normal lifetime, tenants will have changing needs in regard to their housing. This may involve an expansion or decrease of family size or changing needs due to age and/or disability.

If the tenant's needs change, the Co-operative will work with the tenant to assist with the transfer into more suitable housing within the stock available. A transfer request from an existing tenant will take precedence over new applicants where applications are comparable in need.

5.2 Succession of Tenancies

WRHC will endeavor to provide for the succession of a tenancy to other household members subject to eligibility.

Succession of a tenancy is not guaranteed and is subject to the same guidelines as a new application to the Co-operative.

Where a primary tenant leaves the Co-operative for any reason, the tenancy will be assumed as having been terminated. Any remaining members of the household will need to provide evidence to the Directors as to why a transfer of the tenancy rights (succession) is to be enacted.

Any new tenancy agreement based on “succession” will be subject to an initial Fixed Term Agreement with a review period.

A transfer of a Tenancy Right may be for a temporary period only to allow for the remaining members to secure alternative housing within a given time period. This may occur at the discretion of the Directors where it has been reasonably determined that the remaining members do not meet the eligibility criteria of the Co-operative.

6. Responsibilities

The Housing Administrator in conjunction with the Board of Directors are to ensure that any application for a Transfer or Succession of a Tenancy meet the requirements of the Co-operative.

7. Definitions

- Transfer To move a tenancy right from one property to another property
- Succession To assign tenancy rights to a property from one member of a household to another, usually due to the death of the primary tenant.

8. Related Documents, Legislation and standards

Rules of the Williamstown Rental Housing Co-op Ltd
General Lease
Policy Manual of WRHC
Residential Tenancies Act 1997

Transparency and accessibility

This policy will be available on the WRHC website www.williamstownhousingcoop.org.au