

SUCCESSION OF TENANCY POLICY

1. Why we need this policy

- 1.1 Launch Housing is a registered Community Housing Provider, regulated by the Victorian Housing Registrar.
- 1.2 The purpose of this policy is to detail Launch Housing's arrangements, processes, and considerations for the assignment of a tenancy from one renter to another household member.

2. Who this policy applies to

- 2.1 This policy applies to renters in all Long-Term properties owned or managed by Launch Housing.
- 2.2 This policy applies to Launch Housing staff managing these properties.

3. Which Launch Housing properties this policy applies to

- 3.1 This policy applies to all Long-Term properties owned or managed by Launch Housing.
- 3.2 This policy does not apply to the following housing programs managed by Launch Housing:
 - i. properties managed by Launch Housing on behalf of another property owner where they hold responsibility for the allocation of housing;
 - ii. temporary or Crisis Supported Accommodation;
 - iii. Transitional Housing Management (THM) properties.
- 3.3 This policy does not apply to circumstances where an existing renter continues living at the property and remains on the rental agreement (e.g., where a second renter is added to the existing rental agreement, turning the agreement from a sole tenancy into a joint tenancy).

4. What this policy includes

4.1 Guiding principles

- 4.1.1 In applying this policy Launch Housing will ensure:
 - i. The housing portfolio is fairly, appropriately, and efficiently managed relating to eligibility and allocation;
 - ii. Consistent, fair, and accountable processes are followed, and renters are provided with information about processes that impact their tenancy;
 - iii. A commitment to respond to matters that may be family violence related, that is trauma informed and promotes the safety and wellbeing of renters and their families;
 - iv. All contractual, legal, and regulatory duties are met.
- 4.1.2 Launch Housing 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 (VHR) as well as the need to comply with sector performance standards and demonstrate capacity to manage a viable social housing business.

4.2 What is assignment?

- 4.2.1 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.
- 4.2.2 Applications for assignment may be made when an existing renter intends to vacate the property, or passes away, and other household members wish to remain living at the property. The existing renters are those who are named on the Rental Agreement and hold tenancy rights and responsibilities in line with that agreement with Launch Housing and the Residential Tenancies Act 1997 (Vic) (RTA).

- 4.2.3 If a household member wishes to seek permission for assignment, they should apply to Launch Housing as soon as possible. For example, if an existing renter is vacating, they should apply as soon as they are aware that the existing renter/s are intending to vacate.

4.3 Application process for assignment

- 4.3.1 Any household member seeking to be assigned a tenancy may contact Launch Housing to make a 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, Launch Housing will interview the applicant and ask for details in relation to these considerations. Evidence may be required, and all evidence submitted with an application will be considered. To consider the application, the details of any other proposed household members will also be required.
- 4.3.2 All personal circumstances 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 receipt of the application. The response will be in writing and provide an outcome along with reasons for the decision.
- 4.3.3 If the application is unsuccessful, Launch Housing will discuss other possible housing and support options with the applicant. The applicant may appeal the decision in line with Launch Housing's appeal policy and will be provided with details of relevant legal services and other support services upon request.
- 4.3.4 If the application is unsuccessful and the existing renter/s is intending to vacate, or has already vacated, the applicant will also be expected to move out.

4.4 Considerations

- 4.4.1 An application for assignment made in line with this policy will be assessed with reference to the following factors:

4.4.2 Eligibility

- 4.4.2.1 In most cases, the applicant will need to meet the VHR eligibility criteria to be considered for assignment.
- 4.4.2.2 However, applicants who were formerly eligible but have since become ineligible will still 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.

4.4.3 Impact on applicant and their family

- 4.4.3.1 Any negative impacts on the applicant and their household of not approving the request will be considered. This will include consideration as to whether severe hardship will be caused and any impacts to health, the wellbeing of children, connection to family, and connection to community and culture.

4.4.4 Connection to property

- 4.4.4.1 The connection of the applicant and their household to the property will be considered including the length of time the applicant and their household 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.

4.4.5 Mission alignment

4.4.5.1 If the applicant is not on the VHR and does not meet the VHR eligibility criteria, Launch Housing will consider what impact approving the application would have on Launch Housing’s ability to meet its mission and obligations to the Housing Registrar and Homes Victoria to house eligible low-income households.

4.4.6 Property suitability and utilisation

4.4.6.1 Launch Housing follows housing size guidelines to ensure properties are well utilised and the number of people occupying properties are appropriate for the property size. Some properties may require a minimum rent payable to support the financial viability of the housing program.

4.4.6.2 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.

4.4.7 Promoting successful and sustainable tenancies

4.4.7.1 Launch Housing is committed to establishing successful and sustainable tenancies and the applicant’s ability to maintain the tenancy will be considered. This will include commitment from the applicant to pay rent, to not be involved in antisocial behaviour, and to take reasonable care of the property.

4.4.8 Evidence

4.4.8.1 Launch Housing will consider any evidence an applicant provides with their application related to the considerations above and may request further evidence to assist with the assessment of the application.

5. Who is responsible for this policy

Who is responsible	Key activities
Launch Housing	<ul style="list-style-type: none"> Ensure the processes, and considerations for the assignment of a tenancy from one renter to another household member are in line with this policy.
Renters	<ul style="list-style-type: none"> Provide requested information in a timely manner. Have a current VHR application where applicable.

APPENDIX: ADMINISTRATION

6. Definitions

Term	Definition
Applicant	A person who has applied for housing via the VHR, or with reference to assignment, a person who has applied directly to Launch 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 to a household member.
Existing renter	The existing renter/s as named on the rental agreement who hold tenancy rights and responsibilities in line with that agreement with Launch Housing and the RTA.
Household member	Any person other than the existing renter/s who is living at the property.
Rental agreement	A lease agreement under the RTA, which sets out the rights and duties of the renter and the rental provider.
RTA	The Residential Tenancies Act 1997 (Vic). The principal legislation governing rental housing in Victoria.
Succession	See definition of assignment above.
VHR	The Victorian Housing Register, the single wait list for people seeking public and community housing in Victoria.

7. Related Launch Housing policies

Name	Description
Allocations Policy	Details how Launch Housing makes allocations to vacant properties in their long-term housing portfolio.
End of Tenancy Policy	Details Launch Housing's arrangements, processes and considerations for ending tenancies.
Family Violence Policy	Details a framework to support Launch Housing to: (a) keep victim survivors, children and young people who have lived experience of family violence safe, and (b) ensure perpetrators of family violence are visible and held accountable for their actions.
Hardship and Temporary Absence Policy	Details how Launch Housing aids renters experiencing significant financial hardship.
Maintenance and Repairs Policy	Details how Launch Housing ensures all properties under its ownership and management are maintained to a community standard which is habitable, safe and secure for our renters; and the asset retains its value as best as possible.
Tenancy Transfer Policy	Details how Launch Housing manages requests for transfers including eligibility requirements. It also sets out how Launch Housing initiates management transfers.

8. Legislation

This policy meets the following legislative requirements:

Name	Description
Housing Act 1983 (Vic)	Legislation for housing law, which seeks to improve housing administration in Victoria.
Residential Tenancies Act 1997 (Vic)	Legislation that regulates the rights and obligations of landlords and tenants in Victoria.
Residential Tenancies Regulations 2021 (Vic)	Victoria's 2021 rental laws under the Residential Tenancies Act 1997, which expanded the rights and responsibilities of renters and rental providers, making renting in Victoria fairer and safer.

9. Regulatory / accreditation standards

This policy meets the following regulatory and/or accreditation requirements:

Standard	Standard reference
Housing Registrar Performance Standards	Standard 1: Tenant and housing services (Determining and managing eligibility, allocation, and termination of housing assistance.)

10. Amendments to this Policy

This policy may be amended, terminated or replaced at Launch Housing's discretion. This policy will be reviewed, and updated as required, on a periodic basis.

In the event any related State or Commonwealth legislation changes, the legislation/directions will prevail to the extent of any inconsistency with this policy.

Amendments			
Date last approved:	11/10/2024	Date of effect:	11/10/2024
Date last amended:	02/10/2024	Date of next review:	11/10/2026
Owner:	Group Manager, Housing Services	Approver:	Executive Director, Housing Solutions
Audience:	Renters in all Long-Term properties owned or managed by Launch Housing, and staff managing these properties.		

11. Version Control

Version	Effective Date	Amended by	Approved By	Amendment
V1.0	11/10/2024	Group Manager Housing Services	Executive Director, Housing Solutions	First Version