

## 143 Link Wentworth Succession Policy

### 1. Customer Statement

At Link Wentworth our customers and communities are at the centre of what we do. We are committed to:

- treating our customers with compassion and respect
- communicating clearly so that our customers can make informed decisions
- providing fair service by following the right process
- working openly with customers to find shared solutions
- following all relevant laws and regulations

### 2. Purpose

This policy explains when an eligible household member with a satisfactory history of living in a Link Wentworth property may have the opportunity to succeed the tenancy.

### 3. Scope

This policy applies to Link Wentworth social housing tenancies only.

### 4. Policy

Succession of tenancy allows an approved household member to succeed the tenancy if:

- the tenant passes away
- the tenant permanently leaves the property to reside in a:
  - residential or supported care facility
  - corrections facility
  - the tenant has relocated to provide care to another person
- NSW Police reports that the tenant must leave and not access the property where a final apprehended violence order is obtained.

#### Eligibility

Household members applying for succession of tenancy (the applicant) must meet all of the following eligibility criteria:

- If you are the tenant's spouse or de facto, you must have been an approved household member for the past 12 months continuously or since the start of the tenancy if the tenancy is less than 12 months old.
- If you are a household member, you must be over 18 years of age and have been an approved household member for the past 12 months continuously or since the start of the tenancy if the tenancy is less than 12 months.
- If you are the appointed/applied legal guardian of an authorised member of the household who is under 18 years of age, you must agree in writing to live in the property and continue to provide housing for the minor.

- You must meet the social housing eligibility criteria. If you are the appointed/applied legal guardian of an authorised member of the household who is under 18 years of age and you do not meet social housing criteria, Link Wentworth may still approve your application for succession if we assess this to be in the best interest of the minor.
- You must have an income and be able to maintain the tenancy.
- You must have a history of satisfactory conduct when living in the household. Link Wentworth may approve an applicant who does not have a history of satisfactory conduct if they can demonstrate to our satisfaction that they have adequate support in place and they are able to maintain a satisfactory tenancy.

If Link Wentworth does not approve the succession application, we will issue a termination notice to end the tenancy. See the End of Tenancy policy.

### **Allocation**

If you are eligible for succession, one of our Team Leader's will decide to either:

- offer a tenancy for the current property or
- offer a tenancy for a different property because of one or more of the following property management considerations.

#### **Property Management Considerations:**

- The property is part of a specialist housing program, and the new tenant does not qualify for that program. For example:
  - Older person housing
  - Supported housing program
- The property has modifications or adaptations, and the successor does not require those modifications or adaptations
- The property is set aside for a particular client group and the successor is not a member of that client group
- The successor will under-occupy the property
- For management reasons (for example property is due for major work or redevelopment).

### **Refusal of Successor to Relocate**

Link Wentworth will issue a termination notice to end the tenancy if the tenant refuses to relocate following succession approval and the offer of an alternative property.

### **Timeframe**

You must apply for succession in writing within 28 days of the tenancy circumstances changing.

Link Wentworth will respond to your application for succession within 21 days.

Link Wentworth employees are required to perform their duties in accordance with this Policy and related procedures.

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*This Policy is subject to change at the discretion of Link Wentworth. A breach of any Link Wentworth policy may result in action being taken which may include disciplinary action.*

## 5. Responsibility

**Tenancy Managers** are responsible for performing their duties in accordance with this policy and related procedures.

**Divisional Managers** are responsible for proactively overseeing compliance with this policy and addressing any non-compliance by their direct reports in a timely manner.

**Senior and Executive Leaders** are responsible for ensuring the policy addresses its purpose, is able to be implemented, and is kept current and approved by the ultimate approving body in accordance with the required review cycle.

## 6. Definitions

**Termination Notice:** is a legal document that tells a tenant when and why they are required to move out of a property. Also known as a Notice of Termination (NOT).

## 7. Legislative or other applicable framework

- *Residential Tenancies Act (2010)*

## 8. Complaints and appeals

An Applicant for social housing who is not happy with a decision we make or who believes that we have not followed this policy can complain or appeal using the complaints and appeals policies that are available on the Link Wentworth website [www.linkwentworth.org.au](http://www.linkwentworth.org.au) or by phoning Link Wentworth on 9412 5111.

## 9. References

- End of Tenancy policy

## 10. Privacy and Confidentiality

Link Wentworth has obligations and responsibilities under its Privacy Policy. Please refer to the policy for further information.

## Approval, Policy Owner and Review Frequency

Policy type:	Management Level
ELT owner:	Chief Customer Officer
Business owner:	Head of Tenancy
Ultimate Approval body:	Chief Customer Officer
Review Frequency:	Every two years or more frequently if circumstances warrant.

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Approved by – Chief Customer Officer