

<b>DATE OF REVIEW</b>	<b>AUTHORISED SIGNATURE</b>
See Version Tracking Table	

**TITLE** **04.10 Housing Services Changing Needs of Tenant Policy**

**SCOPE** RQ Tenants

**POLICY** RQ recognises and responds to the changing needs of tenants in relation to the property they occupy and endeavours to meet their needs in the most appropriate way.

**PURPOSE** RQ will respond to and deal with the changing needs of tenants in a fair and flexible manner within the capacity of the organisation to do so. RQ will ensure that any responses to the changing needs of tenants are consistent with relevant legislation including the Residential Tenancies Act 2008, the One Social Housing System and its own organisational policies and procedures.

**DEFINITION** RQ - Roseberry Qld  
 General Manager also refers to Acting General Manager  
 Staff refers to all paid and unpaid workers  
 RTA – Residential Tenancies Authority  
 DHPW – Department of Housing and Public Works  
 LTCH – Long Term Community Housing  
 CMSU – Community Managed Studio Units  
 EEH– Employment and Education Housing  
 CAP – Crisis Accommodation Program  
 QCAT – Queensland Civil and Administrative Tribunal

**PROCEDURE** **04.10.01 Mutual Exchange**

1. RQ will approve mutual exchange of properties in the following circumstances:
  - a) Both households/tenants agree to and accept responsibility for the exchange
  - b) No major outstanding rent arrears or any other serious tenancy breach issue outstanding, unless the tenant can demonstrate that the exchange

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- would assist compliance with tenancy agreement and associated responsibilities as a tenant
- c) Tenants are responsible for all relocation costs including pest control if a pet dog/cat was on the premises, carpet cleaning, cleaning and gardening, and finalising the tenancy as per the 04.13 Housing Services Ending Tenancies Policy.
2. Opportunities for mutual exchange will be facilitated by RQ by:
    - a) Basic information provided in Tenant Information Kit
    - b) Housing Manager discussion with tenants and recording in tenant file notes in their tenancy file/RPM of their interest in pursuing a mutual exchange opportunity and for what reasons.
    - c) Housing Officers monitoring any requests and contacting the interested parties if a match is identified
  3. RQ will undertake a new tenancy sign up process for both tenants including:
    - a) Successful finalisation of previous ending of tenancy process
    - b) Completion of a new tenancy agreement and condition report
    - c) Bonds may be transferred and a new tenant file raised.

#### **04.10.02 Income Changes**

##### **1. *LTCH and CMSU***

- a) Where, during a tenancy, income increases per household, beyond the current income eligibility level, with the relevant State and/or Federal Government agency/ies, RQ will determine the most appropriate course of action, which considers both the needs of the tenant and that of RQ. Possible solutions may include but are not limited to e.g.:
  - Tenant may seek property ownership or private rental.
  - A 6-month period negotiated for the tenant to find other accommodation.

##### **2. *CAP & EEH***

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Not applicable due to the time limited nature of the housing type. However, EEH tenants will undergo annual rent reviews as per other program areas – please refer to 04.07 RQ Housing Services Rent Setting and Rent Review Policy.

#### **04.10.03 Changes in Household Composition**

##### **1. LTCH, EEH & CAP**

- a) If the household composition changes, the tenant is required to advise RQ changes to household composition includes:
  - Increase in household numbers (over utilisation)
  - Decrease in household numbers (underutilisation)
- b) Information about changes in household composition can be obtained through the rent review process or by the tenant advising RQ Housing Officers.
- c) If the household composition changes, the tenant may remain a tenant of RQ until appropriate housing is available, within a negotiated time frame and with consideration for the on-going viability of the property. Timeframes will be negotiated on a case-to-case basis.
- d) The tenant and RQ Housing Services staff will work towards a solution, which may entail the tenant moving to an appropriate property (e.g. another property belonging to RQ, a DHPW dwelling, private rental, home ownership or other suitable housing).

##### **2. CMSU**

These apartments are designed for one person only. Tenants entering into a permanent relationship are encouraged to discuss their changing needs with the Housing Officer and can ask to be listed for a larger property. In the short term, on a case by case basis and only with prior permission from the Housing Officer, tenants are allowed to remain as a couple in the apartment for 8 weeks only.

#### **04.10.04 Succession of Tenancy**

##### **1. LTCH**

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- a) A household member may apply to RQ to have the tenancy agreement transferred to their name if:
  - The nominated tenant dies
  - A relationship breakdown results in separation or divorce
  - A joint tenancy has been agreed upon
  - A carer remaining in a household after the tenant moves into a nursing home
- b) If the household member meets the eligibility and selection criteria the Housing Officer may agree to transfer the lease. The renewal of the transferred lease at the end of the tenancy will depend on the extent to which the new tenant meets the eligibility and selection criteria.
- c) If the household member does not meet the eligibility and selection criteria the Housing Officer may agree to a short-term lease for a fixed period to allow the household to relocate.
- d) If people sharing a RQ property separate and the tenancy is contested, both parties will be referred to dispute resolution to mediate a solution.

## **2. CMSU, CAP & EEH**

Succession of tenancy is not an option for any of these housing programs.

### **04.10.05 Medical or Health Considerations**

Refer to 04.02 RQ Housing Services Application and Allocation Process Policy for procedures on transfer of tenants due to medical or health considerations.

### **04.10.06 Domestic/Family Violence**

1. If a RQ tenant or household member experiences domestic violence, either from someone they are in a relationship with (including a spouse, partner, family member or carer) or someone they share the property with they can apply to relevant State and/or Federal Government agency {ies to:
  - Restrain the person who has committed an act of domestic violence from causing further damage or injury

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- Remove the name of the person who has committed an active of domestic violence from the tenancy agreement
  - Be listed as the tenant, or
  - End the tenancy agreement altogether.
2. It is important the RQ Housing Officers are made aware as soon as possible that the tenant/household member is applying to QCAT for an order. RQ Housing Officers will make the tenant/household member aware that they can apply for an order about their tenancy at the same time as applying for the Magistrates Court for a domestic violence protection order.
  3. In some instances, it may not be appropriate for a tenant to remain in a RQ property when domestic violence has occurred. It may be preferable for the tenant to be relocated to another area. If this is the case RQ will work with the tenant to find more appropriate and safe accommodation by:
    - a) Use of resource lists and contacts with other housing providers throughout the region and state
    - b) Provision of details of the current housing situation and why it is untenable (only with the permission of the tenant)
    - c) Provide a housing reference where the tenant has not breached the conditions of the tenancy
    - d) Maintaining the privacy and confidentiality of the tenant unless tenant permits disclosure of information
  4. RQ also respects the right of tenants to make their own choices regarding domestic violence.

#### **04.10.07 Property Modifications**

1. RQ will assist tenants who require their property to be modified due to ageing or disability.
2. RQ will refer tenants to the relevant agency to have their needs assessed (for example Community Health or DHPW Occupational Therapist) including what modifications are needed for the home.
3. RQ will liaise with the relevant State and/or Federal Government agency/ies and relevant external providers and make a decision based on the budget, whether the organisation can pay for the required modifications or whether another service should be approached to assist with the home modifications, for example the Home Assist Home Secure program.

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4. If tenants are able to afford the modification, and it is not going to cause any structural damage to the property approval shall be provided for the modification to be undertaken. As the tenant has paid for this modification, when / if the tenant leaves the property the modification shall be removed at the cost of the tenant and restored to its original condition, unless the modification is of benefit to the next tenants, whereby RQ will come to a financial arrangement to reimburse the vacating tenant for the modification to stay (where appropriate).

**ACCOUNTABILITY** RQ General Manager, Staff, Tenants

**EVALUATION METHOD** Tenant Surveys  
Tenant Exit Interviews  
Complaints and appeals register

**OTHER RELATED POLICIES / DOCUMENTS** The relevant State or Federal Government agency/ies  
Duration of Need Policy  
The relevant State or Federal Government agency/ies  
Community Housing Rent Policy  
04.03 Housing Services Eligibility Policy  
04.02 Housing Services Application and Allocation Process Policy  
04.11 Housing Services Referral Policy  
04.13 Housing Services Ending Tenancies Policy  
RQ Client Consent Form  
03.04 Client Privacy and Confidentiality of Information Policy

Policy Review and Version Tracking				
Review	Reviewed Date	Policy Amended: Yes/No	Approved By	Date Approved
1	26/05/2018	Yes	RCS Board	05/06/2018
2	November 2018	No	N/A	N/A
3	16/03/2020	Yes	RQ Board	27/06/2020
4	December 2020	No	N/A	N/A

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