

# VISITORS AND ADDITIONAL OCCUPANTS POLICY



## Purpose

ACHL tenants are welcome to have visitors stay at their property for up to four weeks. However, tenants are required to obtain prior written permission from ACHL for any additional occupants to live at their property for more than four weeks. This policy ensures ACHL can fairly apply tenancy charges and ensure adherence to lease conditions:

- Generally, all tenants living in dwellings owned or managed by Affordable Community Housing Limited (ACHL) are required to pay rent, water usage and other tenancy charges. These charges vary depending on the number of persons occupying the dwelling and their income (refer to ACHL Charging Rent Policy).
- The Residential Tenancy Agreement signed by the tenant at the start of the tenancy specifies the maximum number of persons who may occupy the premises. This number is determined by a range of factors relative to the type and location of the property, including health and safety issues, potential overcrowding and household composition. Clause 15.5 of the Agreement states that the tenant shall "not to cause or permit more people to reside in the residential premises than is permitted by this agreement."

## Visitors

A visitor is any person or persons temporarily staying with the tenant for up to four weeks (28 days). If a tenant wants their visitor to stay for longer, the tenant must apply to ACHL in writing before the four-week period has elapsed or as soon as possible after this:

- For visitor stays longer than 28 days but not longer than six weeks, the tenant must Apply to ACHL for an extension of visiting time.
- For stays longer than six weeks, the tenant must apply to ACHL in writing for the visitor to be approved as an additional occupant.

Visitors are not required to pay rent for the period of their stay. The tenant is responsible for the behaviour of all visitors to their property. Tenants have an obligation to abide by the conditions of their tenancy agreement, including being responsible for their own conduct as well as the behaviour of their visitors. (ACHL Neighbour Dispute and

Nuisance and Annoyance Policy).

## Assessing requests for additional occupants

A tenant may apply to ACHL for approval of an additional occupant by completing the request to house an additional occupant form available from ACHL offices or the website. ACHL may approve an application for an additional occupant if;

- The tenant's rent account is up to date
- Approval will not cause overcrowding (The tenant cannot apply for re-housing based on over-crowding if this is due to the additional occupant.)
- The additional occupant meets the criteria to live in social housing
- The additional occupant does not have a poor record of tenancy with ACHL
- The additional occupant is not a former unsatisfactory or ineligible former tenant
- ACHL is reasonably satisfied that a nuisance or annoyance will not occur by approving the additional occupant
- The new household composition is suitable for the type of property, for example, if an additional occupant wishes to live in a Senior Communities property, the composition must remain consistent with the objectives of Senior Communities
- The additional occupant does not owe any money to ACHL from a previous tenancy, or has made acceptable arrangements to repay the debt to ACHL
- If the additional occupant has finalised any current tenancy they have with a social housing provider.

If the proposed additional occupant needs housing in their own right, they will need to apply for housing separately and be placed on the housing waiting list.

A Senior Housing Manager has the authority to approve or decline the application to house additional occupants. If the application is approved, ACHL will re-calculate the rent subsidy based on the new household income. The tenant will be notified in writing of the outcome of the application. If the application is declined, the applicant may appeal the decision (refer to ACHL Appeals Policy).

Additional Visitors Policy - Adopted 19th April 2011

Providing secure, affordable housing to those most in need.

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## Failure to notify ACHL of an additional occupant

A non-approved additional occupant is any person or persons the tenant allows to live in their property who is not listed with ACHL as an additional household member. This includes visitors who live in the property for more than six weeks without prior approval from ACHL.

If the tenant does not apply in writing for permission to house an additional occupant and ACHL has reasonable grounds to believe there are non-approved additional occupants living at the property, ACHL may cancel the tenant's rental subsidy. The Housing Services Co-ordinator has the authority to cancel a rental subsidy, based upon possible rental subsidy fraud.

ACHL will notify the tenant in writing of the intention to take such action in accordance with ACHL's Charging Rent Policy.

If the rental subsidy is cancelled, the tenant will be required to pay market rent until such time as they provide original documents showing income details for each member of their household, aged 18 years and over. This will enable ACHL to re-calculate the rent and the rental subsidy, assuming the additional occupant is approved.

Proof of income must be original and can be:

- Information by the Centrelink Income Confirmation Scheme for pensions and allowances
- Income statement from Centrelink
- Income statement from the Department of Veterans' Affairs
- Payslip, letter of statement from the employer detailing gross wage, applicable tax deductions, pay period and payee details
- A profit and loss statement completed by an accountant, or a taxation return for self-employed clients.
- Letter or statement from an overseas government detailing the amount received
- Letter or statement from WorkCover or insurance company detailing the amount received
- Letter or statement from an investment organisation, about savings/investments etc, providing details of the amount or dividend received.
- Letter from another organisation or income provider (not listed above), detailing the amount and type of income received.

The type of evidence must correspond to the type of income (e.g. Centrelink payment must be proven by a Centrelink Statement). Separate evidence must be presented for each type of income e.g. in households where one member received a Centrelink payment and another receives a wage. Documents must not be more than one month old on the date they are submitted, with the exception of tax returns which must not be more than 13 months old.

Tenants, who fail to supply income details by the due date for return, as stated in ACHL's written request for information, will not be eligible for a rent subsidy and will be required to pay market rent.