

C1.5 Visitors and Additional Occupants Policy



1. Purpose

The purpose of this policy is to provide the guidelines for Common Equity tenants and Co-operatives in situations where members/tenants have persons who are not members of the household residing in the property.

- 1.1. Friends and relatives who visit members/tenants of the landlord for social or holiday purposes are not regarded as additional occupants. They are regarded as visitors. They can stay in the property for up to 28 days without notifying Common Equity or the Co-operative. However, specific nature of the Co-operative may be considered to reject tenant's visitors. For example, a Co-op with a target group to house single women and single women with children may not approve a male visitor regardless of the relationship to the tenant.

2. Scope

- 2.1. This policy applies to all tenancies managed by CENSW and Co-operatives.

3. Definitions

- 3.1. **Landlord** -the person who grants the right to occupy residential premises under a residential tenancy agreement.
- 3.2. **Co-operative** - governance structure where residents become 'members' of the cooperative and play an active part in running the organisation.
- 3.3. **Tenant** -the person who has the right to occupy residential premises under a residential tenancy agreement.
- 3.4. **A Visitor** – is a person who is not a member of the household approved by the landlord at the beginning of the tenancy.
- 3.5. **An Additional Occupant** – is any person that the member/tenant allows to live **indefinitely** in their home who is not listed as a household member on the tenancy agreement and is approved by the landlord.
- 3.6. **An Unauthorised Occupant** – is a person living in a property managed by the landlord without the landlord's permission.

4. Responsibilities

- 4.1 Head of Co-operative Services – to ensure this policy and associated procedures are applied and committed to by the Co-operative Support Team
- 4.2 Co-operative Support Team Manager – to provide the team with timely policy-related support and guidance, to ensure familiarity with this policy and related procedures, to commit to following them accordingly and where relevant, promote the policy to their team.
- 4.3 Co-operative Support Team Officer – Provide tenant with appropriate information in relation to being absent from their property

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5. Additional Occupants

- 5.1. Members/tenants need to lodge a written application to Common Equity or the Co-op for permission before allowing an additional occupant to live with them. (If they do not, the additional person will be considered an unauthorized occupant).
- 5.2. The Co-op or Common Equity will base its decision on approving the application for additional occupancy on this policy.
- 5.3. The Co-op or Common Equity will acknowledge the application of the tenant/member in writing outlining any specific obligations regarding the additional occupant, including additional rent payments
- 5.4. The specific nature of the Co-operative will be taken into account when assessing the additional occupancy application. For example, a Co-op with a target group to house single women and single women with children may not approve a male additional occupant regardless of the relationship to the tenant.

6. Visitors

- 6.1. A visitor can stay in the property for up to 28 days. After that period, the visitors need to be approved by the landlord to stay longer up to a maximum of 3 months.
- 6.2. Members/tenants must apply to the Co-op or Common Equity before allowing visitors to stay with them. The specific nature of the Co-operative may be considered to reject a tenant's visitors. For example, a Co-operative with a target group to house single women and single women with children may not approve a male visitor regardless of the relationship to the tenant.
- 6.3. The maximum length of stay by visitors **authorised** by the co- op is up to 6 weeks with a possible 6-week extension.
- 6.4. The member/ tenant is responsible for the behavior of visitors who stay.
- 6.5. It is the responsibility of the tenant housing the visitor to ensure they do not overstay their visit. It is a breach of the residential tenancy agreement to have additional occupants without the permission of the landlord.
- 6.6. A member/tenant may apply to include visitor/s as an additional occupant.
- 6.7. In most cases the application for visitors to be included as additional occupants will be approved if –
 - 6.7.1. It does not cause overcrowding, and
 - 6.7.2. The additional occupant does not have a poor tenancy record, and
 - 6.7.3. The household composition is suitable for the type of property. For example, if an additional occupant wishes to take up residency in a Seniors Community property the landlord will only approve the application if the composition remains consistent with the objectives of the community, and
 - 6.7.4. The additional occupant does not cause a nuisance

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- 6.8. If landlord approves the application, and a visitor stays more than four weeks, the rental subsidy will be re-calculated based on the new total household income or Market Rent may apply.
- 6.9. If the landlord refuses the application the visitor will not be entitled to stay.
- 6.10. If members /tenants have an unauthorised additional occupant or visitor living with them, their rental subsidy may be cancelled, market rent applied, and this can also be the reason to end the tenancy.
- 6.11. If the landlord does not approve an application for a visitor or an additional occupant, members/tenants can ask for the decision to be reviewed.

7. References

- 7.1. Residential Tenancies Act 2010
- 7.2. C1.7 Rent Policy

Name, Designation and Signature of Approver	Head, Cooperative Services (HCS)
Contact/Responsible Delegation	Cooperative Support Team (CST) Manager
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