

WINTRINGHAM HOUSING ASSIGNMENT POLICY

Contents

Purpose.....	2
Policy Statement.....	2
Commitment.....	2
Scope.....	2
Definitions.....	2
Responsibilities.....	3
Tenancy Manager.....	3
HHS Manager.....	3
Tenancy Management Workers / HHS Workers.....	3
GMHCS.....	3
Procedure.....	3
Request for Assignment.....	3
Unsuccessful Requests.....	4
Considerations.....	4
Evidence.....	5
Legislation & Standards.....	5
Resources.....	5
Related Documents.....	5
Authorisation.....	5
Review Date.....	5



Purpose

This policy will detail the arrangements, processes and considerations for assignment of a tenancy from one renter to another household member that is already on the rental agreement.

Policy Statement

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.

Applications for assignment may be made when an existing renter intends to vacate the property or passes away and other household member/s wish to remain living in the property.

In order for a successful assignment to occur, the applicant must satisfy the considerations and eligibility requirements as detailed in this policy.

Commitment

Wintringham is committed to:

- providing long-term, secure housing to people who are eligible for our services
- considering individual circumstances of anyone applying for the reassignment of a rental agreement, if they are not the primary person on the rental agreement
- complying with sector performance standards and demonstrating capacity to manage a viable social housing business.

Scope

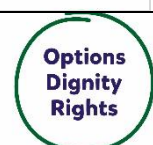
This policy applies to all long-term rental properties owned or managed by Wintringham Housing in Victoria and Tasmania.

This policy applies to existing renters of the property, who are not listed as the primary rental agreement holder.

For renters requesting to transfer to another Wintringham Housing property, refer to [Wintringham Housing – Housing Transfers \(TMM 1.7\)](#).

Definitions

Applicant	A person who has applied for housing via the VHR / HR (Tas) or, with reference to assignment, a person who has applied directly to Wintringham Housing for assignment in line with this policy.
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.
HHS	Housing and Homelessness Support
GMHCS	General Manager Homelessness and Client Support
Household Member	Any person other than the existing renter/s who has been living in the property.



Rental Agreement	The lease under the <i>Residential Tenancies Act 1997</i> , which sets out the rights and duties of the renter/s and the rental provider.
Rental Provider	Also known as the landlord, is the entity that owns or manages the property.
Renter	The person/s listed on the Rental Agreement, who hold tenancy rights and responsibilities in line with that agreement with Wintringham Housing and the <i>Residential Tenancies Act 1997</i> .
VHR / HR	The 'Victorian Housing Register' is the state-wide application for people seeking public housing and community housing and the 'Housing Register' (Tasmania).
Wintringham Housing	Refers to both Victoria Wintringham Housing owned and managed and Tasmania Wintringham managed properties unless stated.

Responsibilities

Tenancy Manager	Ensures the property is being fully utilised based on suitability, modifications and housing programs.
HHS Manager	Ensures that a request for assignment on the rental agreement is a reasonable request.
Tenancy Management Workers / HHS Workers	Provide support to the renter and may also provide support or assistance to the applicant to access other supports such as advocacy services, if the applicant is not a Wintringham client.
GMHCS	If the applicant appeals a decision in writing, the GMHCS will review and provide decision based on the supporting information provided.

Procedure

1. Request for Assignment

- 1.1 Any household member seeking to be assigned a tenancy may contact Wintringham Housing to make this request, either verbally or in writing. A written request should address each of the considerations in section 3.

If a verbal request is made, a staff member will interview the applicant and ask for details that relate to these considerations detailed in section 3.

- 1.2 A request for assignment should be submitted to Wintringham Housing as soon as possible. For example, if the existing renter is vacating, the applicant should apply as soon as they are aware that the existing renter/s are intending to vacate.
- 1.3 To consider the request, the details of any other proposed household members will be required.

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- 1.4 All personal circumstances of the applicant will be considered with reference to the considerations outlined in section 3.
 - 1.5 A response will be provided to the applicant within two weeks of an application being made.
 - 1.6 The response will be in writing detailing the outcome along with reasons for the decision.

2. Unsuccessful Requests

- 2.1 If the request is unsuccessful, Wintringham Housing will discuss other possible housing and support options with the applicant.
- 2.2 Where an application meets the criteria but is not successful, the applicant may appeal the decision by contacting the GMHCS in writing. If upon review the decision still stands, the applicant will be provided with details of relevant legal services and other support services as required.
- 2.3 If the application is unsuccessful and the renter/s is intending to vacate or is no longer living in the property, the applicant will also be expected to vacate.

3. Considerations

- 3.1 An application for assignment will be assessed with reference to the following factors:

3.1.1 Connection to Property

The connection of the applicant to the property will be considered, including the length of time the applicant has 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, these circumstances will be considered.

3.1.2 Mission Alignment (Victoria only)

If the applicant is not on the VHR and does not meet the [VHR eligibility criteria](#), Wintringham Housing will consider the impact that approving the application would have on their ability to meet Wintringham's mission, and obligations to the Victorian Housing Registrar and Homes Victoria to house eligible low-income households.

3.1.3 Property Suitability and Utilisation

Wintringham Housing follows housing size guidelines to ensure properties are well utilised, and the number of people occupying properties is appropriate for the property size. Some properties may also have a minimum rent required to support the financial viability of the housing program.

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.

3.1.4 Promoting Successful and Sustainable Tenancies

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

4. Evidence

Wintringham Housing will consider any evidence an applicant provides with an application related to the considerations above and may request further evidence to assist in assessing the application.

Legislation & Standards	Residential Tenancies Act 1997 (Vic) Residential Tenancies Act 1997 (Tas) Housing Act 1983 (Vic) Performance Standards for Registered Housing Agencies (2015)
Resources	DFFH- Victorian Housing Register Operational Guidelines Legal agreements between Wintringham Housing and the Director of Housing relating to the VHR
Related Documents	TMM 1.7 Wintringham Housing - Housing Transfers
Authorisation	This policy has been authorised by General Manager Homelessness and Client Support – January / 2025
Review Date	January / 2028

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