

Assignment Policy



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1. Purpose

The purpose of this policy is to outline the process and considerations for assigning a tenancy right from one renter to another household member.

2. Scope

This policy applies to all long-term rental properties owned or managed by WHL. This policy does not apply to Transitional Housing properties.

3. Policy

Assignment of tenancy occurs when the rights and responsibilities under a rental agreement are transferred from the existing renter to another household member. For example, a renter may pass away and a household member wishes to continue living at the property.

This policy does not apply to circumstances where the existing renter is remaining at the property and wishes to add another renter to the rental agreement. To facilitate this, renters should contact their Tenancy Officer.

WHL provides long-term, secure housing to people in line with our charitable mission, vision and values. The individual circumstances of anyone applying for assignment will be considered. Other considerations will include the need to ensure housing is made available in a fair and transparent manner to those in need of housing registered on the VHR.

4. Process

1. Any applicant seeking to be assigned a tenancy should contact WHL to make this request, ensuring they address all of the key considerations listed below
2. WHL will collect this information including the details of any other proposed household members
3. The Tenancy Services Manager will liaise with the Tenancy Officer to consider the application, including all personal circumstances of the household member
4. WHL will notify the applicant of the outcome of their application. If unsuccessful, WHL will provide other housing information to the applicant.
5. The applicant has a right to appeal a decision in line with WHL's Complaints and Appeals Policy and will be provided with information about relevant legal or advocacy services
6. If the application is successful, WHL will contact the renter to commence the correct paperwork to finalise the rental agreement

5. Considerations

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

5.1 Eligibility

The applicant will need to meet the eligibility criteria for the Victorian Housing Register (VHR) and have a current application lodged. WHL can assist with

5.2 Impact on the applicant and their family

WHL will consider any negative impacts on the applicant and their family if the application were to be denied. This includes considering any resulting hardship and the impacts on health, wellbeing of children, connection to family and connection with community and culture.

5.3 Connection to the property

The connection of the applicant and their family to the property will be considered, including the length of time the applicant has been living at the property. It is expected that any applicant would have already been approved as a household member and their income will have been previously included in the assessment of household income for rent calculations.

5.4 Property suitability

WHL follows housing size guidelines to ensure the number of occupants is appropriate for the property size. WHL will also consider whether the property is part of a targeted program (e.g., for older renters or renters experiencing family violence).

5.5 Affordability of the property

Some properties may be 'Affordable Rent' properties which utilises a different rent model than 'Social Rent' properties. If this is the case, the rent may be charged based on 74.99% of the Market Rent, instead of based on income. If the property is unaffordable for the applicant, it will not be approved.

5.6 Promoting successful and sustainable tenancies

WHL is committed to establishing successful and sustainable tenancies. The applicant's ability to maintain the tenancy will be considered. This will include the commitment of the applicant to pay rent, to not engage in anti-social behaviour and to take reasonable care of the property.

6. Evidence

WHL will consider any evidence an applicant provides in relation to the considerations above and may request further evidence if required.

7. Relevant legislation and documents

- Residential Tenancies Act 1997 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Performance Standards for Registered Housing Agencies
- DFFH Victorian Housing Register Operational Guidelines
- Residential Rental Agreement