

Under Occupancy

T1

Policy context: This policy relates to Section 148 of the *Residential Tenancy Act 2010*

POLICY STATEMENT

I. Purpose

The purpose of this policy is to clarify responsibilities under Section 148 of the *Residential Tenancy Act 2010* in relation to SCH managed properties.

II. Definitions

- Under Occupancy refers to properties where there is more than one extra bedroom than required by the occupants of the tenancy under the SCH Allocation Policy.
- A Reasonable Offer is one that is in accordance with the SCH Allocation Policy.

III. Coverage

This policy applies to all SCH managed properties.

IV. Principles

SCH is committed to house tenants in the most suited dwelling to the household need and to maximise the use of housing stock. While SCH recognises a tenant's connection to their home, it is also important that we give the same opportunity and consideration to other families who are waiting for housing.

Under occupancy can occur due to a change in tenant circumstances (eg, a child leaving home), or due to more suitable accommodation becoming available. Approval for additional rooms may be given where a tenant provides written evidence of the need due to:

- a disability, for equipment storage,
- serious illness necessitating a live in carer,
- confirmed shared access to children (3 or more nights per week only), or
- Aboriginal tenants, consistent with Housing Pathways policy.

Exceptions will only be considered where there is available housing.

Reasons such as visiting family or friends or having lived at the property for a number of years will not be considered.

Where an under occupied property is identified and additional room/s are not approved, SCH may request the tenant to move to a new property more suited to their household size.

A tenant in an under occupied property will be given 2 reasonable offers. If a tenant declines those offers SCH may, at the discretion of the Chief Executive Officer, exercise our right under section 148 & 149 of the NSW *Residential Tenancies Act 2010* to terminate the tenancy.

Tenants have a right of review of decisions made under this policy.

V. Responsibilities

Regional Managers have a responsibility to identify under occupied property and manage transition of tenants to a more suitable property.

DOCUMENTATION

Documents related to this policy	
Related policies	T7 Allocations
Other related documents	