

## Occupants & Visitors – Factsheet

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Tenants may have visitors stay with them at their property for a temporary period of up to 28 days or no more than 3 nights per week on a recurring basis. Tenants must apply for the visitor to be approved as an additional occupant if they wish to stay longer.

Any other persons that are not declared visitors by the tenant, allocated to the property through formal allocations process, or approved as additional occupants will be considered unauthorised occupants or squatters.

### **Definitions:**

*Visitors:* A visitor is a person who temporarily stays with a tenant for up to 28 days or no more than 3 nights per week on a recurring basis.

*Additional Occupants:* An additional occupant is a person who is not on the lease at the commencement of tenancy and has obtained written approval from Ecclesia Housing Limited to become a member of the household and their income is assessed for rent subsidy purposes.

*Unauthorised Occupants:* An unauthorised occupant is a person who has lived in an Ecclesia Housing Limited property for more than 28 days or more than 3 days per week, and has not been approved by Ecclesia Housing Limited as an additional occupant.

*Squatters:* A squatter is a person that is neither a visitor, additional occupant nor an unauthorised occupant that occupies unlawfully an uninhabited Ecclesia Housing Limited property or without the consent of the tenant.

### **Procedure:**

Tenants must apply for permission in writing for an additional occupant to stay at their property. This application must include all personal details, income and assets.

The following will be taken into consideration when assessing additional occupant applications:

- Relevant policies, guidelines, legislation or leases that relate to the property;
- Whether the additional occupant will cause severe over-crowding;
- Whether the additional occupant owns property in which they can live;
- Whether the additional occupant has a poor record of tenancy with Ecclesia Housing Limited, other community housing providers or Housing NSW and is a unsatisfactory or

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ineligible former tenant;

- Ecclesia Housing Limited is reasonably satisfied that noise, nuisance or other social issues will not occur by allowing the person as an additional occupant;
- Whether the household composition is suitable for the type of property;
- If the additional occupant has an existing tenancy with Ecclesia Housing Limited or another community housing provider, documented evidence must be provided to Ecclesia Housing Limited to show that the tenancy is finalised;
- Whether the tenant has tenant debts with Ecclesia Housing Limited and a repayment agreement has been entered into.

Ecclesia Housing Limited will assess all applications for additional occupants and a letter advising the tenant of the outcome of their request will be sent within 28 working days, unless further documentation has been requested.

If approved, the new person will become an approved member of the tenant's household and the rent subsidy will be re-calculated based on the new household income. If the application is declined, and the proposed additional occupant is already living with the tenant and has exceeded a period of 28 days or stays at the property for more than 3 days per week, the proposed additional occupant will become an unauthorised occupant. Ecclesia Housing Limited will then formally request that the unauthorised occupant vacate the property and/or take relevant action under the Residential Tenancies Act 2010 or contact the police.

### ***Unauthorised Occupants:***

If Ecclesia Housing Limited receives reports of unauthorised occupants living in an Ecclesia Housing Limited property, this will be investigated. If unauthorised occupants are found to be living in an Ecclesia Housing Limited property, Ecclesia Housing Limited will give the tenant 14 days to either submit a request for the person/s to become an additional occupant or for the person/s to vacate the property.

If the unauthorised occupant does not leave the property, Ecclesia Housing Limited will take relevant legal action under the Residential Tenancies Act 2010 or contact the police.

### ***Squatters:***

Ecclesia Housing Limited will contact the police if squatters are found to be staying in an Ecclesia Housing Limited property.

### **Complaints and appeals**

A tenant who is not happy with a decision made by Ecclesia Housing Limited or who believes that Ecclesia Housing Limited has not followed this policy can complain or appeal using the complaints and appeals policies. <http://www.ecclesiahousing.org.au/tenant-services/complaints>