



## Eviction Policy

### Policy Intent

For many people experiencing economic, social or other disadvantage, public housing offers the best opportunity to achieve and maintain good housing outcomes. Losing the right to live in public housing may have negative impacts on the individual's or family's health and well-being. Housing Tasmania strives to maintain tenancies wherever possible.

For this reason, eviction from public housing will only be considered as an option where a serious breach has occurred. That is despite intervention, the tenant remains unable or unwilling to sustain their tenancy according to their obligations.

Eviction may also be pursued as a final option if a tenant has refused to transfer to alternative accommodation and Housing Tasmania requires vacant possession of the property because it will be redeveloped, sold, renovated or used for another purpose.

### What is a Breach

A breach is where a tenant has acted in such a way that they have not met the terms and conditions of their lease. Eviction will only be considered in cases of serious breaches. Serious breaches include:

- Actual or threatened violence to others;
- Severe damage to the home by the tenant family or visitors;
- Repeated and persistent failure to pay rent on a regular basis;
- Causing extreme or repeated nuisance or annoyance to neighbours;
- Persistent failure to keep the property clean and tidy.

### Appropriate circumstances

The appropriateness of eviction will be assessed in each case, taking into account the circumstances of the breach, the health and well-being status of the tenant household, linkages to support services and the availability of alternative housing.

### Fair procedure

Fair procedures will be followed in every case where eviction is being considered.

### Continued Intervention

Housing Tasmania will continue to encourage the tenant to remedy their breaches after eviction action has been commenced. If eviction becomes inappropriate at any stage in the proceedings prior to delivery of vacant possession, eviction action will be stayed or withdrawn.



## **Cost recovery**

Eviction costs incurred by Housing Tasmania will be recovered from the tenant, except in cases where Housing Tasmania has commenced proceedings inappropriately or where Housing Tasmania considers it appropriate to waive these costs.

## **Re-entry**

Applicants who have been evicted from public rental housing will be considered for re-housing on a case by case basis.

For further information relating to this policy please email the helpdesk [housing.policyhelpdesk@dhhs.tas.gov.au](mailto:housing.policyhelpdesk@dhhs.tas.gov.au)