



## Leases Policy

### Policy Intent

Housing Tasmania recognises that for many people, public housing offers the best opportunity to achieve good housing outcomes because this tenure option allows them to develop a sense of ownership and control over their housing.

For this reason, Housing Tasmania will provide most public housing tenants with a home to live in for as long as they require assistance.

### Choice

Tenure rights are determined by the terms of the lease and Housing Tasmania offers public rental tenants the choice of two lease types:

- fixed term
- non fixed term

### Appropriate in all the circumstances

The appropriateness of the type of lease will be assessed in each case, taking into account the circumstances of the household and the type of home they are renting.

### New Tenants - Fixed Term Lease

Housing Tasmania will offer all new public housing tenants an initial lease for a fixed-term of up to six (6) months. A new public housing tenant is someone who has applied for public rental housing, been approved as eligible, and has accepted an offer of a home.

Transfer applicants are not treated as new tenants.

### Non-Fixed Term Lease for existing tenants

After the first 6 months of the tenancy, Housing Tasmania will provide most public housing tenants with a home to live in for as long as they would like by offering a non-fixed term lease. If a tenant would prefer to continue with a lease of fixed term, this can be arranged through their Tenancy Officer.

Some tenants may be required to enter into further fixed term leases due to previous issues relating to their tenancy.

Although Housing Tasmania may provide tenants with a home to live in for as long as they need, tenants may not live in the same property for the duration of their public housing tenancy.

### Exceptions - breaches of lease

New tenants, who fail to reasonably comply with the conditions of their lease during the initial 6 months, may be offered an extension of their lease for another fixed term, instead of progressing to a non-fixed term lease. For very serious or repeated breaches progression to a new lease may not be offered.



## **Exceptions - specific home types**

For a small number of tenants occupying specific types of homes, Housing Tasmania will use a lease of fixed term for the entirety of the tenancy. Effected homes are:

- Community Tenancy homes
- Headleased homes
- Certain Youth Specific homes

## **Comply with lease**

Tenants must reasonably comply with the conditions of their lease as a part of ensuring long term housing with Housing Tasmania.

## **Succession of tenancy**

If the legal tenant ceases to reside in the home, leaving the premises in the care of other household members, Housing Tasmania may transfer the tenancy of the home to some or all of the remaining household members.

Each case will be considered, taking into account the circumstances of the remaining household members and the impact of the tenancy on their health and well being.

## **Responsibilities**

Tenancy Officers have the responsibility for signing tenants onto leases and signing leases as a representative of the Director of Housing.

## **Fair procedure**

Fair procedures will be followed in every case where Housing Tasmania makes a decision about which type of lease the tenant will be offered or about a tenancy being transferred to a person other than the legal tenant.

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