

# mangrove housing factsheet

## unapproved occupants

**Only the persons named on a Residential Tenancy Agreement (lease) may live in a Mangrove Housing property.**

Mangrove Housing will not infringe upon a tenant's right to have guests and visitors, however, if a guest stays at the property for longer than four weeks, they may be considered an 'occupant', depending on individual circumstances. If another person lives in the property for a period of time over four weeks, and approval has not been sought, it may be considered that the tenant has an 'unapproved occupant' in the property.

As a tenant, if you want another person to move into your home (even on a temporary or part-time basis) you must obtain approval from Mangrove Housing before the person moves in. We will ensure you understand all the ramifications of this, including any adjustment to rent.

All tenants who may have a guest staying with them should be aware of the following:

- The number of persons approved to reside at the property (approved occupants) is agreed to and recorded on the tenant's lease.
- You are able to have friends or family stay overnight or for a short term period. However, all short term visitors must have another primary place of residence to be fairly considered a 'visitor' rather than an 'occupant'. If needed, we may seek evidence that the visitor has a primary residence elsewhere.
- You must not receive any money as "rent" from the visitor. This is considered sub-letting.

If you want to apply for another person to move in, you need to firstly receive approval from Mangrove Housing.

We commit to tenants that we will act in a fair and reasonable way if it appears that a residence may have an unapproved occupant living there. In this instance, we will take the following steps:

- We will talk openly and honestly with you and ask whether there is another person living in the property, and why.
- If someone has moved in without prior approval, we will discuss whether you wanted someone to move in because of any concerns you have, such as safety concerns, health issues where a carer is required, etc.
- We will discuss whether a transfer to a different property may be a better option you.
- If the unapproved occupant had nowhere else to go, we will provide housing options and advice.

If necessary and the occupancy situation cannot be resolved, you may receive a Notice to Remedy Breach.

It is important for all tenants to be aware that if an unapproved occupant does not vacate the property prior to the expiration of the Notice to Remedy Breach, the rent subsidy will be removed. This means that rather than paying rent calculated on a percentage of income, the tenant will be charged full market rent for the property.

Mangrove Housing will talk to all tenants to ensure they fully understand the ramifications of having an unapproved occupant living in their home, if the person does not move out. If the tenant still has an unapproved occupant living in the property after the above steps have been taken, a Notice to Leave the property may be issued to the tenant.

## complaints and appeals

If an applicant or household member does not agree with a decision Mangrove Housing has made, they can lodge an appeal asking that the decision is reconsidered. To do this, they can submit their appeal in writing, detailing the reasons they believe the decision made was not the correct one. The appeal can be handed in to the office, sent via post or emailed to [reception@mangrovehousing.com.au](mailto:reception@mangrovehousing.com.au)

The applicant or household member may also phone Mangrove Housing with their appeal if this is easier for them than lodging an appeal in writing.

If a person is not satisfied with a service provided by Mangrove Housing, they can lodge a complaint. They could also choose to contact:

- The Residential Tenancies Authority on 1300 366 311
- QSTARS, which is a free independent advice and referral service for all Queensland renters, on 1300 744 263.
- The local Department of Housing and Public Works' Housing Service Centre. Numbers can be found at <https://www.qld.gov.au/housing/public-community-housing/housing-service-centre/>