

Occupancy and Absences Policy (New Zealand)

1. Purpose

To define HOME in PLACE (New Zealand) Limited (HOME in PLACE NZ) approach to ensure properties are not left vacant for long period of time and that properties are occupied by the tenant named on the tenancy agreement.

2. Scope

This policy applies to all tenant of HOME in PLACE NZ.

3. Policy Statement

HOME in PLACE NZ recognises that social housing is a limited resource and in high demand. HOME in PLACE NZ expects tenants to live in their property in accordance with their obligations under the *Residential Tenancies Act 1986* and their tenancy agreement. To ensure HOME in PLACE NZ meets its obligations as a social housing provider it is essential that properties are not left vacant by tenants for long periods of time.

Absences from property

In accordance with section 6.5 of the tenancy agreement if a tenant will be, or intends to be, absent from the premises for more than 28 days, the tenant is required to notify HOME in PLACE NZ, by calling their local HOME in PLACE NZ office, and the MSD by their local Work and Income New Zealand office. Tenant must make this notification even if other members of the household remain at the property.

Occupancy of property

HOME in PLACE NZ expects tenants to personally occupy the property during their tenancy. HOME in PLACE NZ acknowledges that a tenant's circumstances may change during their term of their tenancy, if there is any change in circumstances that impact the tenant's ability to occupy the property, they are required to notify HOME in PLACE NZ.

Visitors

A visitor is a person who temporarily stays at the property at the invitation of the tenant. Tenants are entitled to quiet enjoyment for the property while they are renting it, this includes having visitors, including those who may stay at the property for a short period of time. If a tenant wants their visitors to stay for longer periods, they should contact HOME in PLACE NZ to discuss this, having visitors in the property for longer periods could impact the rent paid. Tenants are responsible for anything done or

omitted to be done by any person who is on the property with the tenant's permission, this includes visitors and occupants.

Additional occupants

Tenants are allocated properties based on their household size and rent is charged based on combined household income. When a tenant signs a tenancy agreement the agreement states the maximum number of people who can occupy the property. This number is based on a number of factors including the type and location of the property, including health and safety issues, household composition including age and gender of household members.

When a tenant wants to add a person to the household, they are required to obtain consent from HOME in PLACE NZ prior to any person moving into the property. HOME in PLACE NZ will assess applications and notify the tenant of the outcome of their request.

Review of decisions

If a tenant does not agree with a decision HOME in PLACE NZ has made, they should first discuss this with a Tenancy Relations Officer. If the tenant is still dissatisfied, they may be able to require a formal review of the decision. HOME in PLACE NZ staff will provide tenants with information on their rights of appeal/review. HOME in PLACE NZ will also provide tenants with contact details for services who provide independent tenancy Advice.

4. Responsibilities

All HOME in PLACE NZ workers have an obligation to:

- familiarise themselves with and ensure they have a clear understanding of HOME in PLACE NZ policies and procedures,
- observe and implement such policies, and associated procedures in delivering services to HOME in PLACE NZ clients,
- inform HOME in PLACE NZ's clients of the impact of this policy on them and assist them to understand their rights and obligations, as required,
- identify issues that require amendment to this policy document and complete the relevant documentation to propose any amendments, and
- report breaches of HOME in PLACE NZ's policies or procedures.

The relevant Group Executive Manager is ultimately responsible to:

- ensure all stakeholders within their area of responsibility are informed about HOME in PLACE NZ Policies and Procedures,
- ensure appropriate processes and controls are implemented to enable the correct application of and adherence to relevant policies and procedures, and
- ensure appropriate processes and controls are implemented to enable breaches of approved HOME in PLACE NZ's Policy and Procedures to be reported and managed.

5. Implementation and Review

This policy is listed on HOME in PLACE NZ's Controlled Documents Register and is a controlled document requiring approval of any changes. It may not be amended or shared outside HOME in PLACE NZ without approval. The policy is reviewed regularly and published on HOME in PLACE NZ's SharePoint intranet once approved. Employees receive communications and, if necessary, training on new and reviewed policies and procedures.

HOME in PLACE NZ complies with relevant contractual compliance obligations and jurisdictional laws and regulations when implementing this policy. Confirmation of internal compliance with this policy is undertaken regularly.

It is the responsibility of HOME in PLACE Group Executive Services to maintain and update the HOME in PLACE NZ's Master Policy Document, Policy Directory and the Policy Review Register, administer the review and approval process and inform and distribute new and amended policies and procedures once approved (refer PROC-011 Policy and Procedure Development Approval).

HOME in PLACE NZ Workers should refer to SharePoint Company Documents Policy and Procedure site for the latest version which takes precedent over any uncontrolled version. If this document is printed, downloaded, or saved elsewhere from this site it becomes an uncontrolled version.

For further information contact the Responsible Officer listed under Document Information.

6. Resources and related documents

Related documents

- POL-8019 Home in Place NZ Privacy Policy
- POL-8025-38 Home in Place NZ Ending a Tenancy Policy
- Application for additional occupant

Related legislation/standards

- [Residential Tenancies Act 1986](#)
- [Residential Tenancies Regulations](#)
- [Residential Tenancies Amendment Act 2020](#)
- [Human Rights Act 1993](#)
- [NZ Bill of Rights Act 1990](#)
- [Privacy Act 2020](#)
- [Public and Community Housing Management Act 1992](#)
- [Public and Community Housing Management \(Community Housing Provider\) Regulation 2014](#)
- Community Housing regulatory Performance Standards and Guidelines

7. Definitions

Please refer to HOME in PLACE NZ Glossary of Definitions for Policies and Procedures. Terms and definitions identified below are specific to this policy and are critical to its effectiveness:

Term	Definition
Appeals	An appeal is defined as ‘any expression of dissatisfaction with a decision made by a social housing provider to provide or not provide a service (such as housing, transfer or priority on the housing register) or, a decision relating to a tenant or service user’s dissatisfaction of a decision made by the organisation. An application for a decision to be reversed or overturned. Includes but is not limited to: • Allocation decisions; • Level of rent or rent subsidy; • Eligibility for a housing transfer; • Permission to undertake modifications; • Permission to keep pets; • Calculation of water charges;
Complainant	Person with a Complaint ongoing with HOME in PLACE.
Complaints	An expression of dissatisfaction with an aspect of the services provided by HOME in PLACE NZ, where the complainant is unhappy with the standard or type of service. Types of Complaint include: <ul style="list-style-type: none"> • Where HOME in PLACE NZ have failed to provide or there has been a delay or problem in providing a service; • Where HOME in PLACE NZ have failed to follow or have been unfair or inconsistent in applying our policies or procedures. • Where HOME in PLACE NZ have failed to keep Tenants informed, through lack of or insufficient information • Where there has been inappropriate behaviour or attitude from a HOME in PLACE NZ worker or independent contractor.
Director	Has the same meaning as defined in the Companies Act 1993 Part 1 Section 2 Interpretation .
Employee	A person engaged under an employment agreement or award by any company in the HOME in PLACE Group.
Executive Manager	Many positions within HOME in PLACE include the title “Executive Manager”. Regardless of whether an Executive Manager heads a Business Unit, the delegated authority of each Executive Manager depends on the functions and reporting relationship of the Business Unit for which the Executive Manager is responsible. Executive Managers should refer to the document HOME in PLACE Organisational Chart in Terms of Levels of Delegated Authority for confirmation of the band of authority they hold.
HOME in PLACE (New Zealand)	HOME IN PLACE (NEW ZEALAND) LIMITED (formerly Compass Housing Services (NZ) Co Ltd) is registered in New Zealand under the Companies Act and as a charity registered with Charities NZ under the Charities Act
HOME in PLACE Group	The corporate structure that includes HOME in PLACE (as the Parent Company) and the boards of Subsidiary Companies, Governance Committees and advisory groups as created from time to time.
Independent contractor	means a party engaged directly by HOME in PLACE pursuant to a contract for services. In the context of workforce engagements, this includes sole traders, companies, or partnerships with whom HOME in PLACE enters into an agreement for the provision of specified individuals to supply specific skills, services, or consultancy arrangements. It does not include individuals engaged through labour hire agencies. Independent contractors are not employees of HOME in PLACE.
Occupant	A person(s) who, although not the tenant, is named on the tenancy agreement and can legally occupy the property.

Term	Definition
Officer	Has the same meaning as defined in the Companies Act 1993 Part 1 Section 2 Interpretation in New Zealand
Parent Board	The current directors of HOME in PLACE.
Parent Company	HOME in PLACE
Stakeholder	person or organisation that can affect, be affected by, or perceive themselves to be affected by a decision or activity, may also be called 'interested party'.
Subsidiary Boards	The appointed board of directors of a Subsidiary Company.
Subsidiary Company	A company in which HOME in PLACE owns all or at least a majority of the shares.
Tenancy	Occupancy of a property by a tenant and the duration of that occupancy.
Tenancy Agreement	A legal agreement between landlord and tenant in respect of a tenancy
Tenant	The person who has the right to occupy residential premises under a Tenancy Agreement.
User	any person or entity that use HOME in PLACE Information or ICT Assets.
Worker (New Zealand)	<p>HOME in PLACE NZ have adopted the New Zealand Health and Safety Act (2015) Section 19's definition of a 'worker' where the term is used in policy. The definition of a 'worker' includes an individual who carries out work in any capacity for a PCBU, including work as:</p> <ul style="list-style-type: none"> • an employee; or • a contractor or subcontractor; or • an employee of a contractor or subcontractor; or • an employee of a labour hire company who has been assigned to work in the business or undertaking; or • an outworker (including a homeworker); or • an apprentice or a trainee; or • a person gaining work experience or undertaking a work trial; or • a volunteer worker; or • a person of a prescribed class.