

Absence from property

NCCH acknowledges that from time to time a tenant needs to be temporarily absent from their property. There are special circumstances where it is accepted that a genuine need to be absent exists beyond the tenant's control.

The allowances made for tenants to be absent from their properties for more than 1 month do not generally apply to tenants living in transitional housing arrangements. See Transitional Housing section in this document.

Rent subsidy assessments for temporarily absent residents

For all matters relating to the rental subsidy assessments of temporarily absent residents, refer to "The NCCH Rent Review Handbook". Specifically, this includes matters where:

- The tenant is temporarily absent due to moving to a care or respite facility, rehabilitation service, or prison; and
- House-sitters or subletting arrangements are proposed by the tenant

Period of absence and approvals

Where a tenant will be absent from the property for less than one (1) month, approval from NCCH does not need to be sought.

The maximum permissible period for a sole tenant or entire household to be temporarily absent from their home for any reason is three (3) months. The 3 month period applies from the date the sole tenant or entire household left the property, regardless of when NCCH was informed. This is based on the assumption that the sole tenant or entire household should have sought permission at the commencement of the absence. After this time NCCH will take steps to regain possession of the property.

Generally, NCCH does not approve requests for an extension beyond the 3-month period. However, there may be extenuating circumstances where an extension may be considered. For example, if a tenant can provide evidence that they will be released from prison within four weeks of the expiration of the 3-month time frame, NCCH may allow the tenancy to continue beyond the approved three-month period.

Requests will be approved by NCCH within its agreed Schedule of Delegated Authorities.

Tenant Requests and Arrangements

Any NCCH tenant can request in writing approval to be absent from the property for a period of not more than three (3) months, provided acceptable arrangements are made for the payment of rent and for the care of the property.

The tenant will be required to provide details of a local contact person for NCCH and, where appropriate, contact details for the tenant during this period.

Tenant does not return to tenancy within period approved

Where a tenant does not return within three (3) months, the NCCH will endeavour to establish the whereabouts and intentions of the tenant. Where there has been a failure to establish any reasonable intention to return to the property immediately, NCCH will take action under the Residential Tenancies Act to terminate the tenancy.

Assumed Absence (or Abandonment)

Where NCCH is in receipt of substantive evidence that a tenant is absent from the property or the property has been abandoned and no request has been approved for such absence, NCCH will attempt to establish the whereabouts of the tenant.

The abandoned premises procedure and checklist will be completed as evidence supporting the abandonment claim. See [Abandoned Properties](#)

Where there has been a failure to establish the tenant's whereabouts or any reasonable intention to return to the property immediately, NCCH will take action under the abandoned premises provisions of the Residential Tenancies Act to terminate the tenancy.

Where there is reasonable doubt of the abandonment of the property, NCCH will seek a ruling from the NSW Civil and Administrative Tribunal (NCAT).

Repeated Absences

NCCH policies' concerning tenants' absence from the property acknowledges the special circumstances where it is accepted that a genuine need to be absent exists beyond the tenant's control. Where a tenant requests a continuing absence from the property, e.g. a regular period spent each year overseas where circumstances are within the tenant's control, the request for an absence will not be granted by NCCH.

In the absence of any extenuating circumstances, a tenant should not absent from a property for any longer than 6 months in any 5 year period.

Tenant requests longer absence due to medical reasons

Where a tenant requests an absence from a property for a period greater than 3 months on the basis of medical grounds, e.g. the tenant is temporarily absent due to moving to a care, hospital or respite facility (including a rehabilitation service), the tenant will be advised that an absence of more than 3 months cannot be agreed.

However, in such cases, NCCH can favourably consider a request by the tenant to be rehoused (in other similar style and location of accommodation) at the end of the period of absence. In such circumstances, the absence from the property cannot be longer than 12 months.

Transitional housing

Tenants living in transitional housing arrangements should not be absent from their property for any longer than 4 weeks. This maximum allowance of 4 weeks is inclusive of all absences of the tenant from the property over the entire period of the fixed term agreement.

Generally, NCCH will only approve an absence of a longer period (than 4 weeks) where exceptional circumstances exist and where there is agreement between NCCH and the support partner (where applicable) that such an absence:

- Does not undermine the overall aims of the transitional housing program for which the tenancy is subject; and
- The period of absence does not extend beyond the agreed end date of the fixed term agreement

INFORMATION	
Title	Absence from property
Section	Housing Services
National Regulatory Code Evidence Guideline	Performance Outcome 1: Tenant and Housing Services
National Community Housing Standard	Standard 1.2 Establishing and maintaining tenancies
Last review	30 July 2015
Next review	30 July 2017
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