**SUCCESSION OF TENANCY APPLICATION FORM**

Please complete this form to advise Torres Strait Island Regional Council that you are applying to become a legal tenant at the social housing property you now live in, or want to live in. **Each** person applying to become a tenant should complete this form. Your eligibility to become a tenant will be assessed against Council’s succession of tenancy [SOT] eligibility criteria and procedure.

**Date of application:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Applicant’s details:** (**person who is applying to become a tenant**)

|  |  |
| --- | --- |
|  | |
|  | |
| **Lot** | |
| **Division:** | |
|  | |
|  | **Date moved in:** / / |
|  | **Gross income/week** $ |

**Name:**

**Rental account number:** [if applicable]

**Address of proposed SOT**

**Date of birth:**

**Relationship to existing tenant/s:**

**Income type (i.e Centrepay, wages)**

**Property ownership - do you own or part-own:**

|  |  |  |  |
| --- | --- | --- | --- |
| ☐☐ | a residential property, **or**  a caravan or mobile home or live aboard a boat, **or** | Yes ☐  Yes ☐ | No ☐  No ☐ |
| ☐ | transportable home connected to household utilities (water, electricity etc) **or** | Yes ☐ | No ☐ |
| ☐  ☐ | vacant land, **or**  commercial or industrial property (improved or unimproved) | Yes ☐  Yes ☐ | No ☐  No ☐ |

**Australian citizenship or residency** (please tick (***✓***) appropriate boxes)

|  |  |  |  |
| --- | --- | --- | --- |
| ☐☐ | are you an Australian citizen **or**  are you a permanent resident of Australia | Yes ☐  Yes ☐ | No ☐  No ☐ |
| ☐ | are you of Torres Strait Islander or Aboriginal descent | Yes ☐ | No ☐ |
| ☐ | do you qualify for permanent residency through agreements between  Australia and another country **or** | Yes ☐ | No ☐ |
| ☐ | do you hold a Temporary Protection Visa **or** | Yes ☐ | No ☐ |
| ☐ | other visa – provide details | Yes ☐ | No ☐ |

**Reason this application is being made:** Please tick (**✓**) the appropriate reason for your application to become the legal tenant:

|  |  |  |
| --- | --- | --- |
|  | **☐ JOINT TENANT LEAVING** | Endorsement by Councillor not required |
|  | **☐ DEATH OF A JOINT TENANT** | Endorsement by Councillor not required |
|  | **☐ DEATH OF A SOLE TENANT** | Endorsement by Councillor required |
|  | **☐ SOLE TENANT LEAVING** | Endorsement by Councillor required |
|  | **☐ ADDING A NEW TENANT TO THE HOUSEHOLD** | Endorsement by Councillor required |

**DECLARATION** –applicant/s and existing tenant/s (who will remain in the property**)**

To the best of my knowledge, the information provided on and with this form is true and correct. I/We understand that it is an offence liable to the penalty under the *Housing Act 2003* and/or a breach of my tenant agreement to knowingly provide false or misleading information to Torres Strait Island Regional Council.

**YOUR ACKNOWLEDGEMENT** - please sign below the statement that matches your circumstances.

**You hereby:**

1. **JOINT TENANT LEAVING**

Acknowledge that by completing this form you agree to **transfer** **the whole of your rights** and responsibilities as a joint tenant under the tenancy agreement for the property specified in this form, to the **applicant** who has signed this form. As of the date on this form you will **cease to have any legal interest** in this property. You are required to handover possession of the property [keys] to the agreed person/s on the date specified on this form. **Note:** **Tenant leaving will remain responsible for any debts** **accumulated during their time as a legal tenant**, but not after being removed from the tenancy. Debts may include: rent in arrears, costs for damage (that is not fair wear and tear) or any other debt for which a legal tenant may be responsible.

**Tenant leaving 1 Tenant leaving 2**

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: Signature:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **DEATH OF A JOINT TENANT**

Acknowledge that by completing this form as the applying successor of tenancy, you agree and accept to **take on the whole rights and responsibilities** under a new General Tenancy Agreement [GTA]. **Note:** by signing this form and accepting the tenancy, the **applicant is still responsible for any debts accrued under the past joint** **tenancy**. Debts may include: rent in arrears, costs for damage (that is not fair wear and tear) or any other debt for which a legal tenant may be responsible.

**Applicant 1 Applicant 2**

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: Signature:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **DEATH OF A SOLE TENANT**

Acknowledge that by completing this form as the applying successor of tenancy, you agree and accept to **take on the whole rights and responsibilities** under a new General Tenancy Agreement [GTA] from the late tenant. **Note:** by signing this form and accepting the tenancy, the **applicant will not be responsible for any debts** accrued by the late sole tenant including rent arrears or by any other means.

**Applicant 1 Applicant 2**

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **SOLE TENANT LEAVING**

Acknowledge that by completing this form as the current tenant, you agree that you will **no longer have any legal interest in the tenancy** of the property above mentioned and will no longer have any of the rights and responsibilities as a legal tenant. **Note:** **Tenant leaving will remain responsible for any debts** **accumulated during their time as a legal tenant**, but not after being removed from the tenancy. Debts may include: rent in arrears, costs for damage (that is not fair wear and tear) or any other debt.

New tenant/s will become wholly responsible for obligations under a new GTA, including any further debt that may be accumulated after the tenant leaving has been removed from the tenancy.

**Tenant leaving Applicant 1 Applicant 2**

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: Signature: Signature:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **ADDING A NEW TENANT**

Acknowledge that by completing this form as the current tenant/s, you agree that the applicant who has signed this form will be **added to your tenancy under** **a new GTA** as a legal tenant. This means that the applicant will have an **equal legal interest in the tenancy** and will take on all the rights and responsibilities as a legal tenant. **Note**: by signing and accepting the tenancy, the **applicant/s will not be responsible for any debts accrued by the previous tenant/s** under the past tenancy including for rent arrears or by any other means.

New tenant/s will become wholly responsible for obligations under a new GTA, including any further debt that may be accumulated after the tenant leaving has been removed from the tenancy.

**Tenant 1 Tenant 2**

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: Signature:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Applicant 1 Applicant 2**

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: Signature:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**EVIDENCE DOCUMENTATION FOR APPLICANT/S**

**Attach the evidence required with your application - please tick (**✓)**:**

☐ proof of identity [i.e Birth Certificate, Driver’s Licence]

☐ evidence of applicant’s Australian citizenship or residency

☐ evidence of all household income [e.g. Centrelink Income Statement, Employer’s Declaration, etc]

**INFORMATION PRIVACY STATEMENT**

Your Personal Information is protected by law and can only be released to someone else where authorised by law or where you give your permission. Council is collecting your personal information contained in this document for the purpose of providing housing assistance and services. This collection of Personal Information is authorised by law under the *Housing Act 2003*.

To assist you with your housing needs and services, relevant personal information may, in very limited and specific circumstances, be disclosed to partner agencies, service providers, agencies authorised under legislation and government and non-governmental agencies that now, or will, provide you with housing and/or support services. Limited personal information may be used for housing-related research, policy or planning functions.