

# PROGRAM POLICY: PROGRAM RESPONSE TO THE ENDING OF A JOINT MEMBERSHIP

Policy number	PPOL027	Version	v2.0
Drafted by	Program Development Coordinator	Approved by Board on	30 March 2021
Responsible Person	Program Director	Scheduled review date	30 March 2026

## 1. PURPOSE

1.1 The purpose of this Policy is to set out

- a. the CEHL Co-operative Housing Program's (the Program) response where joint memberships end.
- b. set out the communication responsibilities for co-ops when establishing, or ending, joint memberships.

## 2. POLICY CONTEXT

The Cooperatives National Law Act (the CNL) allows for joint membership within any co-op, unless the rules of the co-op explicitly exclude joint membership.

The right of co-ops to create joint memberships has potential to impact the obligations to those members recognised by the Program, where a joint membership ends. A joint membership is two people sharing a single membership. The ending of a joint membership may result in confusion around the number of memberships that will be recognised by the Program and whether those members will be accepted as Program Participants.

The Program does not generally recognise a household member as a Program Participant. The Program expects that anyone wishing to become a Program Participant will seek membership through an application in their own right, unless their relationship with the Program Participant means it is not feasible to do so, such as being in a married like relationship or being a full-time live-in carer. Joint membership will not provide a pathway to become a Program Participant that is inconsistent with other Program Policy, in particular the *Obligation to Program Participants Program Policy*.

At the end of a joint membership where the remaining single member was not in a married like or fulltime carer relationship with the other member, the Program will not acknowledge the member as a Program Participant and will not recognise a program obligation to them. Given that the Program does not allow a family member to 'inherit' a program obligation, a joint membership between a parent and their child will not result in the child being recognised as a Program Participant if the parent ends their membership.

## 3. POLICY STATEMENT AND PRINCIPLES

### 3.1 STATEMENT

- a. The Program acknowledges the right of co-ops to establish joint memberships, in accordance with the Act and relevant co-op rules.
- b. Where a joint membership has ended, the Program will recognise the remaining member as a Program Participant, with both tenancy and Program obligations, provided that the joint membership relationship was a couple in a married like relationship or a fulltime carer relationship.
- c. The Program will not recognise any additional housing obligation as a result of a joint membership ending.

### **3.2 PRINCIPLES**

- a. CEHL will provide co-ops with best practice advice on establishing, managing, and ending joint memberships.
- b. Co-ops are required to ensure that joint members are aware of the program response to the ending of joint membership, prior to the joint membership being established.
- c. The Program will only recognise a Program Obligation to a remaining member, when a joint membership ends, where the Program Participant and the household member were in a marriage-like or full-time carer relationship as per the *Obligation to Program Participants Program Policy*.
- d. Co-ops are required to advise CEHL of the creation of a joint membership.
- e. Co-ops will advise CEHL of the termination of a joint membership. Where a joint membership becomes a single membership, the co-op will advise CEHL which person retains membership rights.
- f. CEHL will confirm whether the remaining member will be recognised as a Program Participant.
- g. Subject to Program eligibility, any ex-member created as a result of the ending of a joint membership will be recognised as 'co-op ready' if they complete a VHR registration, noting their interest in Co-op Housing within the next 12 months.

## **4. SCOPE**

- 4.1 This is Program Policy. It applies to any and all joint memberships within the Program.

## **5. DEFINITIONS**

- 5.1 Program Obligation: The program acknowledges an obligation to Program Participants to manage their housing provision according to the Program Principles and policies as they relate to individuals.
- 5.2 Marriage like relationship: married or in a registered relationship pursuant to the *Relationships Act 2008* or in a relationship that has been accepted by Centrelink as a de facto relationship.
- 5.3 A Program Participant is:
  - a. an individual or joint member of a Member Co-op with a property lease from the CEHL Program property portfolio or a CEHL approved temporary housing

arrangement; or

- b. a person who is not a member of a Member Co-op but entered the Program through a CEHL approved process, with a property lease from the CEHL Program property portfolio or a CEHL approved temporary housing arrangement.

5.4 For all definitions relating to this policy, please refer to the Program Glossary.

## 6. LEGAL AND OTHER REQUIREMENTS

6.1 This policy incorporates guidance provided by:

- a. [Co-operatives National Law Application Act 2013](#)
- b. [Residential Tenancies Act 1997](#)
- c. [Performance Standards and evidence guidelines](#)

## 7. PROGRAM REQUIREMENTS

7.1 This policy is consistent with:

- a. International Co-op Principles
  - Democratic member control
  - Member Economic Participation
- b. Program Principles
  - Working together
  - Affordability and Financial Sustainability
  - Changing Needs.

## 8. RELATED PROGRAM POLICIES

8.1 This policy should be considered in conjunction with:

- a. Program Response to a Co-op Member's Loss of Membership Program Policy
- b. Non-Referred Renters Program Policy
- c. Obligation to Program Participants Program Policy

## 9. AUTHORISATION

Approved by	<u>Heidi Lee</u>	Date of approval	30/03/2021
Position	CEHL Chair		