

PROGRAM POLICY: DEATH OF A RENTER

Policy number	PPOL003	Version	v2
Drafted by	Program Development Manager	Approved by Board on	29 September 2020
Responsible person	Program Director	Last reviewed on:	29 September 2025

1. PURPOSE

- 1.1. The purpose of this policy is to ensure that, following the death of a renter (tenant), the tenancy is finalised in a sensitive, fair and consistent manner.

2. POLICY CONTEXT

The Residential Tenancies Act (RTA) provides for a residential rental provider (landlord) to finalise a tenancy when notice has not been given. Further, the Performance Standards for Registered Housing Agencies require registered agencies to be fair, transparent and responsive in delivering housing assistance, and to be fair and equitable in the access and allocation of housing.

3. POLICY STATEMENT AND PRINCIPLES

3.1 STATEMENT

- a. In the event of a death of a renter, continuing occupancy will only be available to household members with a marriage-like relationship with the deceased renter.
- b. Following the death of a renter, family members or the estate's executor will be provided with a reasonable timeframe to make appropriate arrangements regarding the deceased renter's affairs before the tenancy is finalised.

3.2 PRINCIPLES

- a. Residential rental providers will have in place documented procedures to finalise a tenancy following the death of a renter, including, where applicable, timeframes for the departure of any remaining occupants, the removal of personal effects, and outstanding tenancy arrangements.
- b. In the absence of their own procedures in line with this policy, co-ops must make use of the accompanying procedure approved by the CEHL board.
- c. All tenancy allocations must be driven by the relevant Member Selection Policy and eligibility criteria set by CEHL and the member co-op.
- d. There is no potential for bypassing eligibility criteria and referral lists processes.
- e. Children of renters cannot be offered membership and continuing tenancy as a direct result of a death of a parent; all vacancies will be filled as per Principle

- 3.2.c.
- f. Remaining occupants not offered continuing occupancy may be offered a short-term residential rental agreement managed by CEHL to settle the deceased tenant's affairs and establish alternative accommodation, the property will be transferred to CEHL and the tenancy will be directly managed through the VicWide portfolio, in line with Non-Referred Renters Policy. CEHL will ensure that co-ops are not financially disadvantaged due to maintenance requirements while managing the fixed term tenancy. This process will balance the needs of the co-op with the viability of the Program.
 - g. As appropriate, CEHL will facilitate access to external support agencies for remaining occupants, and where to find information about hardship provisions that may be available, and how to apply for them.

4. SCOPE

4.1 This is Program Policy. It applies to all residential tenancies managed by CEHL or its member co-ops.

5. DEFINITIONS

5.1 For all definitions relating to this policy, please refer to the [Program Glossary](#).

6. LEGAL REQUIREMENTS

6.1 This policy adheres to and incorporates guidance from:

- a. [Residential Tenancies Act 1997: section 228](#).
- b. [Performance Standards for Registered Housing Agencies: section 1 Tenant and Housing Services](#).
- c. [Victorian Charter of Human Rights and Responsibilities 2006](#).

7. PROGRAM REQUIREMENTS

7.1 This policy is consistent with:

- a. International Co-op Principles:
Voluntary and open membership
Concern for Community.
- b. Program Principles:
Participation
Changing Needs.

8. RELATED PROGRAM POLICIES

8.1 This policy should be considered in conjunction with:

- a. [Ending a Residential Rental Agreement \(Residential Rental Provider Initiated\)](#)
- b. [Referral to Support Agencies Program Policy](#)
- c. Non-Referred Renters Program Policy
- d. Hardship Program Policy

9. AUTHORISATION

Approved by	CEHL Board	Date of approval	29 / 09 / 2020
Position CEHL Chair	Heidi Lee	