

Family Violence Policy

PRINCIPLES

Stellar Living supports the principles to ‘maximise safety of persons who experience family violence and prevent or reduce to the greatest extent possible, the consequences of family violence.’ (Restraining Orders Act 1997)

1. Considerations during decision making

- a. The best interests of any child within or connected to a tenancy, will be of primary importance in decision making by Stellar Living.

2. Additional Security for tenants on grounds of family violence.

- a. A tenant has the right to modify, add or alter the prescribed security fixtures at the premises, without prior consent from Stellar Living, if they reasonably believe such actions are necessary to prevent family violence being carried out against them.
- b. Tenants who are experiencing or at risk of experiencing family violence may apply to install additional security fixtures at the premises. Permission will not be unreasonably withheld. “prescribed alterations’ can be made without seeking permission.

3. Tenants unable to reside in their rental premises on grounds of family violence.

- a. When a joint tenancy exists and it is demonstrated that a co-tenant cannot occupy the premises because of family violence, rental payments may be re-calculated accordingly.
- b. Consideration will be given to waive a rental payment due for a property where it is demonstrated that it cannot be occupied because of family violence.
- c. Tenants who demonstrate family violence can give 7 days to bring a tenancy to an end.

4. Applications for priority Transfer

- a. A priority transfer will be approved where family violence is demonstrated.

5. Joint Tenancies where family violence is present

- a. Joint tenants have equal rights and responsibilities arising from their tenancy agreement including the right to occupy.
- b. Stellar Living have no legal authority to remove the perpetrator from the premises.
- c. If the co-tenant leaves or is prohibited from residing at the premises, the rights and obligations or the tenancy continue to apply to that tenant until the tenancy is terminated or assigned legally to the other co - tenant.

6.0 DEFINITIONS

Family	Family is references to relationships that are based on interpersonal relationships or living arrangements. Examples: Relatives and family members connected by blood, marriage or de-facto relationships. (including past partner relationships). Relative through kinship, cultural or religious grounds Relationships based on dependency such as informal care arrangements.
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Family violence (FV)	Violence or a threat of violence by a person towards a family member of the person OR any other behavior by the person that coerces or controls the family member or causes a member to be fearful.
Demonstration of FV	Evidence can be a Domestic Violence Order or a FV Restraining Order. A family Court injunction of application for one. A copy of a prosecution notice An official Consumer Protection family Violence Report signed by a designated person.

External references:	<ul style="list-style-type: none"> • Residential Tenancies Act 1987 • Residential Tenancies Regulations 1989 • Restraining Orders Act 1997
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Internal references:	<ul style="list-style-type: none"> • Ending Tenancies Policy • Rent review procedures • Information and Records Management Policy
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