

Tenant Absence Policy

1. PURPOSE

This policy sets out the principles to be followed when a tenant is absent from property for extended periods of time. As a social housing provider under the Residential Tenancies and *Rooming Accommodation Act 2008*, Torres Strait Island Regional Council aims to ensure:

- a) Supportive tenancy management services to successfully sustain long-term tenancies;
- b) Compliance with relevant Residential Tenancy Authority (RTA) regulations; and
- c) Tenant situations are considered and not disadvantaged through council's decision making.

2. SCOPE

This policy applies to all tenants, staff, Councillors, contractors, agents and assigns of Council.

This policy must be read in conjunction with Council's Abandoned Properties Policy.

3. LINK TO CORPORATE PLAN 2025-2030

TSIRC [Corporate Plan 2025-2030](#)

Outcome 1: Strengthening Our Communities

1.1 Provide Suitable Public Housing

- Work with the State and Federal Governments and community to ensure that all Torres Strait Island communities have access to safe, secure and culturally appropriate housing.

Outcome 2: A Proactive and Responsible Council

3.1 Provide Good Governance and Leadership

- Ensure responsible financial management and sustainability.
- Ensure compliance with legislative requirements and regulations, uphold the Council's legal obligations, and make ethical decisions in the best interest of the community.

4. POLICY STATEMENT

4.1 Incarceration

Where a tenant is incarcerated, tenant must:

- (a) Continue to comply by GTA responsibilities;
- (b) Ensure there are arrangements for yard maintenance; and
- (c) Ensure Council is aware of period of absence to avoid any suspect of abandonment.

If the tenant is incarcerated for six months and over, the tenancy will be terminated immediately. Consultation will be had with appropriate Councillor and PBC if needed,

to identify appropriate household member to succeed the tenancy or appropriate applicant from Council's register of needs to become tenant.

If the tenant is incarcerated for less than six months, a tenant absence application will be required for completion with incarceration advice attached. The Councillor for the appropriate division is to be notified. Evidence must be provided to confirm.

4.2 Provisions

- (a) Tenant can be away from their property for up to eight weeks without obtaining approval.
- (b) During any period of absence, tenants are required to keep paying their rent.
- (c) Absences eight weeks or more (maximum of six months), tenants must seek prior approval from Council's Housing Unit and provide evidence to support their requests, regardless of the reason of absence.
- (d) Each request will be assessed on a case-by-case basis and tenants will be required to provide evidence to substantiate the need for absence.
- (e) Tenant Absence requests are based on individual circumstances and may be declined provided the decision is justified and documented.
- (f) Council will reassess the tenant's need for ongoing housing assistance where the tenant is absent from property for unreasonable periods (beyond approved absent period / more than three months or in total a six-month period).
- (g) It is the tenant's responsibility to notify Council if a caretaker is appointed. A caretaker is not automatically entitled to live in the house. Tenants must receive written approval from Council for a caretaker to live in the house.
- (h) Tenants must provide interim contact details and caretaker details should any damage to property is reported, or abandonment is suspected.
- (i) A temporary absence of longer than six (6) months will not be approved unless in exceptional circumstances, on a case-by-case basis, and at Council's discretion.
- (j) If Council receives no information from tenant, the house may be deemed abandoned and Council will commence the abandonment process in accordance with the Abandoned Properties Policy.
- (k) In some cases, Council will consider applying reduced rent or minimum rent.
- (l) A fixed term agreement can be granted to the caretaker during the absence of the head tenant.

5. REPORTING

Nil.

6. DEFINITIONS

- **Abandonment:** When a property is vacated by the tenant without notice and with no clear intention to return, as defined under the Residential Tenancies and *Rooming Accommodation Act 2008 (Qld)*.

- **Caretaker:** An individual nominated by the tenant to oversee the property during their absence. A caretaker is not automatically entitled to reside in the property and must be approved in writing by Council.
- **Council:** Torres Strait Island Regional Council (Council), the local government authority responsible for managing social housing across its communities.
- **Exceptional circumstances:** Situations beyond the tenant's control (e.g. medical treatment, cultural responsibilities, family crises) that may justify a prolonged absence, to be assessed at Council's discretion.
- **General Tenancy Agreement (GTA):** A legal agreement between Council and a tenant that outlines the terms and conditions of tenancy under the Residential Tenancies and *Rooming Accommodation Act 2008 (Qld)*.
- **Incarceration:** A situation where the tenant is held in custody or imprisoned for any period of time.
- **Social Housing:** Affordable rental accommodation provided by Council to eligible individuals or families based on assessed need and subject to ongoing eligibility requirements.
- **Register of need:** Council's official housing waitlist used to assess and prioritise applications for social housing based on eligibility and level of need.
- **Temporary Absence:** A period during which the tenant is away from the property but intends to return, typically up to six (6) months and subject to Council approval.
- **Tenant:** A person who holds a general tenancy agreement with Council for a social housing property.

7. RELATED DOCUMENTS AND REFERENCES

- *Local Government Act 2009*
- *Local Government Regulation 2012 (Qld)*
- *Housing Act 2003 (Qld)*
- *Housing Regulation 2003 (Qld)*
- *Residential Tenancies and Rooming Accommodation Act 2008 (Qld)*
- *RTA Regulations 2024*
- *Social Housing Policy*

8. REVIEW

Policy type:	☒ Council ☐ Administrative
Directorate:	Community Services
Responsible Officer:	Manager, Housing
Authorised on:	18 February 2026
Next review date:	February 2028 (This policy will be reviewed every two years or as required by changes in legislation).
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Version	1

