

Policy name	Managing Tenant Deaths
Policy date	February 2026
Authorisation	Executive Housing & Property
Policy owner	Executive General Manager, Housing Operations
Policy type	Mission Australia Housing Operational Policy
Policy setting	Housing – Tenancy Management

1 Purpose

1.1 Overview

1.1.1 This policy:

- Outlines how Mission Australia Housing (MAH) will manage the tenancy following the death of a tenant; and
- Assists staff to deal with the implications of a death in an MAH property.

1.2 Coverage

1.2.1 This document is a national policy and covers Mission Australia Housing (MAH), and its entities. All references to Mission Australia Housing, MAH and Housing means MAH and its entities unless specifically stated otherwise.

1.2.2 This policy applies to all forms of housing provided by MAH including social, affordable and transitional housing.

1.2.3 This policy applies to housing provided by MAH in the jurisdictions of New South Wales (NSW), Tasmania (TAS), Victoria (VIC), Queensland (QLD), Western Australia (WA) and the Northern Territory (NT). Where jurisdiction-based variations exist in policies and procedures, these will be identified in the document.

1.3 Information on procedures and other related policies

1.3.1 This policy focuses on why certain things need to be done. It is supported by procedures that provide more detail on the “what” to do, the steps that must be followed in dealing with the death of a tenant. These procedures are very important in meeting legal requirements and in managing the whole process in a safe and compassionate way.

1.3.2 Other MAH policies also need to be considered in managing the death of a tenant. To assist you, these are identified where relevant in this policy and supporting procedures.

2 Scope

2.1 Parts of Mission Australia that this policy covers

2.1.1 This policy applies to MAH staff responsible for working with MAH clients, tenants and properties.

2.2 Definitions

2.2.1 Key terms used in this policy are defined in the following table.

Term	Definition
Intestate	A legal term used where a person dies without a valid will.
Legal personal representative or personal representative	The person with the greatest legal right to administer a deceased person's estate. They may be either: <ul style="list-style-type: none"> • The executor or executrix of the will, responsible for administering the deceased person's estate and managing the legal and financial issues that arise from a will; or • The administrator, where there is no will. They may be the next of kin, or a state-based trustee (ie the Public Trustee).
Next of kin	The closest living relative (by blood or marriage) of a deceased person.

3 Policy

3.1 Guiding principles

3.1.1 The MAH process for managing tenant deaths is focused on the needs of tenants and their families:

- MAH is committed to providing sensitive, discrete and timely services where a tenant or a household member has passed away. This includes providing support to the family and neighbours of the deceased.
- MAH ensures tenancy records are up to date where possible so that staff can respond sensitively and quickly in the event of the death of a tenant. This includes the tenant's emergency contact details, bank account details, next of kin and the executor of the will.

3.1.2 The MAH process for managing tenant deaths is fair and transparent:

- MAH aims to make what is often a difficult process for tenants and families as clear and simple as possible.
- MAH upholds accountability and transparency through its record keeping practices.

3.1.3 The MAH process for managing tenant deaths complies with relevant laws and procedures:

- MAH fully complies with the jurisdictional requirements of the states and territories in which it operates.

3.2 General requirements

- 3.2.1 MAH may be advised of a tenant's passing by police, or the tenant's next of kin. In other cases, MAH may be informed of concerns about a tenant's welfare and be required to follow up.
- 3.2.2 When MAH is made aware that a tenant has passed away, staff will:
- Advise the State Manager as soon as possible.
 - Confirm the tenant's death and, where appropriate, notify the appropriate authorities (e.g. police). Police will then notify the next of kin and generally arrange for a Cause of Death Certificate to be issued by a doctor.
 - Ensure that as far as possible, if a tenant dies in their property, the scene remains unaltered and is secured.
 - Identify the deceased tenant's legal personal representative where there is a will in place. Staff will liaise with them regarding the continuation, succession or termination of the tenancy agreement, as well as the removal of goods from the property and management of tenant rent and bond accounts.
 - Follow the process outlined in **3.3** where a sole tenant has passed away without a valid will (intestate), or if MAH is unable to locate a will, next of kin or legal personal representative.
 - Determine whether there are co-tenants or additional approved household members. If so, staff should follow the processes outlined in **3.4** and **3.5** to determine the next steps.
 - In the case of a sole tenant, visit the property in consultation with the Asset Manager to ensure that it is secure and that any pets are moved to temporary safe accommodation. Staff will remove any perishable goods at the property if safe to do so, and provide supervised access to the property by the next of kin/family to locate a will.
 - Record the tenant death as an incident of the MA risk management system.
 - Follow the MA Risk and Incident Policy in managing notifications of the death.
- 3.2.3 Where the death of a tenant is suspected, MAH staff must not enter the property for any reason whatsoever, as per this policy and the **Managing Tenant Deaths Procedure**.
- 3.2.4 Where MAH is informed of concerns about a tenant's welfare, including the possibility that the tenant may have passed away, staff should follow up to establish the tenant's whereabouts and wellbeing following the steps set out in the **Managing Tenant Deaths Procedure**.
- 3.2.5 If the Police wish to interview MAH staff or request information relating to the tenancy, staff should contact the MA Legal team for assistance.

3.3 Sole tenants

3.3.1 In the case of the death of a sole tenant who has a will in place, staff will:

- Liaise with the executor or executrix of the estate with regard to the tenancy and the belongings remaining in the property.
- Adjust the rent balance to the date the tenant passed away. Credit balances will be either deposited into the tenants bank account (if details known) or forwarded to the executor of the estate (if known), and any debit balances will be written off (after bond has been claimed).
- Allow up to two weeks for the family or the executor/executrix to clear the property of belongings.
- Agree a date that the property will be returned to MAH. Time extensions can be requested through a State Manager. If the property is not returned to MAH by the set date, MAH may take action through the state-based civil authority to seek possession. See the **Ending Tenancies Policy** for further information.
- Provide advice to the family or the executor/executrix as required about charities and agencies that may be able to take unwanted furniture, clothing, and household goods; removalists and cleaning agencies; and arranging final readings for utilities.

3.3.2 Where a sole tenant has passed away without a valid will, or if MAH is unable to locate a will, next of kin or legal personal representative, staff will:

- Contact the police who may be able to identify the next of kin.
- Request that the police complete a deceased destitute person form where there are no assets beyond small bank account balances, cars, personal goods etc. In such cases, a government contractor will organise the funeral.
- Contact the state-based Public Trustee to administer the estate where there are assets beyond small bank account balances, cars and personal goods.
- Arrange for the removal of goods from the property as per the **Abandoned Properties and Goods Policy**.

3.4 Co-tenants

3.4.1 Where there are co-tenants of the deceased on the tenancy agreement, the remaining co-tenants in the property may continue the tenancy if they wish.

3.4.2 If the remaining tenants do not wish to continue the tenancy, the tenancy may be terminated according to the appropriate state-based tenancy legislation, as per the **Ending Tenancies Policy**.

3.5 Additional approved household members

3.5.1 Where there are additional approved household members living at the property, MAH will provide them with the opportunity to apply for succession as per the **Transfers and Other Changes to Tenancy Policy**.

3.5.2 If the additional household members do not wish to continue the tenancy, MAH will terminate the tenancy as per the **Ending Tenancies Policy**.

3.6 Supporting staff through this process

- 3.6.1 It is important for People Leaders to recognise that the death of a tenant may affect staff. Staff may be distressed by the death of a tenant with whom they have had contact in the course of their role. Team Leaders and State Managers will arrange for debriefing meetings with all affected staff and offer support including speaking to a Chaplain and the Employee Assistance Program (EAP), which is available to staff and their families 24/7.
- 3.6.2 Staff who are distressed over such a situation should be encouraged to discuss the matter with a People Leader.

4 Responsibilities

4.1 Housing staff including Housing Officers and Client Service Officers are responsible for:

- Notifying the State Manager of tenant deaths.
- Working with police and other authorities to confirm the death of a tenant.
- Assisting the family of the deceased to apply for succession or to terminate the tenancy.
- Supporting the legal personal representative regarding the removal of any goods from the property.
- Keeping records of the process in the relevant systems including logging the incident in the MA risk system.
- Recommending improvements to this policy and associated procedures.

4.2 Team Leaders/Regional Managers are responsible for:

- Supervising the management of tenant deaths, especially with regard to liaising with police.
- Supporting the wellbeing of staff responsible for managing tenant deaths.
- Ensuring good management of evidence in the tenancy management system.
- Incorporating this policy and associated procedures into staff induction and training.
- Ensuring staff are aware of and have access to this policy and associated procedures.
- Escalating feedback about this policy to the policy owner and/or policy writer.

4.3 The Operations Manager and State Manager is responsible for:

- Ensuring that MAH complies with this policy and associated procedures.
- Recommending any changes to this policy and associated procedures.