

After two three-year terms as an ANCA artist a tenant may write to the ANCA Board requesting an extension under the circumstances detailed below. The letter must include details of hardship, extenuating circumstances or board membership, proposed extension dates and exit plan. The tenant should submit their request several months before their termination date so that the Board can consider it at the next board meeting.

As per the ANCA Constitution Section 42.

42. The Board shall not grant a tenancy or tenancies whether successive or not that would have the effect of a person being granted a tenancy or tenancies exceeding in total a period of six years unless:
- (a) A tenant member of the Board serves for three or more years on the Board, they shall be granted an extension of no more than six months beyond the six year maximum tenancy.
 - (b) In the case of proven hardship or extenuating circumstances, the Board can use its discretion to grant an extension of the tenancy for a further period.

As per section 9.2 of the ANCA Studio Licence Agreement hardship and extenuating circumstances are defined as follows:

Any extension of maximum term tenancy must not impose impracticable requirements on ANCA. Any Licensee seeking an extension must substantiate a clear case for hardship. Hardship is considered in relation to the following circumstances:

- (a) the events [causing hardship] become known to the Licensee towards the conclusion of their tenancy contract;
- (b) the events could not reasonably have been taken into account by the Licensee earlier than the end term of this licence agreement; and
- (c) the events are beyond the control of the Licensee.

Extensions of tenancy within the existing licence agreement that is not being sought towards the end of the maximum tenancy for an ANCA studio will usually be based on arguing a case for extenuating circumstances. Extenuating circumstances are seen as being:

- (a) beyond personal control;
- (b) impacting on a Licensee's capacity to utilise their studio to the professional level expected; and
- (c) based generally on medical or personal grounds that have affected a Licensee for a significant period of time during their licence arrangement with ANCA.

Any decision the ANCA board makes in relation to varying maximum tenancy based on hardship or extenuating circumstances is entirely at its discretion.

Any such decision to grant an extension of maximum term tenancy, based on hardship or extenuating circumstances, is not a precedent for other Licensees to assume approval for variation in maximum term tenancy arrangements.