

Tenant Related Damage Policy

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1. Purpose

Tenant related property damage represents an important part of Women's Housing Ltd's (WHL) management of buildings and surrounds, particularly when considering long term implications and related costs for repairs. This policy aims to provide guidance to staff when responding to and assessing damage to WHL owned and managed properties which are tenanted.

2. Policy

WHL will ensure that all damage to property assets are assessed and the responsibility for cost of repairs is correctly allocated.

3. Description

3.1 Objectives

The objectives of this policy is to ensure that the damage to WHL properties is minimised and that any damage which does take place is assessed and appropriate actions are taken to ensure that the property is repaired and the associated cost is recouped from the tenant where appropriate.

3.2 Statements

- Any reported or observed damage to any WHL owned or managed property must be acted upon by the WHL staff member who becomes aware of the damage.
- Any loss of key or electronic entry fob or associated costs with providing access will be borne by the tenant, if the loss or lock out was due to the tenant's actions or omissions.
- All incidences of damaged property must be recorded in Chintaro and as a maintenance request which is then submitted to the Assets/Property Services team.
- Any damage to a WHL property which is tenanted will be assessed by the Property Services Staff and an approved WHL contractor to determine if the damage was due to normal wear and tear, negligence or deliberate actions by the tenant/family or visitors.
- Careful consideration must be applied as to how the damage to the property occurred, in order to determine if the damage is not accidental and has occurred as a deliberate action or due to negligent behaviour. Additional mitigating factors should also be considered to determine the level of tenant responsibility and corresponding level of repair that WHL will accept responsibility for. Factors that need to be considered include;
 - damage as a consequence of disability of a tenant or tenant's children's or;
 - damage done by an ex-partner and who does not live at the property as an act of violence toward the tenant.
- Additionally assessment is required as to the history of previous incidences or lack of understanding by the tenant of appropriate use of equipment in the dwelling prior to a notice being sent to the tenant for payment or the cost of repair.
- WHL will undertake the responsibility for the cost of repair in the following circumstances;
 - where the tenant has not been made aware of the appropriately use of equipment in the unit; or
 - where the damage is caused directly by disability; or
 - the damage was due to an isolated incidence of violence by a person known to the tenant; or
 - as a result of an unavoidable accident, due to part of the building experiencing normal wear and tear.

- If damage repeatedly occurs WHL will seek an alternate action which may include passing the responsibility for the cost of the repair to the tenant.
- Quotes from the contractor for the repairs will be provided to the tenant as evidence of the cost.
- All non accidental damage, which the tenant is responsible for, will be charged to the tenant.
- A repayment plan for the cost for the repairs can be negotiated between the tenant and WHL through the Housing Worker.
- Only endorsed WHL tradespersons will be accepted to undertake the repair.
- Tenants will not be given permission by WHL to undertake the repairs themselves.
- If the tenant refuses to accept responsibility for the damage or cost of the repairs, the Housing Worker will peruse VCAT action to either have the repair undertaken to the satisfaction of WHL or for the tenant to repay the cost of the repair.

4. Resources

- Chintaro tenant notes
- Property condition report
- WHL Property condition data base

5. Relevant Documents

- Building Code of Australia
- WHL Asset Management Policy
- WHL Business Plan
- WHL Asset Management Property Condition Procedure
- WHL Tenant Consultation Procedure
- WHL Asset Plans
- WHL Maintenance Policy