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**Policy context:** This policy relates to Part 7, Division 5, Subdivision 4 of the *NSW Residential Tenancies Act 2010*.

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### POLICY STATEMENT

#### I. Purpose

The purpose of this policy is to clarify how to manage breaches of tenancy agreements, including issue of Strike Notices to tenants.

#### II. Definitions

- Minor breaches include minor tenant damage for which the tenant accepts responsibility for payment, noise or nuisance incidents or other breaches where there is no risk of harm to others.
- Serious breaches include anti-social behaviour that interferes with or threatens the safety of neighbours, co-tenants or members of a tenant's household, significant tenant damage or use of the property for illegal purposes.

#### III. Coverage

This policy applies to all SCH tenants.

#### IV. Principles

SCH takes all breaches seriously and will enforce the terms of the residential tenancy agreement comprehensively, consistently and fairly.

All alleged breaches will be investigated. We will tell a tenant what has been alleged where appropriate, how this breaches the tenancy and that if the allegation is correct they must stop immediately. SCH will also give tenants an opportunity to respond to the allegations.

Investigation will involve speaking to everyone known to be affected by the breach.

Tenants will be normally be given an opportunity to rectify Minor breaches, but continued instances of Minor breaches or unresolved breaches may result in SCH issuing a Strike Notice. SCH may terminate a tenancy if three Strike Notices are recorded against a tenant within a 12 month period.

Serious breaches may result in immediate action to terminate a tenancy. This includes serious damage or injury caused by the tenant or another occupant, or use of the premises for illegal purposes.

Factors such as stress, substance abuse, retaliation for the actions of others or lack of awareness of the consequences will not be accepted as excuses for anti-social behaviour.

SCH will advise tenants how they can get independent tenancy advice when investigating or responding to a tenant breach.

### V. Responsibility

It is the responsibility of Regional Managers to manage breaches of tenancy agreements.

The CEO must be informed when a strike notice is issued.

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#### DOCUMENTATION

Documents related to this policy	
Related policies	T11 Managing Rent Arrears
Other related documents	