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**Policy context:** This policy relates to Section 51 of the *Residential Tenancies Act 2010*

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### POLICY STATEMENT

#### I. Purpose

The purpose of this policy is to guide tenants and staff on minimising and charging tenant damage.

#### II. Definitions

- Tenant damage is damage to property or any part of property, caused by the destructive action or neglect of a tenant, other approved occupant or visitor.

#### III. Coverage

This policy applies to all SCH managed properties.

#### IV. Principles

Tenants are expected to take good care of their premises and take responsibility for repairing property damage to a professional standard, other than fair wear and tear or the criminal activity of a third party who was not on the premises at the invitation of the tenant or another occupant.

To minimise the likelihood of damage occurring, tenants should take the advice of SCH staff who are experienced in the maintenance of premises.

The following types of damage are typical of incidents where the tenant may be responsible for repair costs:

- broken windows;
- holes in internal doors or walls;
- Nails or hooks in walls and doors;
- damage or stains to carpets that cannot be considered fair wear and tear;
- broken and damaged clotheslines and hoists;
- broken locks;
- damaged doors and security screens;
- damage to toilets and basins;
- sewer chokes caused by items flushed down the toilet, such as sanitary pads, nappies or toys;
- abandoned furniture or vehicles at the end of the tenancy;
- broken or damaged fences;
- Discolouration, odour, or burns due to smoking in the premises;

- Damage to lawns or gardens due to pet activity, vehicles or lighting of campfires<sup>1</sup>; and
- Illegal structures or unauthorised modifications.

Tenants must notify SCH immediately if tenant damage occurs.

Damage to fibro based materials must be repaired by a qualified tradesperson due to the possibility of asbestos being present.

Before a tenant vacates SCH premises, SCH will endeavour to carry out a final inspection in the tenant’s presence and complete a Property Condition Report.

If tenant damage occurs, tenants will first be given the opportunity to repair the damage. If the tenant chooses not to repair the damage, or does not repair the damage within an acceptable timeframe, or to the standard required, SCH will repair the damage and recover the cost of repairs from the tenant.

If SCH has evidence of repeat or serious incidents of tenant damage, SCH will immediately take action before the NSW Civil and Administrative Tribunal to obtain a specific performance order. In serious circumstances, SCH may take action to end the tenancy.

**V. Responsibilities**

Tenants are responsible for any damage caused by an occupant or visitor.

The Asset Manager or delegated officer is responsible for managing the repair of damage.

The Regional Manager or delegate is responsible for recovering costs from the tenant if SCH arranges repair of tenant damage.

**DOCUMENTATION**

Documents related to this policy	
Related policies	Ending a Tenancy
Other related documents	Tenant Charge Form

<sup>1</sup> In some council areas lighting of campfires is prohibited. Tenants must comply with local council requirements relating to lighting of fires.