

PROPERTY DAMAGE – RECHARGE POLICY

Purpose

This policy outlines how St Kilda Community Housing (SCH) recovers charges for maintenance, repairs and property damage that are not the responsibility of SCH.

Scope

This policy applies to all residents living in properties managed or owned by SCH.

Policy Statement

SCH is committed to:

- Meeting our contractual, legal and regulatory duties
- Assisting residents to understand their obligations in their rental agreement, in their house rules and according to the relevant provisions of the ***Residential Tenancies Act 1997*** (RTA).

Resident Duties

Under the provisions of the ***Residential Tenancies Act 1997*** a resident must:

- Keep and leave their room in a reasonable clean condition.
- When leaving, a resident must leave their room in the same condition it was when they first occupied the room – taking into account fair wear and tear.
- Not remove, deactivate or otherwise interfere with any safety devices – for example, smoke alarms.
- Not make any modifications without first obtaining the consent of SCH.
- Must notify SCH of any damage caused by the resident or their visitors and compensate SCH for any such damage caused.

SCH Procedures

When notified of any damage caused by a resident and/or their visitors:

- SCH will arrange for a quotation of the cost of repairs.
- SCH will enter into a formal agreement with the resident to pay off those costs.
- If a resident refuses to compensate SCH for the costs of repair, SCH may issue the resident with a Breach of Duty Notice. Further failure to compensate may result in SCH seeking a Compensation Order at VCAT.
- Serious damage may result in SCH issuing a Notice to Vacate – the timing of which will generally reflect the severity of the damage. A repayment of debt will be negotiated which may include a lumpsum payment before the resident leaves.



- Where visitors have caused damage and SCH determines that the resident took all reasonable steps to prevent the damage from happening, SCH may choose to waive the costs of the repairs. This will be done at the discretion of the CEO.
- Former residents who wish to return to a tenancy with SCH and who have an outstanding damages debt may be asked for a repayment of a negotiated lump sum as a condition of their rental agreement. This can be waived at the discretion of the CEO where repayment may cause significant financial hardship.

Related policies

Rent Management and Hardship Policy
Asset Management Policy
Asset Management Strategy
Responsive Maintenance and Repairs Policy

Legislation and Standards

Housing Act 1983 (Vic)
Residential Tenancies Act 1997 (Vic)
Victorian Housing Registrar Performance Standards for Registered Agencies

Version control

Version No	4.0	Review frequency	3 years
Date	July 2021	Next review	July 2024