

Renter Damage and Recharge Policy

1. Policy

Uniting Vic.Tas (Uniting) is committed to maintaining rental properties that are safe, secure, in good repair, and compliant with minimum housing standards. Renters are responsible for ensuring the property is maintained in a reasonably good condition and may be held accountable for costs associated with renter-caused damage or services for which they are responsible.

Renter-caused damage includes damage caused by:

- Renters.
- Household members, children, partners, or pets.
- Visitors or third parties invited into the property by the renter

2. Scope

This information applies to all Uniting owned and managed properties.

Term		Victoria	Tasmania
Renter	shall mean	Renter	Tenant
Rental agreement	shall mean	Rental agreement	Tenancy agreement
Relevant tribunal	shall mean	Victorian Civil Administration Tribunal (VCAT)	Residential Tenancy Commission (RTC)
Act	shall mean	Residential Tenancies Act	Residential Tenancy Act

3. Procedure

3.1. Regular maintenance and inspections

Uniting Responsibilities:

- inspect the premises every 12 months, or as permitted under the Act
- Responsive and cyclical maintenance, and have a flexible program of upgrades that can take advantage of vacancies
- Ensuring maintenance is undertaken by qualified tradespeople

Renter Responsibilities:

- Taking reasonable care of the property and common areas to avoid damage to the rented premises.
- Reporting damage to Uniting representatives as soon as possible.

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- Abide by the terms and conditions of their Tenancy Agreement
- Repairing or paying for deliberate, negligent, or mistreatment-related damage caused by the renter, household member or visitor.
- Complying with the terms of the rental or tenancy agreement.

3.2. Policy Procedures

3.2.1. Renter-Caused Damage:

Renters may be charged for repairing or replacing:

- Damage resulting from deliberate action, mistreatment, or negligence.
- Damage caused by criminal activity. The renter should provide evidence within seven (7) days of discovering the damage that the renter has reported the matter to the Police, such as a Police statement or Police Event Number.
- Alterations made without prior approval or not meeting required standards.
- Items damaged by visitors, household members, pets or the renter.
- Costs related to cleaning or damage beyond fair wear and tear.

3.2.2. Exclusions from Repair Charges

Uniting will not seek to recover repair charges for:

- Fair wear and tear resulting from normal use of the property.
- Damage due to mental or physical health issues, family violence, or third-party criminal activity (evidence may be required, e.g. police reports).
- Items at the end of their usable life or scheduled for replacement.

3.2.3. End of Tenancy Responsibilities

At the conclusion of a tenancy, renters may be charged for:

- Approved alterations that are not restored to the condition at the start of the tenancy or as at completion of the most recent works undertaken by Uniting (not including fair wear and tear)
- Broken locks or where keys have not been returned to Uniting at the end of a tenancy
- Cleaning to restore the property to its pre-tenancy condition.
- Costs associated with removing personal belongings left behind such as, furniture, appliances, personal effects, or vehicles left behind at the end of the tenancy

3.3. Determining Responsibility and Costs

Uniting representatives will:

- Inspect the premises and complete a property condition report
- Compare the damage against the property condition report completed at the start of the tenancy.
- Consider fair wear and tear, emergencies, or damage related to illness, family violence, or criminal activity.

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- Provide the renter with a detailed breakdown of repair costs and an opportunity to negotiate or dispute the charges.

3.4. Payment and Dispute Resolution

If a renter agrees to pay:

- Payment can be made in full or via a repayment plan agreed upon by both parties.
- Repayment agreements must outline costs, terms and support options (e.g., third-party assistance).

If a renter disputes charges:

- Renters can appeal decisions through Uniting’s internal review process or relevant tribunal (VCAT or RTC).
- Uniting will advise renters of their rights and support them in accessing the tribunal if required.

3.5. Failure to Pay or Breach of Agreement

If a renter fails to repay or breaches the agreement:

Uniting may seek legal advice, or pursue costs through the relevant tribunal

- Actions may also be guided by Uniting’s **Breach of Tenancy Policy**.

4. Legislation/Regulations

National

Age Discrimination Act 2004 (Cth)

Disability Discrimination Act 1992 (Cth)

Sex Discrimination Act 1984 (Cth)

National Rental Affordability Scheme Act 2008 (Cth)

National Rental Affordability Scheme Regulations 2020 (Cth)

Tasmania

Community Housing Providers National Law (Tasmania) Act 2013 (Tas)

Family Violence Act 2004 (Tas)

Victoria

Housing Act 1983 (Vic)

Residential Tenancies Act 1997 (Vic)

Residential Tenancies Regulations 2021 (Vic)

Equal Opportunity Act 2010 (Vic)

Public Health and Wellbeing Act 2008 (Vic)

Public Health and Wellbeing (Prescribed Accommodation) Regulations 2020 (Vic)

Noise (Residential) Accommodation Services

Environment Protection (Residential Noise) Regulations 2018 (Vic)

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Environment Protection Act 2017 (Vic)

Environment Protection Regulations 2021 (Vic)

Family Violence Multi-Agency Risk Assessment and Management Framework (MARAM)

Charter of Human Rights

5. Related Documents

Feedback, Compliments and Complaints Procedure

Sustaining Tenancies Policy

Inspections and Condition Reports Policy

Modifications to Housing Policy

Keys and Locks Policy

Breach of Tenancy Policy

Managing and reporting incidents, near misses and hazards

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