



**This fact sheet is for residents whose tenancy was previously managed by Wentworth Community Housing. For more information, please visit our new website: [linkwentworth.org.au](http://linkwentworth.org.au)**

Property damage that requires repair by Wentworth contractors and has not been caused by normal wear and tear or criminal activity is considered tenant damage. This fact sheet explains how Wentworth charges tenant repair costs.

## **Tenant repair**

Under the *Residential Tenancies Act (2010)* Link Wentworth is responsible for maintaining your property in a livable condition. This means that we maintain and repair damages caused by reasonable every day living or the normal wear and tear.

## **Tenant responsibility for damage**

Under the *Residential Tenancy Agreement* which you have signed, you agree to take good care of your property and report any damage to Link Wentworth as soon as possible. You will be held responsible for any property damage.

The only occasions you are not held responsible is damage by criminals (e.g. burglary or vandalism) or in the normal course of wear and tear. You are responsible for any damage you, your family, guests or pets cause.

When such damage occurs, Link Wentworth requires that you pay for the cost of the repairs.

## **Types of damage you can be charged**

Link Wentworth is likely to ask you to cover repair costs to cover damage such as:

- broken window
- punctured internal cupboard doors and walls
- carpet burns
- broken clotheslines and hoists
- broken locks
- damaged internal and external doors, fly screens and security doors
- damaged toilets and basins
- blocked sewer due to sanitary pads, nappies, toys or other items flushed down the toilet
- fire damage caused by deliberately or carelessly lit fires

Link Wentworth will also ask you to pay for the cost of replacing lost keys, removing furniture or vehicles abandoned at the end of the tenancy.

## **How does Link Wentworth decide who will be charged for damage?**

When deciding who is responsible for damage and repair costs, Link Wentworth takes into account the type of damage and the information you provide reporting the damage. We will also consider individual circumstances such as:

- the condition of your property at the beginning of your tenancy as per the Property Condition Report
- whether repairs are needed due to fair wear and tear
- ill health or external factors (e.g. criminal activity, vandalism or domestic violence)

## **What happens if Link Wentworth asks me to pay for repairs?**

If we hold you responsible for tenant repair costs, we will notify you in writing, explaining the repairs to be carried out and the amount you will be charged.

We will also consider the age of the item damaged and whether the value has gone down over time (depreciation) before working out the final cost.



## **What if I disagree about my responsibility for the repair costs?**

If you believe that you were not responsible for the damage or disagree with the repair costs, you must advise Link Wentworth in writing. You must state the reasons why you disagree with the repair costs and attach any evidence to support these reasons.

We will then review the decision and if the review deems you are responsible and confirms the amount of tenant repair costs, we will write to you and may apply to NSW Civil & Administrative Tribunal (NCAT) to recover the repair costs.

You will have an opportunity to tell the Tribunal why you disagree about your responsibility and/ or the tenant repair costs. The Tribunal will decide who is responsible to cover the costs of the works and the final amount needing to be paid.

## **Where can I go for more advice?**

The Office of Fair Trading can give you advice about your tenancy rights and obligations, about how NCAT works and can also help you find an advocate.

You can visit the Office of Fair Trading website at [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au) or can call them on 13 32 20

## **Tenancy Advice**

For independent tenancy advice, you can contact:

*North Western Sydney Tenants Service:* Phone: 1800 625 956

*Blue Mountains Tenants Advice and Advocacy Service* Phone: 1800 251 101

**If you need more information, please contact Link Wentworth on 9412 5111 or email [enquiries@linkwentworth.org.au](mailto:enquiries@linkwentworth.org.au)**