

H17. DURING A TENANCY - VEHICLES

Content:	Illawarra Aboriginal Corporation Policies and Procedures
Version:	2.0
Section:	Housing
Applies To:	Board, Management and Staff of all IAC Services
Date:	October 2015 (Review October 2018)

Background and Purpose

The IAC's Housing policies articulate our aims, goals and philosophies in providing housing services for Aboriginal tenants and their families. They explain how the Illawarra Aboriginal Corporation works with its staff and other agencies to ensure that our tenants are afforded the best and most appropriate services and that we meet all of the requirements of the Aboriginal Housing Office and the Office of Community Housing.

Abandoned and Nuisance Vehicles

Tenants and the IAC are responsible for taking reasonable precautions to prevent vehicles (including cars, motorbikes, caravans, trailers, and remains of vehicles including parts and accessories) from being left, stored or abandoned on IAC or IAC managed property.

The IAC will treat a vehicle as abandoned if:

- It is causing a health or safety hazard, or
- It is left by a current or former tenant, or
- The owner of the car cannot be found after the IAC has made reasonable effort to establish the owner's identity and location.

A tenant will be in breach of their tenancy agreement if they, or a member of their household, stores, or abandons a vehicle on common property.

A tenant will be in breach of their tenancy agreement where a vehicle:

- Causes a nuisance to other residents because it is blocking access to common areas, including derelict vehicles left in resident car park spaces
- Interferes with the comfort of surrounding neighbours because it is occupying car spaces allocated for visitors
- Represents a hazard as it is in a state of disrepair and has been left in a common area

COMPLIANCE

This policy complies with:

- NSW Housing Act 2001
- NSW Residential Tenancies Act 2010

Abandoned and Nuisance Vehicles (cont)

The IAC will investigate the ownership of abandoned vehicles on IAC and IAC managed property. Every effort will be made to contact the owner of a vehicle left on IAC or IAC managed property and provide them with an opportunity to remove it. If the vehicle is not removed, where appropriate, the IAC may:

- Seek an order from the NSW Civil and Administrative Tribunal to remove and/or dispose of it, or for the tenant to remove it
- After seeking legal advice of, remove and store it, or dispose of it according to the relevant circumstances.

Local Councils and Roads and Maritime Services (RMS) are responsible for vehicles abandoned on public land.

REFERENCES

This policy should be read with:

- **Housing NSW** "During a Tenancy Policy"
- **National Regulatory Code** - 1. Tenant and housing services - (c) setting and meeting relevant housing service standards