



Title: Procedure – Property Inspections		
Policy Area: Social Programs - Housing		
Policy Number:	Version: 2	Page 1 of 2
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Date July 2019	For Review July 2022	

Principles:

- Routine inspections are carried out to ensure the property is well cared for and to check if there are any maintenance or health and safety issues
- A routine inspection is not a housework inspection and WAC staff must appreciate that people are living there
- A summary of the activities under section 51 of the Residential Tenancies Act 2010 that a tenant must not engage in are:
 1. Use the residential premises or cause or permit the premises to be used for any illegal purpose;
 2. Cause or permit a nuisance
 3. Interfere or cause or permit any interference with the reasonable peace, comfort or privacy of any neighbor of the tenant
 4. Intentionally or negligently cause or permit damage to the residential premises; and
 5. Cause or permit a number of persons to reside in the residential premises that exceeds any number specified in the residential tenancy agreement

Procedures:

- The Property Officer will develop a prioritised schedule for the routine inspection of properties based on the length of the tenancy and / or the outcome of inspections
 - a) in the first year of tenancy the property should be inspected every three (3) months for a period of six (6) months and then at twelve (12) months
 - b) if the property is well cared for and there are no known maintenance of health and safety risks the routine inspection should be a low priority and undertaken annually
 - c) if the property is not well cared and / or there is a suspected potential event that may pose a risk to health and safety in the future the routine inspection should be a medium priority and undertaken every six (6) months - sooner if required
 - d) if the property is not well cared for the property and / or there is a known potential event that requires monitoring as it may pose a risk to health and safety should be inspected routinely every three (3) months
- if during an inspection it is suspected that the tenant is engaging in an activity that is not permitted under section 51 of the Residential Tenancies Act 2010 the Property Officer verbally brief the Manager immediately
- In such an instance, the Manager will be responsible for taking further action

Notice of Routine Inspections

- As the tenant is entitled to 'reasonable peace, comfort and privacy' in the use of the premises WAC staff are not permitted to interfere with, or cause or permit anyone to interfere with this entitlement without proper notice
- The Property Officer must therefore provide seven (7) days written notice to the tenant each time to undertake a routine inspection
- Providing the Property officer gives the tenant proper notice and there is a valid purpose the tenant is required to allow entry, and this applies whether or not the tenant is at the premises at the time
- The Property Officer should however seek the co-operation of the tenant in the first instance and this be flexible in setting the date and time of the inspection

Entry with Consent

- WAC or another person authorised by the landlord, can enter the premises at any time with notice and with the tenant's consent.

Entry without Consent, Without Notice

- WAC, or another person authorised by WAC can enter the premises without the tenants' consent and without notice, only:
 - a) in an emergency, or
 - b) to do urgent repairs
 - c) if the landlord thinks that the premises have been abandoned, or
 - d) in accordance with an order of the NSW Civil and Administrative Tribunal (NCAT)
- The Property Officer should refer to the Tenants' Rights Factsheet 06 and 08 and the Residential Tenancies Act 2010 for further details on maximum frequency, minimum notice periods and

Guidelines / References:

Tenants' Rights Factsheet 06

Tenants' Rights Factsheet 08

Residential Tenancies Act 2010