

# ABANDONED VEHICLES POLICY



## Purpose

Vehicles that are stored, abandoned or parked inappropriately on ACHL property can present a health or safety hazard, cause a nuisance, block access or prevent other tenants from utilising the space. Tenants and Affordable Community Housing Limited (ACHL) are responsible for taking reasonable precautions to prevent vehicles from being left, stored or abandoned on ACHL property. ACHL can take action to remove such vehicles if they are on ACHL property. Vehicles left on public land are the responsibility of local councils or the Roads and Traffic Authority.

A reference to a vehicle includes a car, motorbike, caravan, trailer, boat or remains of any vehicle belonging to a tenant or a member of their household.

## When a tenant may be in breach of their tenancy agreement

A tenant may be in breach of their Tenancy Agreement if their vehicle is on ACHL property and is:

- Parked in a space reserved for visitors or emergency vehicles for more than seven days
- Unregistered and occupying a car space intended for residents
- In a common area and is blocking access or causing a health hazard
- In an open carport, back or front yard and is in various stages of disrepair, has been stripped or is a hazard
- Appears to have been abandoned.

## What action ACHL may take

Once ACHL is made aware of a vehicle in the above situation, we will attempt to locate the owner of the vehicle and given them the opportunity to remove it. Efforts to locate the owner will include:

- Placing a note on the vehicle requesting the owner remove the vehicle within seven days
- Sending a letter to all surrounding neighbours requesting the owner of the vehicle remove it within seven days.

## Where it is established the vehicle belongs to a existing tenant or a member of their household

ACHL will take action in accordance with the Tenancy Agreement and the Residential Tenancy Act 2010. If the owner does not remove the vehicle, ACHL will seek an order from the Consumer, Trader and Tenancy Tribunal (CTTT) to allow ACHL to remove and/or dispose of the vehicle and seek costs from the owner.

## Where it is established the vehicle belongs to a former tenant or non resident

ACHL will seek an order from the CTTT under Section 7 and 79A of the Residential Tenancies Act 2010, or part 4 of the Residential Tenancies Regulation 2010.

## Where ownership of the vehicle cannot be established

ACHL will seek advice from the NSW Police regarding whether the vehicle is stolen and what steps should be taken to remove it.