

## REMEDICATION OF DAMAGE CAUSED BY ILLICIT SUBSTANCES IN HOUSING PROPERTIES POLICY

<b>QA REFERENCE</b>	P&T P&P No 15
<b>INTRODUCED</b>	12 <sup>th</sup> January 2021
<b>LAST REVIEWED</b>	12 <sup>th</sup> January 2021
<b>NEXT REVIEWED</b>	12 <sup>th</sup> January 2024
<b>RESPONSIBILITY</b>	Property and Tenancy Management
<b>APPROVED</b>	Approved by the Chief Executive Officer on 12 <sup>th</sup> January 2021
<b>ENDORSED</b>	Endorsed by the Operational Leadership Group on 2 <sup>nd</sup> February 2021
<b>RECOMMENDED</b>	Recommended by Clinical Governance Sub Committee on 12 <sup>th</sup> January 2021
<b>RATIFIED</b>	Ratified by the Board of Directors by resolution at a meeting of the Board on 12 <sup>th</sup> January 2021 <i>This policy is valid from the date of introduction and remains in force, as amended from time to time, until such time as formally revoked by resolution of the Board of Directors.</i>
<b>REFERENCES –</b>	
<b>Legislative Acts and other sources of Authority</b>	<ul style="list-style-type: none"> <li>• Residential Tenancies Act 1997 (Vic)</li> <li>• Occupational Health and Safety Act 2004 (Cth)</li> </ul>
<b>Standards, Guidelines and Reference materials</b>	<ul style="list-style-type: none"> <li>• State Government of Victoria Environment Protection Authority</li> <li>• Consumer Affairs Victoria</li> <li>• Clandestine Drug Laboratory Guidelines, Australian Government 2011</li> <li>• Methamphetamine contamination in residential properties: Exposure, risk levels and interpretation of standards by the Office of the Prime Minister’s Chief Science Adviser (of New Zealand) dated 29 May 2018</li> <li>• Review of Remediation Standards or Clandestine Methamphetamine Laboratories: Risk Assessment recommendations for a New Zealand Standard by Institute of Environmental Science and Research dated 7 October 2016</li> <li>• Australian Parliament House First Report into Crystal Methamphetamine dated 6 September 2017.</li> <li>• Illicit Drug reporting System (I.D.R.S.) Australian Drug trends Report 2019</li> </ul>
<b>Related MASP Policy and Procedure documents</b>	<ul style="list-style-type: none"> <li>• Property Damage by Tenant - M't P&amp;P No 30</li> <li>• Maintenance and Repairs – M't P&amp;P No 36</li> <li>• Personal Protective Equipment – M't P&amp;P No 40</li> <li>• Inspections – M't P&amp;P No 42</li> </ul>
<b>Related MASP Forms and Templates</b>	<ul style="list-style-type: none"> <li>• RTA Notice to tenant/s of rented premises</li> <li>• RTA Exit Condition Report plus MASP Appendix</li> <li>• Summary of MASP Property Inspections</li> </ul>

ACRONYMS/DEFINITIONS	
<ul style="list-style-type: none"> <li>• MASP</li> <li>• RTA</li> <li>• DAMAGE</li> <li>• REMEDIATION</li> <li>• ILLICIT SUBSTANCES</li> </ul>	<ul style="list-style-type: none"> <li>• Mallee Accommodation and Support Program Ltd.</li> <li>• Residential Tenancies Act 1997 (Vic).</li> <li>• Includes contamination.</li> <li>• The action of remedying something, in particular reversing or stopping environmental damage.</li> <li>• Any illegal drug, whether natural or man-made chemicals.</li> </ul>

## PURPOSE

MASP seeks to provide its' tenant clients with residential accommodation that is clean and free from illicit substances that are detrimental to human health and protect its' housing properties from damage caused by illicit substances and their manufacture.

## SCOPE

This document applies solely to housing properties that are owned by MASP.

This policy is in addition to the related MASP policy and procedure documents referred to above.

This policy does not deal with other options available to MASP, such as breaches of tenancies, recovery of costs, or referrals to the appropriate law enforcement agencies, in relation to illicit substances. For the avoidance of doubt, MASP reserves all its' rights in that regard.

## BACKGROUND INFORMATION

Damage to property caused by illicit substances can range from trace levels that may be within acceptable levels to rendering the property unfit for human habitation.

The level of damage is dependent upon a number of factors, including the type of illicit substance, whether the illicit substance is used and the frequency of its use, whether the illicit substance is manufactured and the scale of that manufacture in the property.

The detrimental impacts to human health can range from having no effect to irreversible long-term effects.

The level of detriment to human health is dependent upon the type of illicit substance, the amount a person consumes or is exposed to over time.

Damage from most illicit substances can be remediated by proper cleaning and repair at a cost that is (relatively) inexpensive.

However, damage from illicit substances, such as methamphetamine, may be more difficult to repair at a cost that is (relatively) expensive.

There is (limited) evidence from studies on the impact of methamphetamine on human health conducted in the U.S. that show consumption of methamphetamine at levels higher than 21 micrograms per day in adults, and 3 micrograms per day in children, place those persons at risk of detrimental health effects.

Whereas consumption at levels higher than 350 micrograms per day in adults, and 50 micrograms per day in children, cause the on-set of irreversible detrimental health effects.

A minimum level of 30 micrograms per 100cm<sup>2</sup> is likely to be an indication of methamphetamine manufacture.

The production of methamphetamine may involve the use of other contaminants and toxicants in the manufacture process thereof that may cause damage to housing property and detrimental effects to human health at unacceptable levels.

It is generally considered that a dwelling will be unfit for human occupation where methamphetamine has been manufactured therein.

Currently the acceptable level of contamination from methamphetamine is <0.5micrograms per 100cm<sup>2</sup> on inside surfaces. This level was set by the Australian Government in 2011 and accepted by the EPA in Victoria in 2012.

Subsequent experiences with contamination from methamphetamine in housing properties in New Zealand, where the Australian standard had been adopted, have shown that acceptable levels could be up to 2 micrograms per 100cm<sup>2</sup>.

To put the unit of measurement into perspective 1,000,000 micrograms make up one gram.

In 2019 the I.D.R.S. reported that the perceived quality of an illicit substance containing methamphetamine between approximately 25% - 75% of pure methamphetamine, depending upon whether it was in a powder, base, or crystal form.

This means that in one gram of an illicit substance containing methamphetamine between approximately 250,000 and 750,000 micrograms is pure methamphetamine.

If one-tenth of a gram (or a 'point') of an illicit substance containing methamphetamine is consumed, then that amount contains between approximately 25,000 and 75,000 micrograms of pure methamphetamine.

According to the I.D.R.S., in 2019 the average national consumption of an illicit substance containing methamphetamine is 0.2 grams per day, or equivalent to between approximately 50,000 and 150,000 micrograms of pure methamphetamine per day.

Considering that an adult may consume an average of 350 micrograms of methamphetamine per day before suffering the on-set of adverse health effects, then conceivably the average consumption of 0.2 grams of an illicit substance containing methamphetamine per day could damage our housing property and expose other persons to unacceptable health risks by pure methamphetamine residue at a minimum rate of 49,650 micrograms per day.

## **POLICY**

MASP does not seek to place persons at risk of detrimental health effects caused by illicit substances.

We do not accept the manufacture of any illicit substance and will discourage the use of illicit substances by tenants in MASP housing properties.

There are many considerations in deciding the proper remediation of damage to housing properties and that remediation incurs a cost to the organisation.

However, the consideration of remedial costs will not be elevated above other considerations in deciding whether to remediate damage caused by illicit substances.

We will take reasonable steps to remediate MASP housing property from damage caused by illicit substances and their manufacture including, wherever possible, undertaking precautionary efforts to prevent damage from illicit substances arising.