



residential
tenancies
authority



Moving in

information for tenants in houses and units

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Please take a few minutes to read this guide which explains some of the things you need to know when you move into a rental house or unit. More detailed information is available on the RTA's website (rta.qld.gov.au).

The Residential Tenancies Authority (RTA) is the Queensland Government statutory body that administers the *Residential Tenancies and Rooming Accommodation Act 2008* (the Act). The RTA makes a positive difference to the residential rental sector by providing tenancy information, bond management, dispute resolution, investigation, policy and education services.

When renting...

You must

- » pay the rent on time
- » keep the property clean and undamaged and leave it in the same condition it was in when you moved in (fair wear and tear excepted)
- » abide by the terms of the tenancy agreement
- » respect your neighbours' right to peace and quiet

The lessor/agent must

- » ensure the property is vacant, clean and in good repair at the start of the tenancy
- » respect your privacy and comply with entry requirements
- » carry out repairs and maintenance
- » meet all health and safety laws
- » lodge your bond with the RTA

Resolving a dispute

Try to resolve disputes with the lessor/agent directly; if this does not work, the RTA's dispute resolution service may be able to help. If the matter remains unresolved you may be able to take the matter to the Queensland Civil and Administrative Tribunal (QCAT).

Tenancy agreement

A *General tenancy agreement* (Form 18a), also called a lease, is a legally binding written contract between you and the lessor/agent. It must include standard terms and may include special terms (e.g. keeping pets, pest control).

You should be given a copy of the agreement before paying any money or entering into the tenancy. If you do not have a written agreement you still have protection under the law.

The lessor/agent must give you a copy of the agreement before, or on the day, you move in. You must sign and return the agreement to the lessor/agent within 5 days. They should send you a copy of the final agreement within 14 days of receiving it.

The agreement may only be ended by following the correct procedure. Visit our website for more information.

Period of tenancy agreement:

- » Fixed term agreement – has a start date and an end date and you agree to rent the property for a fixed amount of time (e.g. 12 months)
- » Periodic agreement – when you agree to rent the property for an unspecified amount of time (there will be a start date but no end date)

Bond

A rental bond is a security deposit you pay at the start of a tenancy. It is lodged with the RTA. The lessor/agent must not hold your bond. Before the bond is taken the lessor/agent must give you a copy of the tenancy agreement.

The maximum bond is equal to 4 weeks rent if the rent is \$700 a week or less. If the rent is more than \$700 a week there is no limit on the bond. Once the bond is paid, the lessor/agent must give you a receipt and complete a *Bond lodgement* (Form 2) which you must sign.

The lessor/agent must lodge the bond with the RTA within 10 days. You will receive notification from the RTA once the bond has been lodged.

Rent

Rent can be paid in the following approved ways:

- » cash
- » cheque
- » deposit to financial institution (nominated by the lessor)
- » credit card
- » EFTPOS
- » deduction from your pay or pension
- » another way agreed by you and the owner/manager.

If the lessor/agent wants rent paid in an unapproved way (e.g. rent card or money order) you must also be given a choice of at least 2 approved ways.

Rent in advance

Most lessors/agents require rent to be paid in advance before tenants move in. You can't be asked to pay more rent until it has been used up.

- » For a fixed term agreement: a maximum of 1 month's rent in advance
- » For a periodic agreement: a maximum of 2 weeks rent in advance

Rent receipts

The lessor/agent must give you a receipt if you pay your rent in cash. If you pay by cheque you may request a receipt. The lessor/agent must keep a record of the rent you pay. If you ask for a copy of the rent record (or ledger) it must be given to you within 7 days.

Utilities

Water usage

You can be charged full water consumption costs (including bulk water charges) only if:

- » the rental property is individually metered (or water is delivered by vehicle), and
- » the tenancy agreement states you must pay for water consumption, and
- » the rental property is water efficient.

If the property is not water efficient, but the other two conditions are met, the lessor is responsible for a reasonable amount of water consumption but you may have to pay any excess water charges.

Water billing periods are unlikely to align with tenancy agreements. It's important that both you and the lessor/agent note water meter readings on the entry and exit condition reports to calculate water consumption. Visit our website for more details.

Electricity/gas/phone/internet

Check your tenancy agreement – in most cases these services will not be included and you should arrange connection.

Sharing an electricity or gas meter

If you rent a unit or flat, sometimes there is only one meter recording the entire building's use of a service (such as electricity). If this is the case, the utility company will probably send out one bill for the entire building. If this happens, your tenancy agreement must show how your share of the bill will be worked out.

Entry condition report

The lessor/agent must give you an *Entry condition report* (Form 1a). It records the condition of the property at the start of the tenancy and is an important document if there is a dispute about the condition of the property at the end of the tenancy.

The lessor/agent must give you a completed copy of the signed report before, or on the day, you move in. Each item on the report should be marked clean, undamaged or working. Water efficient devices should be noted along with a water meter reading. It is best to complete your part of the report before you move in so you can record the true condition of the property at the start of the tenancy. You can disagree with what the lessor/agent has written by including your own comments. Photographs or video are the best ways to support what you have written.

You must sign and return the report within 3 days of moving in and the lessor/agent must give you a copy of the final report within 14 days of receiving it.

Checklist

- » read and sign the *General tenancy agreement* (Form 18a)
- » get a signed copy of your tenancy agreement
- » pay a bond (if required) and sign a completed *Bond lodgement* (Form 2)
- » get receipts for any money you pay
- » get one full set of keys for one of the tenants named on the agreement, and entry keys for the other tenants named on the agreement
- » complete and sign the *Entry condition report* (Form 1a) and return it to the lessor/agent
- » keep copies of all these documents in a safe place.

Contact us

Level 23, 179 Turbot Street, Brisbane Q 4000
GPO Box 390, Brisbane Q 4001
t 1300 366 311
w rta.qld.gov.au
Mon–Fri: 8.30am–5pm

Hearing or speech impaired clients

Deaf, hearing or speech impaired clients can contact the National Relay Service for assistance with contacting the RTA by phone.

TTY or computer modem
t 133 677

Interpreter services

If you require an interpreter, please contact the Translating and Interpreting Service (TIS) (for the cost of a local call) during RTA hours of business. TIS will telephone the RTA for you at no extra cost.

t 131 450

Tenants' Union of Queensland

t 1300 744 263
w tuq.org.au

This information is for general guidance only. It is not legal advice. The RTA cannot guarantee the accuracy or completeness of the information provided. For more information refer to *Residential Tenancies and Rooming Accommodation Act 2008*.

