

**Having trouble paying rent because affected by COVID-19**

A COVID-19 impacted tenant who requires rent relief should contact the landlord as soon as possible to try and negotiate, in good faith. In general, 'good faith' negotiation means parties dealing honestly & fairly with one another to genuinely work towards a mutually beneficial agreement in a timely manner. See <https://www.tenants.org.au/covid19/rent>

**Write to the landlord / agent about a rent reduction**

See the *Rent Reduction Sample Letter* at [http://files.tenants.org.au/sample-letters/Rent\\_reduction\\_request.rtf](http://files.tenants.org.au/sample-letters/Rent_reduction_request.rtf)

**No response or unsatisfactory response**

**Rent reduction agreement reached – get it in writing**

*Rent Variation Sample Agreement* at <http://files.tenants.org.au/resources/2020-Rent-Waiver-Deferral-Agreement.rtf>

**Write to the landlord / agent and request that they engage in the NSW Fair Trading Formal Rent Negotiation Process\***

**No response within 7 days**

**Start the Formal Negotiation Process\***

**Do you want to end your tenancy?**

**Yes**

**No**

**What sort of tenancy agreement do you have?**

**Start the Formal Negotiation Process\***

**Fixed-term agreement**

**Periodic (ongoing) agreement**

See also <https://www.tenants.org.au/covid19/end-tenancy> and <https://www.tenants.org.au/factsheet-09-you-want-to-leave>

**Apply to the Tribunal for early termination**

**Issue a termination notice to your landlord, giving 21 days notice**

**Attend Tribunal hearing to end tenancy without a break fee or reduced break fee**

An early termination application to the Tribunal comes under section 228C or section 104. Get advice from your local Tenants' Advice and Advocacy Service on applying to the Tribunal. See also:  
 • [tenants.org.au/covid19/end-tenancy](https://tenants.org.au/covid19/end-tenancy)  
 • [tenants.org.au/covid19/tribunal](https://tenants.org.au/covid19/tribunal)  
 • [tenants.org.au/factsheet-11-nsw-civil-and-administrative-tribunal](https://tenants.org.au/factsheet-11-nsw-civil-and-administrative-tribunal)

**Note:** Until your tenancy agreement has ended, you should continue to pay whatever you can afford to pay in rent during this time and speak to a financial counsellor to prepare a plan in support of your case during your negotiations.

**Start the NSW Fair Trading Formal Negotiation Process using the online application form**

If you have attempted to negotiate a rent reduction without success you can apply to NSW Fair Trading for assistance with the negotiations by using this form: <https://www.cas.fairtrading.nsw.gov.au/icmspublicweb/forms/Tenancy.html> For more info see <https://www.tenants.org.au/covid19/rent-negotiations>

**Wait for a response from NSW Fair Trading**

**Attend the Formal Rent Negotiation Process**

See <https://www.tenants.org.au/covid19/rent-negotiations>

**Were the formal negotiations successful?**

**Yes**

**No**

**Rent reduction agreement reached – get it in writing**

**If you are unable to continue your tenancy, consider your options for exiting your tenancy early**

See *Rent Variation Sample Agreement* at <http://files.tenants.org.au/resources/2020-Rent-Waiver-Deferral-Agreement.rtf>

See 'Do you want to end your tenancy?' above