Steps for tenants impacted by COVID-19 • tenants.org.au/covid19/guide

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

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

What sort of tenancy agreement do you have?

Fixed-term agreement

Start the Formal Negotiation Process*

Periodic (ongoing) agreement

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

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.

No

Start the Formal Negotiation Process*

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

Were the formal negotiations successful?

Yes

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

No

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

See Do you want to end your tenancy? above