

Tenants have rights

When you start to rent



Easy Read

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This information is only an info guide.

You should not use it instead of legal advice.

Legal advice is when you speak to someone like a lawyer about your rights.

This information is only meant for people who live in NSW.

When you start to rent

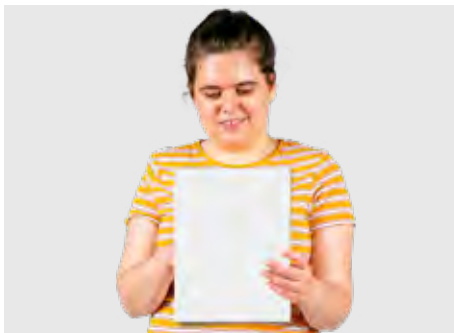


This info sheet talks about what you need to know when you start to rent a place.



There are laws that say what your rights are as a tenant in NSW.

A **tenant** is someone who rents a house or unit to live in.



This info sheet tells you

- What you need to do when you start to rent
- What the landlord needs to do
- Where to get help if there are issues



The **landlord** is the person who owns the place that you rent.

The residential tenancy agreement



The landlord or agent must give you a copy of your residential tenancy agreement.



The **residential tenancy agreement** says what the rules are for you and the landlord.

We will say **tenancy agreement** for short.

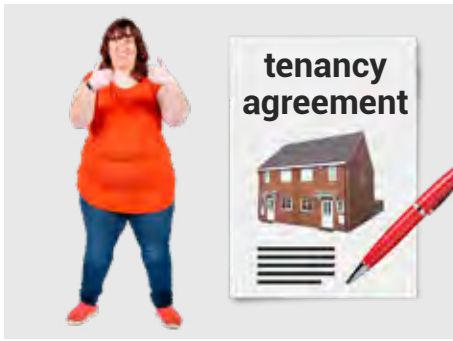


The **agent** is the person who looks after the place for the landlord.



All landlords must use the same tenancy agreement.

They can only make small changes to it.



The landlord must give you a written copy of your tenancy agreement.

You do not have to pay for it.



There are 2 kinds of tenancy agreements

1. Fixed term agreements are for a set time like 9 months or 1 year



2. Ongoing periodic agreements do not have a date that they finish.



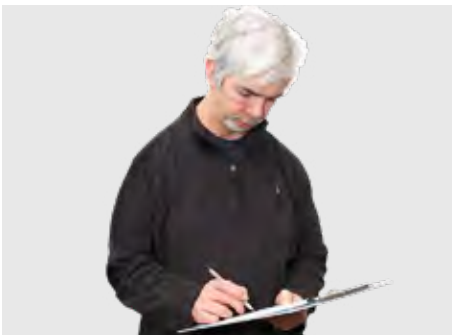
If there is no written tenancy agreement the landlord cannot ask you

- To pay more rent in the first 6 months
- To move out without a very good reason

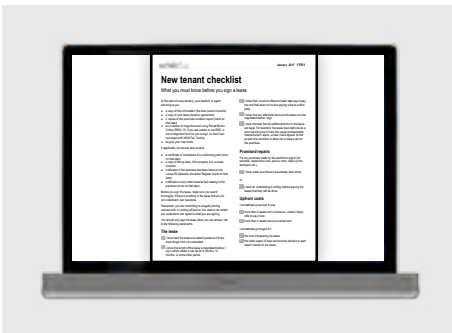
Information from the landlord or agent



The landlord or agent must not keep information from you.



After you sign the tenancy agreement they must give you the New Tenant checklist.



To look at the checklist go to
www.bit.ly/new-tenant-checklist



Some units or town houses are part of a strata scheme.

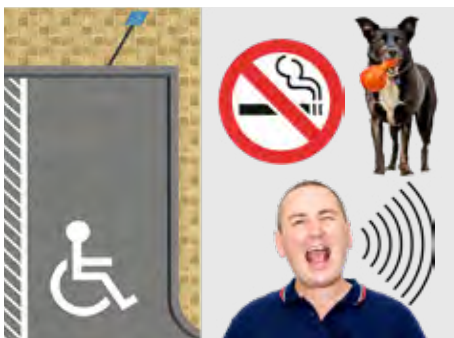
Strata scheme means the owners split the costs for the common areas like the garage.



If your place is part of a strata scheme you must get a copy of the strata by laws within 7 days.



Strata by laws are the rules for everyone who lives there.



The rules might be about having pets, parking, noise or smoking.



The landlord or agent must write down their contact details for you.

They can also put them into the agreement.

Things you might need to pay



These are the things the landlord can ask you to pay when you start to rent a place.

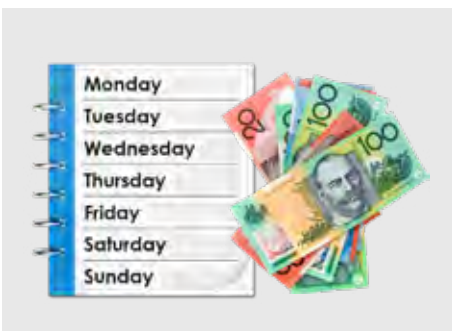


Holding fee

The landlord can ask you to pay a holding fee until you sign the tenancy agreement.

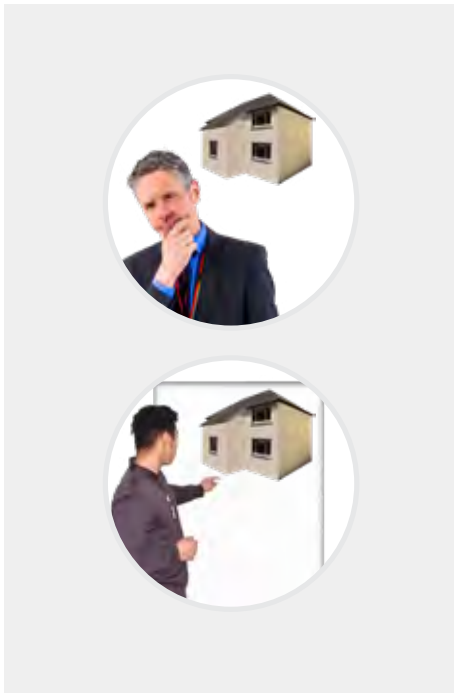


When you pay a holding fee they cannot give the place to someone else to rent for 7 days.



The holding fee cannot be more than 1 week of rent.

It becomes part of your first rent.



The landlord must pay the holding fee back if

- They change their mind about renting you the place
- You change your mind because they told you something that was not true



Rent in advance

Rent in advance means you pay some of the rent already before you move in.



The landlord cannot ask you to pay more than 2 weeks of rent.

You can pay more if you like.



Bond

Bond is money that NSW Fair Trading keeps for you until you move out.



NSW Fair Trading look after the bonds of all tenants.



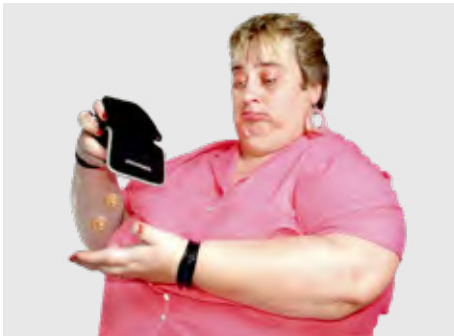
The landlord can use some or all of the bond

- To fix things that you broke when you lived in the place
- If you stop paying rent



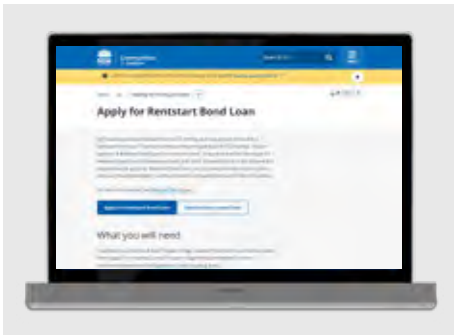
You should not pay more than 4 weeks of rent as bond.

Getting money support



Rentstart can help you if you do not have enough money to pay for

- Your bond
- Rent in advance



To ask for money support go to

www.facs.nsw.gov.au/housing/help/applying-assistance/rentstart-bond-loan-application



You might want to ask someone you trust to help you.

The condition report



The landlord must give you 2 copies of the condition report when you move in.



The **condition report** says what each room of the place looks like.

It will list things that are broken or have scratches.



Walk through your new place and add things you see that are not in the report.



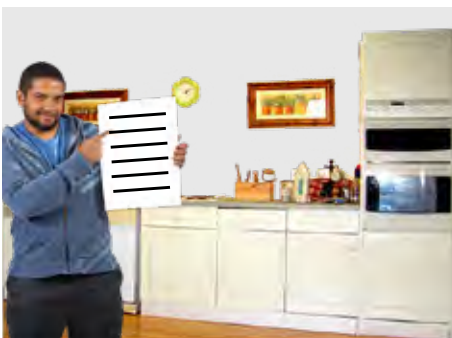
You can also take photos.



This is important in case there are issues when you move out.



You must send 1 copy back to the landlord within 7 days.

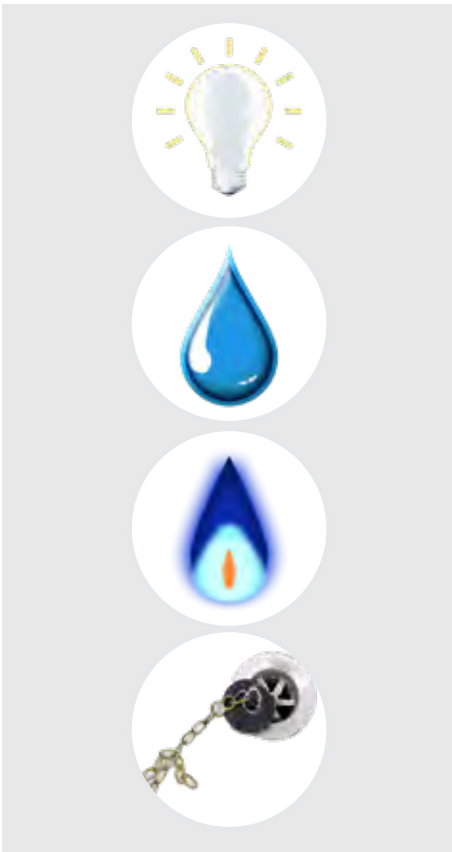


Keep the other copy and write down things the landlord says they will do or fix.

Things the landlord needs to connect



There are some things the landlord has to pay for to get connected.



These are things like

- Electricity
- Water
- Gas
- Sewerage like pipes and drains



You have to pay for the water, gas and electricity that you use when you live there.

Things you need to pay to connect



You must pay to get things connected like

- Telephone
- TV
- Internet



Sometimes the landlord is happy to pay some of it.



You need to ask the landlord if it is ok to get something new connected.



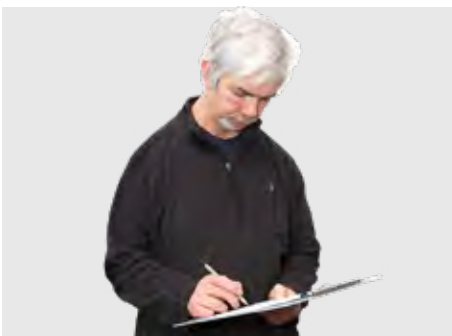
You need to ask in writing like a letter or email.



They need to have a good reason to say no if it is only a small job.



The landlord must look after old sockets for phone, TV or internet that are already there.

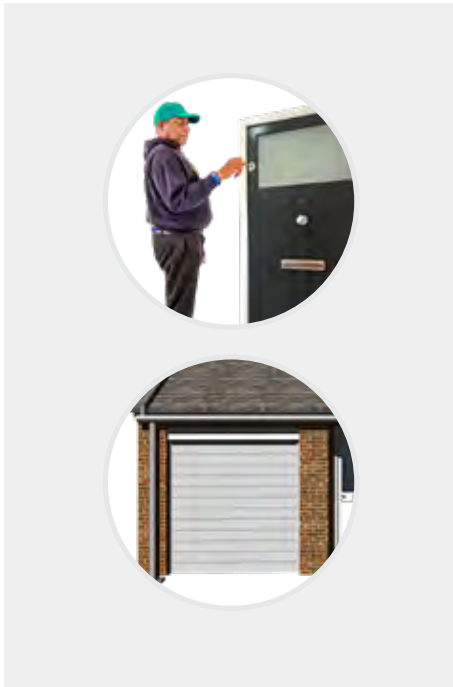


Add to the condition report if the sockets work or not.



Get the landlord or agent to fix them if they are broken.

Keys



The landlord must give everyone on the tenancy agreement a key to

- The place
- Other places you can use like the garage

Issues and complaints



If you have issues with your landlord talk to a tenants service near you first.

They are called **TAAS** for short.



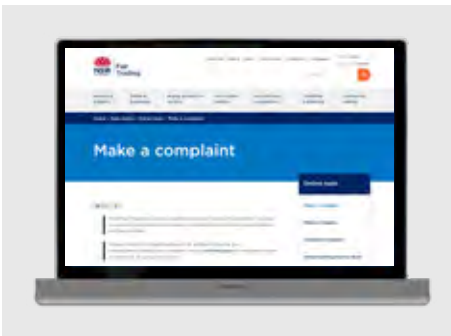
To find a TAAS near you go to

www.tenants.org.au/get-advice



You can also

- Tell the Tribunal
- Make a complaint with NSW Fair Trading



To make a complaint with NSW Fair Trading go to

www.fairtrading.nsw.gov.au/help-centre/online-tools/make-a-complaint

Discrimination



Discrimination means that you are not treated fair and not like everyone else.



If you think you are treated unfair because of who you are talk to a TAAS near you.

More info and help



For more information about your rights when you rent go to

www.tenants.org.au



To find a TAAS near you go to

www.tenants.org.au/get-advice



If you need help in your language call

131 450.



To contact NSW Fair Trading

- Call them on **133 220**
- Go to their website
www.fairtrading.nsw.gov.au

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