Smoke Alarms

As always, we love getting questions asked of us from our students. One that has been popping up frequently over the last few years is “who is responsible for the maintenance of smoke alarms in rental properties?”

As most of the property managers out there would be aware, the Environmental Planning and Assessment Amendment (Smoke Alarms) Regulation 2006 came into effect ten years ago. Since then, smoke alarms have been mandatory in all homes and other shared accommodation buildings where people sleep.

As set out in the Residential Tenancies Regulation 2010, Schedule 1 – the standard clauses for residential tenancies agreement states:

SMOKE ALARMS

38. The landlord agrees to ensure that smoke alarms are installed and maintained in the residential premises in accordance with section 146A of the Environmental Planning and Assessment Act 1979 if that section requires them to be installed in the premises.

39. The landlord and tenant each agree not to remove or interfere with the operation of a smoke alarm installed on the residential premises unless they have a reasonable excuse to do so.

So, as we can see from clause 38 above, it states that the landlord is responsible for the installation and maintenance of the smoke alarms, and the standard tenancy agreement also states that it is the responsibility of the tenant to replace certain items:

16. The tenant agrees:

16.4 that it is the tenant’s responsibility to replace light globes and batteries for smoke detectors on the residential premises.

New South Wales Fair Trading have an information sheet that sets out the responsibilities of landlords for the installation and maintenance of smoke alarms in their rental properties and it is a valuable resource so that all landlords to ensure they understand their responsibilities.

Further responsibilities of landlords and tenants under the Residential Tenancies Act 2010 are:

- Landlords have the right of access to rented premises to fit or maintain smoke alarms after giving the tenant at least 2 days notice.
• Neither the landlord nor the tenant are, except with reasonable excuse, permitted to remove or interfere with the operation of a smoke alarm fitted in the rented premises.
• Where a smoke alarm is of the type that has a replaceable battery, it is recommended that the landlord put a new battery in at the commencement of a tenancy.
• After the tenancy begins, the tenant is responsible for replacing the battery if needed. Fire and Rescue NSW can assist elderly tenants or those physically unable to change a smoke detector battery.
• The condition report includes a specific reference to smoke alarms so that tenants and landlords (or their agent) are able to note and comment on the presence of smoke alarms at the beginning and end of the tenancy.

The Act no longer states that it is a responsibility of the landlord to change the batteries of the smoke detectors at the beginning of each tenancy, however as a matter of good practice it would be advisable for the property manager to enforce this as standard. You just never know if the tenants are actually upholding their end of the bargain.

‘Til next time,
Wishing you every success in your business ventures,
Rosy Sullivan

Queanbeyan and Australian Capital Territory CPD Courses

We are pleased to announce that ACOP is going to be in Queanbeyan on Monday 18th April to run a NSW Sales & Property Management CPD course. Enrolments are now open. Enrol here. Full 12 points. Loyalty discount applies.

We are also running ACT CPD courses during the year. These courses will take place in Canberra. For more information and dates for the ACT CPD courses please check our website.

To enquire about these courses or to book an in-house course please ring 1300 88 48 10 or email enquiries@acop.edu.au

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CERTIFICATE OF REGISTRATION COURSES

Sydney
(Dist Ed + 2 day workshop)
Sat 16h – Sun 17th Apr

Sydney
Mon 18th – Wed 20th Apr

Parramatta
Mon 2nd – Wed 4th May

Coffs Harbour
(Dist Ed + 1 day workshop)
Wed 27th Apr

Batemans Bay
(Dist Ed + 1 day workshop)
Tue 24th May

Gosford
(Dist Ed + 1 day workshop)
Wed 25th May

Mudgee
(Dist Ed + 1 day workshop)
Thu 9th Jun

FINANCE AND MORTGAGE BROKING COURSES

Cert IV in Finance & Mortgage Broking
Sydney
Mon 9th - Wed 11th May

Dip of Finance & Mort Broking Mgmt
Upgrade for existing Cert IV holders
Sydney
Thu 12th - Fri 13th May

News from the Office

The College has had another hectic fortnight with most of our courses hitting full capacity. This has been exciting yet challenging with the College having to utilise new training venues to allow for the expansion in the property and finance sectors. This week we have a fantastic group in our Sales for Real Estate course where most of these students will receive their Real Estate qualification as it is their last module in the licensing program. This week we are also running a Mortgage Broking Diploma class in the CBD, a Certificate of Registration at Castle Hill, Agents Representative course in Melbourne, Diploma of Financial Planning and CPD in Tamworth, Castle Hill, Double Bay, Balgowlah and of course the CBD.

The office has also been hectic with the amount of causes for celebration over the last fortnight. We celebrated (albeit a little bit late) the birthdays of two of our most experienced staff members (translate this for well-aged), George and Anthony. In the interest of fairness, we had no choice but to have two cakes for the occasion, one for each birthday. The team also joined together for a lunch to congratulate Kristin on her recent engagement to her partner Adam. Kristin was very excited that the office had organised this surprise event for her and was even more excited not only that it coincided with her 1 year anniversary of being a part of the ACOP team, but that chicken wings were a feature of the celebration.

With all that has been going on in the office, the team has thoroughly enjoyed the break that the Easter long weekend had to offer. Our staff made the most of it, with Kristin having a family holiday up the coast at Taree, Braden going camping on the Central Coast and Julia travelling back to her old home at Singapore. Rosy and John visited the Easter show and caught up with some of the College’s stock and station agent students, and Johnny also spent his time at the Central Coast, however, not as a holiday, but just spending a quiet weekend in his new home.

2016 Sales, Property Management, Business

Broking, Stock & Station and Strata

online CPD available.

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