Residential Tenancies Act……..a review

Earlier this year we advised in our Chronicle that NSW Fair trading were reviewing the Residential Tenancies Act 2010, only six short years since its last major overhaul. For your information, the following is a summary of where the review process is at, and what is being suggested.

Until the end of January, any member of the public could write in to Fair Trading with their opinions to the discussion paper that suggested a number of areas that had been identified that require change or clarification.

Since January this year, Fair Trading have collated the 210 received submissions and prepared a summary of Statutory Review. It is interesting to take note of the amount of tenants that prepared submissions for the review - they were the highest contributors to the review, contributing 37% of all submissions while real estate agents only contributed 6%.

The summary addresses what changes have been proposed for the RTA and makes twenty seven (27) sets of recommendations which include:

- That the Government give further consideration to:
  - whether it is appropriate to provide occupancy rights to sub-tenants without a written tenancy agreement and/or to boarders not covered by the Boarding Houses Act; and
  - what kinds of occupancy rights should be provided to these groups.

- That the Tenant’s Checklist include information about statutory safety requirements relating to smoke alarms, electrical safety switches and child safety window locks.

- That the payment of interest to tenants on rental bonds be abolished and the purposes for which Rental Bond Interest Account moneys can be spent should be widened to include consumer protection more generally.

- That the Act require all landlords and agents to register with Rental Bonds Online, and provide tenants with an invitation to use Rental Bonds Online prior to bond lodgement.
• That the condition report provides a page that can contain photos of the property if the tenant or landlord wishes to use them.

• That landlords/agents be required to:
  • consult with the tenant before taking photos to be used in advertising and provide the tenant with an opportunity to remove any possessions that can reasonably be moved; and
  • obtain the tenant’s written permission to use photos containing the tenant’s possessions in advertising.
  • That tenants be prohibited from unreasonably withholding consent to the use of photos in advertising.

Fair Trading have advised that the legislation changes will be drafted in early 2017.

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

Rosy Sullivan

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The number of students we’ve had attending training in our CBD office over the last fortnight has been nothing short of outstanding. We’ve had a multitude of students attend a wide range of courses that have been held, including Certificate of Registration, Staff Management, Financial Management, Sales for Real Estate and CPD courses in Business Broking, Property Management and Real Estate Sales.

And just because our staff weren’t busy enough with all the courses held in our office, this week saw the College launch our new ACOP website and student database. Our new website is designed to seamlessly integrate student’s enrolments online to our database, ensuring that our students are placed into the right courses to meet their needs. The new website and system has been one of our biggest projects here at the college and is the result of months of hard work and tireless effort. We’d like to give a huge thanks to all the staff members who have made this possible. You can take a look at our new website at www.acop.edu.au.

This week also saw the College break new ground in the distance travelled to provide in-house training, with our College Principal Rosy travelling to Beijing, China to run a seminar on the Australian property industry. This training was a fantastic opportunity to be on the forefront of providing premium training to a continually expanding market in relation to the rules and regulations surrounding the Australian property industry.

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