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## Rights & Responsibilities

Over the years, our State Governments have set up residential tenancy authorities to protect the rights of both the landlord and the tenant.

While in the past, many tenants thought the landlords had unreasonable rights, now the pendulum has swung in favour of the tenants and many landlords feel their rights have diminished and their responsibilities have been increased.

As a landlord it is important for you to understand your "rights and responsibilities" so that you don't fall foul of the legislation. While your portfolio manager will advise you and act on your behalf, as an investor, it's a good idea to understand the rules setting out your obligations as a landlord.

### Utility and service charges

The landlord must pay all installation and initial connection costs for electricity, gas and oil supply.

### Your property

As a landlord you must:

- Make sure the premises are vacant and reasonably clean on the day the tenant is due to move in
- Keep the premises and common areas in good repair during the term of the tenancy
- If you need to replace any water appliance, fitting or fixture, ensure they meet Standards Australia 'A' rating.
- Make sure all external doors have locks and windows can be secured
- Give the tenant a key as soon as possible after changing any lock
- Let the tenant have peace and quiet enjoyment in the premises

### When can you visit your property?

While you may feel like checking on how your tenant is looking after your property, you can't just pop in whenever you feel like it. Contact your portfolio manager to arrange a scheduled visit.

Occasionally you may need to enter your property on short notice in order to:

- Carry out duties under the Residential Tenancy Agreement' the 'Residential Tenancies Act 1997' or any other Act.
- To value the property
- Show prospective buyers or lenders through the premises
- Show prospective tenants through the premises
- Verify a reasonable belief that the tenant has not met their duties as a tenant
- Make one general inspection within the first month of the lease start date and to carry out routine inspections once every three months.

Under these circumstances, the landlord is allowed to enter the premises if the tenant is not home providing the requirements regarding written notices have been met. The landlord does not have the right to enter in an unreasonable way or stay any longer than necessary unless it is with the tenant's permission.

## Repairs

Occasionally you will be contacted by your tenant or property manager advising that you are going to have to repair an item in your rental property. While some of these may not be urgent, there are others than will need to be attended to promptly.

You will need to respond to urgent repairs without delay. If nothing is done, your tenant has the right to arrange for these repairs to be done up to the value of \$1000 – at your expense.

Non-urgent repairs must be carried out within 28 days, but obviously we would recommend you do it sooner.

Even though they may feel like it, legislation prevents tenants from withholding rent while waiting for repairs to be done.

### When can I increase the rent?

Tenants always think their rent is too high but most landlords are wanting to maximise their investment returns. On a fixed term lease, rent cannot be increased more than once every six months, and the tenant must be given at least 60 days notice of any proposed rent increase.

### How do I end the tenancy?

There are set ways of ending all tenancy agreements. Even if an agreement has a fixed end date, you will need to give notice to end the tenancy. Your portfolio manager can advise the time required for notice to tenants.

### Discrimination

As a landlord you have the right to choose the tenant you consider the most suitable for your property but the Equal Opportunity Act makes it unlawful to discriminate against or harass people. What this means to you is that you cannot select your tenant based on their age, race, religion, sex or a whole host of other discriminatory reasons. If you do, you could be liable to pay damages or fines.

This is only a short summary if you have queries regarding any of these points, please do not hesitate to contact your portfolio manager for assistance.

Source: Residential Tenancy Commission

## Increase Your Investment Portfolio

**CLAREMONT** Gross Return of 5.6% (approx.) 'As Is'



A solid family home with large rooms, high ceilings, picture rails and covered Tas Oak flooring. Drive through the garage/workshop/rumpus area to a large fully fenced yard. Conveniently located close to transport and a short drive to Claremont Village. Great potential for the investor.

**Buyer Inquiry Range \$220,000 - \$270,000\***  
20 Hilton Road, Claremont  
Contact Arthur Seymour 0438 057 885

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