

# What's the law?

Australian law for new arrivals

## Answer sheet 6: Renting

November 2013

Requirements: A copy of the DVD.

### Pre-teaching

**Vocabulary:** advance, bond, complain, condition report, copy, court order, damage, forms, kick out, lease, property, reason, rent, repairs, tenant.

**Warmer activity to introduce topic:** Class survey: *Who rents a property? What type of property? Did you pay a bond? Do you talk directly to your landlord or to a real estate agent? Have you ever needed to make a repair? What happened?*

### Key messages

1. In the condition report, you should write down the condition of every room. If you have looked after the property and have not damaged anything, then you are entitled to a full refund of your bond. The landlord cannot claim some of your bond for normal 'wear and tear'.
2. Your landlord has responsibilities when you rent a property, including the responsibility to fix things that are broken. If the property needs repairs (for example, plumbing, roof leaking, broken heater, broken oven, broken locks, door doesn't close properly etc), you should notify the landlord in writing and ask the landlord to fix it. If you can't do this yourself, contact a lawyer to get help.
3. If the landlord asks you to pay for any repairs, then keep the receipt so you can get reimbursed.
4. Tenants also have responsibilities - to pay the rent on time, keep the property clean and tidy, not intentionally damage the property, and not let other people live in the house without the landlord's permission.
5. The landlord cannot kick you out of your house, even if you have done something wrong (like missing some rent payments). The landlord has to fill out paperwork and get a court order to evict you.
6. You should always get help if you receive any letter or form from the landlord or estate agent that you don't understand. A tenants' organisation, community legal centre or legal aid may be able to help you, and they can organise an interpreter for you.

### Answers

#### Activity A

1. a unit                                      2. four weeks rent                                      3. the oven was broken                                      4. bond

#### Activity B

1. c      2. e      3. a      4. b      5. d

#### Activity C

- c      b      a      e      h      g      f      d

#### Activity D

1. true                                      2. false                                      3. true                                      4. true                                      5. false

#### Activity E

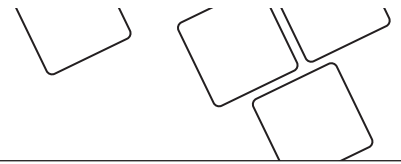
1. lease                                      2. bond                                      3. condition report                                      4. court order

#### Activity F

Discussion

#### Activity G

Tenants' organisations such as tenants' unions or tenants' advice services are the best place to get free renting advice. Legal aid may be able to refer you to the right place. Check last slide in the DVD for the best place to get free legal help.



## Script for Renting story

- Nan This unit is perfect for us!
- Saw Paw Yeah, it's good. Let's go back to the agent and fill in the forms.
- Agent OK, so sign this lease. You have to pay the rent in advance plus four weeks rent for the bond. If the property is not damaged at the end of the lease you will get the bond back. And you need to fill in this condition report. It lists all the damage that already exists. Check it is right so you will not have to pay for damage you did not do.
- Saw Paw OK, let's go to our new home.
- Nan Mmm... everything seems to be working OK.
- Saw Paw Ohh look, there's a cracked tile in the bathroom.
- Nan Ahha, and a cigarette burn in the carpet! Write that down.
- A few weeks later*
- Nan Saw Paw, the oven isn't working.
- Saw Paw Yeah, when I tried to cook the chicken on the weekend the oven kept turning off.
- Saw Paw Good morning. This is Saw Paw Kunoo from Unit 2/25 William Road. The oven in our unit isn't working. Can someone come to fix it please?
- A few weeks later*
- Saw Paw They still haven't come to fix it!
- Nan Call them again. We can't bake or roast anything.
- Saw Paw Ohhh, they might kick us out if we complain.
- Narrator At the end of the lease Saw and Nan move out of the unit.
- Saw Paw Here are the keys for our unit. Will you send us the bond?
- Receptionist We'll check the condition of the unit first then we'll contact you.
- Saw Paw Thanks.
- Nan We need that bond back. We need that money now.
- Nan I can't believe it! The landlord said we're not getting the bond back.
- Saw Paw How come?
- Nan They said we broke the oven and the carpet is dirty.
- Saw Paw WE broke the oven! I don't believe it.
- Lawyer Well, the landlord should have fixed your oven immediately. You could have written down the problem in a letter to the landlord, and kept a copy yourself to show that you told them.
- You could have asked for some free help to do this from a tenancy organisation or legal service.
- If your landlord won't make repairs you can get free legal help.
- NSW and Queensland alternative voiceover:**
- Well, the landlord should have fixed your oven immediately. You could have written down the problem in a letter to the landlord, and kept a copy yourself to show that you told them.
- You could have gone to see a Tenant's Advocacy organisation if you needed help doing this. If your landlord won't make repairs you can get free legal help.
- Saw Paw I didn't want to complain. He might have kicked us out.
- Lawyer You have rights - they can't kick you out just because you have asked for repairs. They need a court order. There are laws to protect tenants.
- Saw Paw So is there anything we can do now?
- Lawyer I'll help you apply to get your bond back.
- Saw Paw Oh thank you, we really need the money.
- Nan We got our bond back.
- Saw Paw Lucky we got some help.