

# Your renting rights and responsibilities

When you rent a place to live you have rights and responsibilities, and so does the person you rent from. In Queensland the renting rules are set out in the ***Queensland Residential Tenancies and Rooming Accommodation Act 2008***.

The renting rules apply whether you rent from a private lessor, a real estate agent, a community housing provider, or the Department of Housing. In the renting laws, and in your renting agreement, the person or organisation you rent from is called your **lessor**.

Your Residential Tenancy Agreement will state what you both agree to. This agreement must reflect what is in the renting rules. Even if you and your lessor do not have a written tenancy agreement the renting rules still apply.

## **When you move in your lessor or agent must**

- Give you a written Residential Tenancy Agreement.
- Give you a rent receipt, or keep a record of your rent payments.
- Give you an Entry Condition Report to say what the place is like when you move in. You can add your comments to the form.
- Give you an RTA renting information booklet.
- Make sure the place is clean and fit for you to live in.

## **If you pay a rental bond**

- The lessor or agent must give you a receipt if you pay bond money.
- The maximum bond amount they can charge is equal to 4 weeks rent (but if your rent is over \$700 a week there is no maximum bond amount).
- They must fill in a Bond Lodgement (Form 2) with you that you both sign.
- You can lodge your bond online with the the RTA web service using a QGOV account
- The lessor or agent has 10 days to send your bond money to the RTA.

## **Moving in tips for renters**

- Inspect the place first, before you sign the agreement.
- A tenancy agreement is a legal contract. You can be held responsible if you break the agreement, or do not meet your renting responsibilities.
- After you sign the agreement keep a copy for your records.
- If you pay money for rent or bond ask for a receipt.
- Take photos and make a record of what the place is like when you move in. You have 3 days to write your comments on the Entry Condition Report and return a copy to the lessor or agent. Keep a copy.

**For advice and help with renting problems call the Tenants Queensland free QSTARS advice service on 1300 744 263**

### **When you rent a place your lessor must:**

- Maintain the place so it is fit for you to live in.
- Keep the place, and things that are included, in good repair.
- Do the repairs in a reasonable time if you ask for repairs to be done.
- Comply with health or safety laws for people who live in the place.
- Make sure the locks work and the place is reasonably secure.
- Give you a written notice if they want to enter the place.
- Respect your privacy.

### **When you rent a place you must:**

- Look after the place and keep it clean.
- Let the lessor or agent know if repairs are needed.
- Do not damage, or allow someone else to damage, the place.
- Do not cause a disturbance or nuisance for your neighbours.
- Do not use the place for unlawful purposes.
- Get permission from the lessor if you want to have a pet.
- Get permission if you want other people to move in with you.
- Pay your rent on time according to the agreement.

### **To end the agreement you or the lessor must either:**

- Give a written notice to end the agreement, or
- Get an order from the QCAT tenancy tribunal to end the agreement, or
- Make a written statement that you both agree to end the Residential Tenancy Agreement. This is called a Mutual Termination Agreement.

### **Moving out you must**

- Remove all your possessions from the place.
- Leave the place clean, similar to when you moved in, but you are not responsible for everyday maintenance, or wear from daily use.
- Gather evidence to show you have left the place clean. Take photos.
- When you move out fill in an Exit Condition Report to say what the place is like and give a copy to the lessor or agent.
- Return all the keys to the lessor or agent when you move out.

### **Getting your bond back**

- After you move out you can use a Refund of Rental Bond (form 4) or apply online online to get your money back with RTA Web Services using a QGOV account
- Your lessor may claim money from your bond if you left the place dirty, owe rent, damaged the place, or broke the agreement.
- If you and the lessor do not agree on these claims the RTA has a free dispute process you can follow to solve the dispute.
- When you move out let the RTA know your new contact details.

### **Keep copies of ALL paperwork between you and your lessor**