

Renting a place

Renting rules in Queensland

When you rent a place to live in, you have rights and responsibilities, and so does the person you rent from.

In Queensland the ***Residential Tenancies and Rooming Accommodation Act 2008 (the Act)*** is the law that sets out the renting rules that you, and the person you rent from, must follow.

The renting rules apply whether you rent from a private lessor, a real estate agent, a community housing organisation, or the Department of Housing.

If you rent from a government or community housing organisation, other policy rules may also apply, such as who is allowed to live in the place, and how the amount of rent you must pay is worked out (see Paying Your Rent fact sheet).

Some renting words

Lessor – this is the person you rent from. People often call them the landlord. In the renting agreement and renting laws they are called the lessor.

Landlord – means the same as lessor, the person or organisation you rent from.

Agent – the lessor may employ a real estate agent to manage the rental place for them. If this happens the agent is the person you usually talk to.

Tenant – the person who is renting the place

Tenancy – means the same as renting a place

Residential Tenancy Agreement – this is the written contract between you and the person you rent from. It sets out what you both agree to.

Residential Tenancies Authority – the RTA is a government information service that oversees the renting rules and provides renting forms and bond services.

Rental bond – your lessor may ask you to pay a bond. This is financial security in case you do not meet your renting responsibilities. The bond is usually equal to 4 weeks rent. All bond money must be sent into the RTA for safekeeping. When you move out you can apply to the RTA to get your bond money back.

What should the lessor or agent give me when I move in?

- A **written renting agreement** (Residential Tenancy Agreement).
- A **receipt if you pay money** for rent in advance, or a rental bond.
- If you pay a rental bond they must **send your bond into the RTA** for safekeeping, along **with a Bond Lodgment Form** signed by both of you.
- You or your lessor can lodge your bond online with the RTA Web Service using a QGOV account
- An **Entry Condition Report** Form that says what the place is like when you move in. You have 3 days to look carefully at the place and write your comments on the Form before you give a copy back to the lessor.
- An **RTA information book** “Pocket guide for tenants”.

Do I need a written renting agreement?

Yes. Your lessor must give you a written **Residential Tenancy Agreement** to sign. This renting contract says what you both agree to. It must follow the renting rules.

Read the agreement before you sign it, or get someone to read it to you. You have 5 days to sign the agreement and return it to the lessor. Keep a copy.

If you are not given a written agreement, the renting rules will still apply to you, and the person you rent from.

Do I have to pay a rental bond?

Your lessor may ask you to pay a rental bond. This is financial security in case you do not follow the renting agreement. A rental bond is usually equal to 4 weeks rent. If you cannot afford to pay a bond, you may be able to apply to the Department of Housing for a bond loan.

If you pay a rental bond, your lessor or agent must give you a bond receipt. They must send your bond money into the RTA for safe-keeping, along with a **Bond Lodgement (Form 2)** signed by both of you, or you can lodge for your bond online with RTA Web Services using a QGOV account .

When you move out you can apply to the RTA to get your bond money back. You should get your bond back, as long as you have met your renting responsibilities.

When do I have to pay rent in advance?

When you move in you may be asked to pay rent in advance. This means paying rent at the beginning of each week, or fortnight. Keep track of your rent payments. If you pay rent in cash, or by cheque, get a receipt as evidence. Your lessor must also keep a record of your rent payments. You can ask for a copy of this rent record.

Do I need to fill in the Entry Condition Report?

Yes. When you move in your lessor must give you an **Entry Condition Report** to record what the place is like. You have 3 days to write your comments on the form and give a copy back to the lessor. Keep a copy for your records. You can also take photos. When you move out you must leave the place in the same condition.

Look carefully at the place. When you move in it should be clean, in good repair, fit for you to live in, and meet health and safety laws. If things are dirty or damaged, write this on the form. Make a note if there are stains on carpets, marks on walls, or if things don't work properly. If cleaning or repairs are needed, you can also ask the lessor to do this work (see Maintenance and Repairs fact sheet).

Important points to remember

- Inspect the rental place before you sign the renting agreement.
- If you pay any money get a receipt as evidence.
- Read the tenancy agreement before you sign it, or get help with this.
- Keep copies of your tenancy documents and receipts in a safe place.

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

Tenants Queensland (TQ) is a specialist community legal service for residential renters. TQ also manages the Queensland Statewide Tenant Advice Referral Service (QSTARS). TQ receives funding from commonwealth and state governments. This project was funded by the LAQ Community Legal Education Collaboration fund. This fact sheet provides general information only and is not intended to provide legal advice. © Tenants Queensland 2017

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