

# Maintenance and repairs

## What should the place be like when I move in?

The renting rules say when you move into a rental place the lessor or agent must make sure the place (and things inside the place) are:

- clean and fit for you to live in.
- the place is in good repair and things are in working order.
- the place meets health and safety rules.
- the place meets minimum housing standards.

**Good state of repair** means the place is safe for you to live in and use. There should be no broken windows, holes in walls, broken tiles, unsafe stairs or dangerous electrical wires. Things inside the place, like the stove, blinds, air conditioner or fans, should also be clean and work properly so you can use them.

The place should be **fit for you to live in**. For example if there are pests the place should be sprayed for fleas or cockroaches, and any carpets should be cleaned before you move in.

**Health and safety rules** include things like having working smoke alarms and an electrical safety switch. If there is a pool, it must have a fence. The place must also meet **minimum housing standards**, that are set out in the tenancy laws.

## Why is the Entry Condition Report important?

When you move into a place your lessor or agent must give you an **Entry Condition Report** (Form 1a) to fill in. This RTA Form is important because it provides evidence of what the place is like when you move in.

After you move in you have 7 days to inspect the place, add your comments to the Entry Condition Report, and return a copy to the lessor or agent. Look carefully at the place and write down if things are dirty, damaged, or broken.

Keep a copy of the Entry Condition Report for your records. You can also take photos as evidence to show what the place was like when you moved in.

When you move out you must leave the place in the same condition, but you are not responsible for damage that was there at the start, or general maintenance or everyday wear that happens while you rent the place.

When you move out you can fill in an **Exit Condition Report** (Form 14a) and take photos to record what the place is like when you give it back to the lessor.

## What if there is a problem when I move in?

When you move in, if you notice a problem write this on your Entry Condition Report. You can also ask the lessor to fix things if they are dirty or broken. They should do requested repairs or cleaning in a reasonable time.

## When I rent a place who is responsible for doing repairs?

When you rent a place your lessor must maintain the place, so it stays in a good state of repair and remains fit for you to live in. The lessor should fix things if they break or get old. This is called routine maintenance.

To help look after the place you must let the lessor know if repairs need to be done. The lessor should do the repairs in a reasonable time.

## What should I do if repairs need to be done?

If repairs are needed, call or speak to your lessor, agent or housing organisation. Let them know about the repair problem. Ask them when they will get someone to come to do the repairs.

It is best to put your repair request in writing. You can explain the problem and let the lessor know what repairs need to be done. You can use a **Notice to Remedy Breach (Form 11)** that asks them to do the repairs in 7 days. Give them the Form. Keep a copy for your records.

If repairs are not done in a reasonable time you can fill in a **Dispute Resolution Request (Form 16)** to apply to the Residential Tenancies Authority (RTA) free telephone mediation service. You can get RTA forms online at [www.rta.qld.gov.au](http://www.rta.qld.gov.au) or call the RTA on 1300 366 311.

## What if the repairs are serious, or it is an emergency?

Some repairs need to be done quickly. In the renting rules they are called emergency repairs. They include things like a serious gas or water leak, blocked toilet, faulty stove, faulty hot water system, or broken locks.

Let your lessor know straight away if emergency repairs are needed. If repairs are not done, you can apply for an urgent tenancy hearing in the Queensland Civil Administrative Tribunal (QCAT). The tribunal can make an order the lessor do the repairs, or pay you back, if you already paid someone to do emergency repairs.

If you want to move out because the lessor has not done repairs, you may be able to apply to the QCAT tenancy tribunal to end your renting agreement. You can do this if the repair problem is serious and you gave your lessor a Notice to Remedy Breach Form 11 but the lessor or agent did not do the repairs by the due date.

## What if there is damage to the place?

When you rent a place you must look after the place, keep it clean and not damage the place. If you or your visitors damage the place, you will have to repair the damage, or pay the lessor for the cost of the repairs. But if you experience domestic and family violence you are not responsible to fix damage caused by someone else during an act of domestic violence.

## 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 2024

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