

Visitors and guests

When you rent a place, you have the right to have visitors and guests come to see you and stay, but only for a little while. If they stay too long it can cause problems. Your rental agreement says how many people are allowed to live in the place.

You need to get written agreement from your lessor or agent, if you want to change the names of the people on the tenancy agreement, or if you want permission for someone to come and live with you.

Who can live in the rental place?

When you sign your Residential Tenancy Agreement, the lessor will ask you how many people will be living with you at the rental place. The number of people who can live in the rental place will be written in your agreement.

If it is just your family, then usually, you (or you and your partner) sign the agreement and are named as the Tenant/s. Other family or people who live in the place with you are usually named as Approved Occupants.

Can I have visitors or guest come and stay?

Sometimes friends or family members come and visit or stay. Your rental place is your home and you have the right to have visitors and guests. However visitors and guests are not approved to live in the place, so they can't stay too long or this can cause problems.

It is a good idea to let your lessor know if you have visitors or guests staying, and how long they are staying for. If you have plenty of room then it's usually not a problem. But, if you only have a small place, it can lead to problems like overcrowding or noise problems.

You are responsible for the behaviour of your visitors or guests.

You must make sure your visitors or guests do not:

- Cause any damage to your place
- Cause a nuisance to your neighbours
- Use your place for any unlawful purpose.

If you have visitors come and stay you must tell them to look after the place and not cause a problem. Your name is on the Residential Tenancy Agreement and if something goes wrong you will be in trouble, not them!

If your visitors or guests cause a problem this puts stress on your tenancy and can cause your lessor to take action against you.

What if my visitors stay and cause a problem?

Your lessor can give you a **Notice to Remedy Breach (Form 11)** if your visitors cause a problem, or if you have people move in and you do not have written permission from the lessor that they can live with you.

The Notice to Remedy Breach form lets you know there is a tenancy problem that you must fix. If you don't fix the problem by the due date, your lessor can give you a notice that asks you to leave.

Can someone come and live with me?

You need to ask your lessor or agent for written permission if you want someone to come and live with you. You can ask the lessor or agent to add the new person to your tenancy agreement as an approved occupant or add them as another tenant on the tenancy agreement.

Your lessor or agent should not unreasonably refuse permission for someone to move in with you.

What if I rent in government or community housing?

If you rent from the Department of Housing, or a Community Housing organisation, you must tell them if visitors are staying and how long they will be there.

In government or community housing, the rent you pay is based on your household income, which is the total income of all the people who live in the place.

If your visitors stay longer than 4 weeks, then their weekly income is included as part of the household income.

If people move into the place to live with you, and your household income goes up, then your rent will go up too.

Important points to remember

- You have the right to have visitors and guests.
- You are responsible for the behaviour of your visitors and guests and any damage they cause.
- If you want someone to move in with you, you must get written permission from your lessor, agent or housing organisation.

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