
Thursday, 7th January 2010

RENTAL PROPERTY UPKEEP CAUSE FOR CONCERN

Renters and landlords disputing repairs and maintenance issues was the number one reason for tenancy-related calls to the Office of Consumer and Business Affairs (OCBA) in 2009.

Minister for Consumer Affairs Gail Gago says when landlords and agents have differing views about responsibility for repairs and maintenance it can be awkward, but it is good that they often contact OCBA for advice.

“The law is very clear that tenants need to promptly report to the landlord any matters needing attention, and landlords must take reasonable steps to arrange for repairs or maintenance to be carried out in a timely fashion,” says Minister Gago.

“Where tenants have caused damage to the property they can reasonably be expected to pay for repairs, but sometimes landlords are quick to blame tenants for things that break due to general wear and tear.”

Breaking a lease was the second most common area of concern. Tenants sought advice about the repercussions of moving out before the lease expiry date, and agents queried breaking a lease early for a range of reasons such as the landlord wanting to sell the property or live there themselves. Some landlords also sought advice about serving a notice of termination for breach of a rental agreement.

Overall more than 125,000 enquiries were received from landlords, tenants, property agents and residential park operators and residents querying their rights and responsibilities or rental bond matters – down from 135,000 in 2008.

OCBA also assisted with almost 3,600 disputes between landlords and tenants last year, a small decrease from the 3,800 disputes reported in 2008.

Where disputes can't be resolved with the advice provided or through conciliation, matters are heard by the Residential Tenancies Tribunal. The Tribunal conducted around 8,200 hearings in 2009.

Minister Gago says “It stands to reason that well-informed landlords and tenants will have fewer disputes and so it's important that they familiarise themselves with their rights and responsibilities.”

These are explained in an information booklet that landlords and property managers are required by law to provide to tenants at the commencement of a lease.

OCBA also presents information seminars across South Australia about the rights and obligations of tenants, landlords, park owners and residents. Sessions are also available to new arrivals from overseas, and basic information about renting in SA is available in 21 languages.

For advice about residential tenancies contact OCBA's Tenancy Advice Line on 8204 9544 or 131 882 for country callers. Information about the free information seminars is available at www.ocba.sa.gov.au