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### **REPAIRS AND MAINTENANCE TOP TENANCY DISPUTES**

Disputes over who is responsible for repairs and maintenance of rental properties was the top reason for tenants and landlords requesting assistance from the Office of Consumer and Business Affairs (OCBA) in 2008.

OCBA's Tenancies Branch assisted with 3841 disputes between landlords and tenants during the year, a six percent increase from disputes handled in 2007.

Minister for Consumer Affairs Gail Gago says "Disputes relating to rental properties often arise where landlords and tenants aren't familiar with their rights and responsibilities."

"If tenants aren't quick to report matters that need attention, or landlords drag their heels arranging repairs, then that can create tension."

The second most common area of rental disputes for 2008 relates to breaking a lease.

"Tenants who want to leave a property before the end a fixed term lease may not realise that they can be liable for advertising and re-letting fees and for any loss of rent while the property is vacant."

"Landlords also need to understand that there are protections for tenants under the Residential Tenancies Act 1995 so that tenants cannot be forced to move out early."

Minister Gago reminded landlords and tenants that rental agreements can be varied in some circumstances, but both parties must agree to the changes.

Along with providing a dispute resolution service, OCBA received approximately 95,000 enquiries about rental matters from tenants, landlords and property agents. The majority of issues were resolved with the advice provided, but invariably some matters required assistance from OCBA to conciliate a dispute.

In an effort to educate tenants, landlords and property agents about their rights and obligations OCBA conducts seminars in metropolitan and regional areas. In addition, landlords and property managers are required by law to give an information booklet to their tenants at the commencement of a lease.

"The information booklet outlines the rights and responsibilities of both parties to a rental agreement, and a lot of stress and misunderstandings can be minimised by simply taking the time to read the booklet carefully."

*Where a resolution cannot be reached tenants & landlords can seek advice from OCBA on (08) 8204 9544. Further information about tenancies and seminars is also available at [www.ocba.sa.gov.au](http://www.ocba.sa.gov.au)*