

Australian College of Professionals, Level 2, St Andrew's House, Sydney, 2000 www.acop.edu.au enquiries@acop.edu.au 1300 88 48 10

CPD COURSES

Sydney

Business Broking Wed 2nd Apr

Castle Hill

Sales or Prop Mgmt
Thu 3rd Apr

Orange

Sales & Prop Mgmt Fri 4th Apr

Tamworth

Sales & Prop Mgmt Fri 11th Apr

Gosford

Sales & Prop Mgmt Wed 16th Apr

Sydney

Sales or Prop Mgmt
Thu 17th Apr

Sydney

Strata **Tue 22nd Apr**

Coffs Harbour

Sales & Prop Mgmt or Strata Mon 28th Apr

Northern Beaches

Sales or Prop Mgmt
Fri 2nd May

Termination Notices

Terminating a tenancy agreement is never a nice job to fulfil, however necessary it may be. Unfortunately it comes with the territory of being a property manager and it is the job you need to do to protect your client, the landlord.

Timing is everything when it comes to terminating tenancy and fortunately for the landlord, the Residential Tenancies Act 2010 made some adjustments as to the timing of serving notices and approaching the Tribunal when terminating due to non-payment of rent. Unfortunately, not all property managers have made themselves aware of these changes to the legislation.

Section 88(3) of the Residential Tenancies Act 2010, allows the tenant to pay the outstanding amount prior to the termination date or enter into and fully comply with a payment arrangement for the payment of outstanding rent prior to the end of the termination notice period.

The problem lies when we encounter the repeat offenders, who are constantly late in paying rent by 14 days or more. You issue a termination notice and the tenant waits until the last day or two of the notice to pay the outstanding amounts, and make a habit of repeating this process over and over. This is not only frustrating for you as the agent but also frustrating for the landlord to have a tenant who is in constant breach of the tenancy agreement.

Section 88 (4) specifically allows for the landlord/agent to apply to the Tribunal before the final day of the termination period for a termination order in the circumstances where the tenant is a constant re-offender for being late with rent. It doesn't allow the agent to attend the Tribunal for orders before the termination notices final day, as the Tribunal cannot hear the matter until the termination notice period has expired.

Stock & Station Agency Practices Course

for existing Real Estate, Strata and Business Broking Licensees

Please register your interest in attending this course

www.acop.edu.au

CPD 2 HOUR **BREAKFAST SEMINARS**

Full 12 points!!

Sydney

Sales/Prop Mgmt Tue 1st Apr

Windsor

Sales/Prop Mgmt Fri 4th Apr

Wollongong

Sales/Prop Mgmt Tue 8th Apr

Bankstown

Sales/Prop Mgmt Fri 11th Apr

Gosford

Sales/Prop Mgmt Tue 29th Apr

Parramatta

Sales/Prop Mgmt Tue 29th Apr

Liverpool

Sales/Prop Mgmt Mon 5th May

Castle Hill Strata Mon 19th May

Penrith

Sales/Prop Mgmt Fri 23rd May

What it does allow for is the agent to make the application prior to the end of the notice period so they save some time, and are allocated a hearing date, usually only a day or two after the termination period finishes

Taking this last section further, Section 89 (5) states that the Tribunal may, on application by a landlord, make a termination order, even if the tenant has paid the outstanding rents or complied fully with a payment plan to pay the outstanding rents, if it is satisfied that the tenant has frequently failed to pay rent owing for the residential premises on or before the day set out in the residential tenancy agreement.

It is your job as the agent appointed by the landlord, to get the best result for your client, and to know what you can and cannot legally do when dealing with constant repeat offenders for non-payment of rent. If your tenant is causing you to send that termination notice regularly, perhaps you should be looking into your options as set out above to ensure your client receives a more timely order in their favour.

Til next time.

Wishing you every success in your business ventures, Rosy Sullivan



Commercial and Retail Sales and Leasing Skills Course *Whilst this is a skills course, students will receive 12 CPD points.

Monday 14th to Tuesday 15th April

Ring 1300 88 48 10 to book!

CERTIFICATE OF REGISTRATION COURSES

Orange

(Dist Ed + 1 day workshop)
Thu 3rd Apr

Wollongong

(Dist Ed + 1 day workshop)

Mon 7th Apr

Tamworth

(Dist Ed + 1 day workshop)

Thu 10th Apr

Sydney

Mon 14th – Wed 16th Apr

Newcastle

(Dist Ed + 1 day workshop) **Tue 15th Apr**

Castle Hill

Mon 5th - Wed 7th May

Sydney

(Dist Ed + 2 day workshop) Sat 24th – Sun 25th May

Batemans Bay

(Dist Ed + 1 day workshop)
Tue 27th May

FINANCE AND MORTGAGE BROKING COURSES

Cert IV in Finance & Mortgage Broking Sydney

Wed 2nd - Fri 4th Apr

Dip of Finance & Mort Broking Mgmt

Upgrade for existing Cert IV holders

Sydney

Wed 9th - Thu 10th Apr



News from the Office

Birthday season is well and truly happening at the moment in the office. Since our last chronicle we have celebrated the day of birth of both Rosy and Anthony. There seems to be an endless supply of cake lately....

This week Rosy is on a road trip to Dubbo training with John while regular courses have been happening at Gosford, Newcastle and in Sydney. We have been enjoying full classes and have even had to schedule more classes due to the popularity of some subjects.

Last week we had a staff dinner at Peter Doyle @ the Quay to celebrate our fabulous staff and our fantastic start to 2014. We missed the staff that couldn't be there but they know how much we appreciate their work at the College.



Social Media











Sir Learnalot

has arrived!

Why not try online CPD for \$99?

Sales, Property Management and Strata online CPD available.



Is it Time You Upgraded to Your Licence?

ACoP runs a Fast Track program which, in conjunction with Recognition of Prior Learning (RPL) assessment, will enable you to complete your Real Estate Licence qualification in 5 days with take home assessments.

We will also assist you with completion and submission of your licence application to NSW Fair Trading free of charge.

Free Assessment

Send us your resume & copies of any qualification transcripts you may have for a free and confidential preliminary RPL assessment.

