



## CPD COURSES

### Ballina

Sales & Prop Mgnt

**Mon 13th Aug**

### Sydney

Real Estate

**Thu 16th Aug**

### Sydney

Prop Management

**Thu 16th Aug**

### Albury

Sales & Prop Mgnt

**Mon 27th Aug**

### Wagga Wagga

Stock & Station

**Tue 28th Aug**

### Wagga Wagga

Sales & Prop Mgnt

**Tue 28th Aug**

### Port Macquarie

Sales & Prop Mgnt

**Thu 30th Aug**

### Sydney

Business Broking

**Fri 31st Aug**

### Castle Hill

Sales & Prop Mgnt

**Fri 7th Sep**

### Gosford

Sales & Prop Mgnt

**Mon 17th Sep**

## Swimming Pool Compliance

In a recent CPD session the following question was asked: "If I manage a property that has a swimming pool, and the tenants are on a continuation clause and have been since before the swimming pool legislation was effective, do I need to provide the tenants with a compliance certificate?"

After some conversation it was advised that the landlord has specifically requested that the tenants do not receive a new lease because the landlord is aware that the swimming pool would not pass a compliance audit for that certificate to be given. The landlord has read the Swimming Pools Act 1992 and does not believe that it requires them to provide a compliance certificate unless they are entering into a new lease or renewing their current lease.

Without even considering the duty of care issues that may arise for the property manager and the landlord should the pool not be compliant and the potential for a tenant or visitor to be injured or worse because of a lack of safety requirements, we will for the moment only look at the wording of the legislation and guidance materials provided by NSW Fair Trading.

The swimming pool safety guidance materials all state words to the effect

"The landlord must ensure that a valid swimming pool certificate of compliance exists for the property before entering into a new or renewed residential tenancy agreement for the property."

The guidelines and the legislation do not appear to deal retrospectively and accordingly have allowed a loophole for non-compliant landlords to use to get out of maintaining their obligations as the previously mentioned landlord appears to be doing.

It could be argued from a best practice standpoint that the landlord has an obligation to ensure that they attempt to maintain compliance with legislation and it is very clear within the Residential Tenancies Act 2010 that a landlord has a legal obligation to ensure the property they lease to a tenant is safe and habitable regardless of whether the tenancy is under a current lease or a continuation clause:

S52 of the Residential Tenancies Act 2010

**CPD  
2 HOUR  
SEMINARS**

(8am - 10am unless otherwise specified)  
Pre-reading required.

**Full 12 points!!**

**Sydney**

Strata Management  
**Fri 17th Aug**

**Parramatta**

Sales & Prop Mgmt  
**Tue 21st Aug**

**Penrith**

Sales & Prop Mgmt  
**Fri 14th Sep**

**Sydney**

Sales & Prop Mgmt  
**Fri 21st Sep**

**Bankstown**

Sales & Prop Mgmt  
**Fri 28th Sep**

**Wollongong**

Sales & Prop Mgmt  
**Wed 10th Oct**

**Gosford**

Sales & Prop Mgmt  
**Wed 17th Oct**

**Liverpool**

Sales & Prop Mgmt  
**Fri 19th Oct**

**Sydney**

Strata Management  
**Wed 24th Oct**

**Parramatta**

Sales & Prop Mgmt  
**Thu 25th Oct**

1. A landlord must provide the residential premises in a reasonable state of cleanliness and fit for habitation by the tenant.
2. A landlord must not interfere with the supply of gas, electricity, water, telecommunications services or other services to the residential premises unless the interference is necessary to avoid danger to any person or to enable maintenance or repairs to be carried out.
3. A landlord must comply with the landlord's statutory obligations relating to the health or safety of the residential premises.  
*Note: Such obligations include obligations relating to swimming pools under the Swimming Pools Act 1992 .*
4. This section is a term of every residential tenancy agreement.

The property manager should, to his/her best efforts, ensure that the property is safe for the tenant and that the tenancy is compliant in every way possible, including the issuing of a compliance certificate for swimming pools. This may be a case where it is better for the agent to end their management. If the landlord does not take the recommendations of the agent it can make for a very tough relationship.

'Til next time,  
Wishing you every success in your business ventures,  
**Rosy**

**CPD Courses**

ACOP offers CPD courses in different formats

Workshops  
Distance Education  
Online

**NEW Skills Course for 2018**

**NCAT  
(The Reality of Tribunal)**

A one (1) day skills workshop facilitated by Lisa Jemmeson, Senior Associate, Litigation, Jemmeson & Fisher and Rosy Sullivan, College Principal, ACOP

The workshop will focus on the practical skills and knowledge required to present matters at the NSW Civil and Administrative Tribunal.

## CERTIFICATE OF REGISTRATION COURSES

Units taken from nationally accredited training qualifications from the CPP07 Property Services Training Package.

**Sydney**

**Mon 13th – Wed 15th Aug**

**Sydney**

(Online + Weekend Workshop)

**Sat 18th – Sun 19th Aug**

**Castle Hill**

**Mon 27th – Wed 29th Aug**

**Port Macquarie**

**Mon 27th – Wed 29th Aug**

**Parramatta**

**Mon 29th – Wed 31st Oct**

## FINANCE AND MORTGAGE BROKING COURSES

Units taken from nationally accredited training qualifications from the FNS Financial Services Training Package.

**Cert IV in Finance & Mortgage Broking  
Sydney**

**Mon 27th - Wed 29th Aug**

**Dip of Finance & Mort Broking Mgmt**  
Upgrade for existing

Cert IV holders

**Sydney**

**Thu 30th - Fri 31st Aug**

# From the Office

There we have it, yet another fortnight that has flown by ever so quickly here at ACOP. Starting off with our Stock and Station Agency Practices 5 day course here last week where we had the pleasure of seeing so many travel from metro and regional areas to be here and start their journey into the Stock and Station sector of the industry. This week has also seen large classes for our Trust Accounting, Property Management and Business Broking courses with those looking to finalise their licensing programs.

Amongst the full days here at the office, Rosy has also had the pleasure of attending her final EAC Insights Tour of 2018 at Queanbeyan providing her vast knowledge on the practical implementation of legislation from a training perspective. We also ended this past fortnight with CPD training courses held in numerous areas travelling from Coffs Harbour to Parramatta and back to Sydney CBD.

The last fortnight has definitely been eventful with a number of accomplishments starting with Chanelle (who is actually the awesome composer of this article) who had completed her first year of Dry July. I thought seeing as I am writing this then it would be the perfect moment to thank everyone who participated in donating or even encouraging me whilst participating in Dry July. Your donations have meant the world to so many families affected by cancer.

Now to go back to the College team buzz, we have welcomed back Steph who is our Admin and Compliance Manager here at ACOP – she has just spent 5 weeks enjoying the beautiful scenes of America, beaming sun of Hawaii and delicious foods .....we were all working waiting for her return. On the topic of arrivals, we would like to congratulate David and Tegan Sullivan on the birth of their beautiful baby girl Gwen, as well as congratulations for Gwen's new Auntie Megan who is our Qualifications Manager and her great aunty Rosy and great uncles John and Anthony. The team is absolutely ecstatic about her arrival and we cannot wait to meet her on her first work visit here at ACOP.

Lastly but not least we have missed our trainer and assessor Michael for the past two weeks, whilst he has been over in England meeting his new born granddaughter Eloise for the first time.

So the comings and goings of ACOP continue as we quickly progress through 2018.

## Enrol Now

Click on the enrol now button to go to the College online enrolment forms (pdf versions of the newsletter only).

## Property Licence Courses

Units taken from nationally accredited training qualifications from the CPP07 Property Services Training Package.

### Financial Management Sydney CBD

Mon 17th - Tue 18th Sep

### Staff Management Sydney CBD

Wed 19th - Thu 20th Sep

### Stock & Station Agency Practices Sydney CBD

Mon 22nd - Fri 26th Oct

### Strata Management Agency Practices Sydney CBD

Mon 24th - Thu 27th Sep

### Sales for Real Estate Sydney CBD

Mon 20th - Thu 23rd Aug

### Auctioneer Accreditation Sydney CBD

Fri 24th Aug

### Trust Accounting + Insurance (Strata ) Sydney CBD

Fri 28th Sep

### Trust Accounting Sydney CBD

Mon 3rd - Wed 5th Sep

### Parramatta

Mon 12th - Wed 14th Nov

### Property Management Sydney CBD

Thu 6th - Fri 7th Sep

### Parramatta

Thu 15th - Fri 16th Nov

## FNS40815 Certificate IV in Finance and Mortgage Broking

Monday 27th - Wednesday 29th Aug

## FNS50315 Diploma of Finance and Mortgage Broking Management

Thursday 30th - Friday 31st Aug

## MAKE 2018 YOUR YEAR

With proposed reforms coming for the real estate and property industry, make 2018 the year that you get the qualification and obtain a full property licence

ACOP provides licensing training programs, and will recognise your prior learning and experience, for the following licence categories:

- ★ real estate agent's licence
- ★ strata manager's licence
- ★ business agent's licence
- ★ stock and station agent's licence
- ★ buyer's agent's licence
- ★ on-site residential property manager's licence

If you are seeking Recognition of Prior Learning (RPL) or Recognition of Current Competence (RCC), talk to us about the types of evidence that you will need to provide to seek these exemptions from training.

## Social Media

