



CPD COURSES

Orange
Sales & Prop Mgnt
Tue 11th Sep

Dubbo
Stock & Station
Wed 12th Sep

Dubbo
Sales & Prop Mgnt
Wed 12th Sep

Sydney
Real Estate Sales
Thu 13th Sep

Sydney
Property Mgnt
Thu 13th Sep

Sydney
Comm & Retail Sales &
Leasing
Fri 14th Sep

Gosford
Sales & Prop Mgnt
Mon 17th Sep

Sydney
Strata
Tue 18th Sep

Newcastle
Sales & Prop Mgnt
Tue 25th Sep

Castle Hill
Sales & Prop Mgnt
Fri 5th Oct

Death of a Tenant

As always, the College received an interesting question from a property manager recently. What happens to a tenancy when a tenant passes away while in a rental tenancy agreement? Specifically the question revolved around what happens to their tenancy and any co-tenants still residing at the property?

In many cases, the death of a co-tenant is going to have an impact on the remaining co-tenant or tenant's ability to facilitate the weekly rental and it is important they understand what options are available to them.

Thankfully this is an area that has been well considered within the Residential Tenancies Act 2010, which specifically sets out the process that should be followed in the event that the tenant was the sole tenant as well as if the tenant was a co-tenant.

In the event that the tenant was a sole tenant, section 108 sets out a very clear process, as follows:

1. On the death of the sole tenant under a residential tenancy agreement, either the landlord or the legal representative of the tenant may give a termination notice to the other person.
2. The termination notice may specify a termination date that is before the end of any fixed term of the residential tenancy agreement if it is a fixed term agreement.
3. The Tribunal may, on application by a landlord or the legal representative of the deceased tenant, make a termination order if it is satisfied that a termination notice was given in accordance with this section and that vacant possession of the residential premises has not been given as required by the notice.
4. The legal representative of a deceased tenant who is given a termination notice by the landlord may give vacant possession of the residential premises at any time before the termination date specified in the termination notice.
5. The estate of the deceased tenant is not liable to pay any rent for any period after the legal representative gives vacant possession of the residential premises and before the termination date.

If the tenant was a co-tenant, the surviving co-tenants are given the right to vacate the premises or to continue the tenancy under section 78 of the Act which states:

1. On the death of a co-tenant leaving one or more other co-tenants under a residential tenancy agreement, the remaining co-tenants may continue the tenancy or give the landlord a termination notice that has a termination date not earlier than 21 days after the date on which the notice is given.

CPD 2 HOUR SEMINARS

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

Full 12 points!!

Penrith

Sales & Prop Mgmt
Fri 14th Sep

Parramatta

Sales & Prop Mgmt
Thu 20th Sep

Sydney

Sales & Prop Mgmt
Fri 21st Sep

Bankstown

Sales & Prop Mgmt
Fri 28th Sep

Sydney (5-7pm)

Sales & Prop Mgmt
Tue 2nd Oct

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

2. If a tenancy is continued under this section, the remaining co-tenants are taken to be the only tenants under the residential tenancy agreement on and from the death of the deceased tenant.
3. This section applies whether or not the fixed term of the residential tenancy agreement has ended if it is a fixed term agreement.

Obviously this is a situation that may be quite sensitive and emotional for any tenant to have to endure and the understanding of both the agent and the landlord are essential in ensuring any co-tenants are given the correct legal information and the time to make an informed decision about which of the options they wish to take.

As a property manager, you will obviously also need to consider the viability for the remaining co-tenants to remain in the property from the perspective of affordability. This would need to be a sensitive conversation with the remaining co-tenants and if it is identified that they will have difficulty in meeting the rent payments, then you will need to obtain instructions from your landlord.

'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)

 **Liveability Real Estate
Specialist**

(Will include 12 CPD points)

CERTIFICATE OF REGISTRATION COURSES

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

Sydney

Mon 10th – Wed 12th Sep

Sydney

(Online + Weekend Workshop)

Sat 15th – Sun 16th Sep

Castle Hill

Mon 24th – Wed 26th Sep

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 29th - Wed 31st Oct

**Dip of Finance & Mort
Broking Mgmt**

Upgrade for existing

Cert IV holders

Sydney

Thu 1st - Fri 2nd Nov

From the Office

There we have it, another fortnight has flown by us all here at ACOP. While the College has been absolutely buzzing with students, our trainers have been travelling distances to provide CPD to the regional areas. We kicked off last week with a new set of faces eager to learn about Finance and Mortgage Broking, which covered both the Certificate IV and the Diploma qualifications. The same week we also welcomed into the property industry new students in Castle Hill as they attended the Certificate of Registration course.

Apart from our full courses here in Sydney last week we also had our trainers travel the rural areas starting from Wagga Wagga, West Wyalong, Albury to the north coast of Port Macquarie delivering our CPD courses. The journey didn't stop there as they made their way back to Sydney firstly stopping at Gregory Hills and Kogarah before landing back at ACOP. This week has been jam packed with students completing their real estate licences as we held our Trust Accounting and Property Management modules. This has certainly ended our week on a high note.

Although the training rooms have been full with students, we have all been wishing that we were with Sarah from our licencing department who has been checking out the beautiful vineyards and unforgettable scenes in Tasmania. We can't wait to hear about the taste testing and memories she has created while taking her dad on a little holiday for Father's Day. Finally, a thank you to SmoothFM for their hospitality to Rosy and John at the Chocolate festival held in Homebush. Unfortunately the chocolate didn't make it back to the office, but just from the stories I'm sure they had an awesome time amongst the most delectable chocolates.

Diploma of Leadership and Management

BSB51915

Units taken from nationally accredited training qualifications from the BSB Business Services Training Package.

Every second Wednesday night

acop.edu.au



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

Tue 2nd - Fri 5th Oct

Auctioneer Accreditation Sydney CBD

Mon 29th Oct

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 29th - Wednesday 31st Oct

FNS50315 Diploma of Finance and Mortgage Broking Management

Thursday 1st - Friday 2nd Nov

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

