

## Amendments to the Residential Tenancies Act

November 16, 2018

RTO 91513

For the last couple of years, property managers have examined the proposed review to the Residential Tenancies Act 2010 in our Continuing Professional Development classes. As always, it can be frustrating looking at what may be without having some clarity. For property managers, the clarity has now been made and legislation has been passed through both Houses of Parliament to provide the industry with new and updated residential tenancies law. Keep in mind however, while the laws have been approved, the laws are not in force just yet.

The Regulations are still in the draft phase with NSW Fair Trading, and as such it will be still some time before the new laws are implemented. While we wait (patiently) for such, it may be wise to become more familiar with what has been passed and waiting in the wings.

The new legislation is aimed at helping tenants that are in domestic violence situations during their tenancy and to reduce disputes with landlords regarding breaking of the lease as well as repairs and maintenance.

The new laws will change the way we address a break lease, introducing a stepped approach to break lease penalties depending on the length of the lease:

Mandatory set fees for breaking a fixed-term lease early. The break fee will apply to all new fixed-term leases that are 3 years or less that are entered into after the new laws start. The new break fees will be:

- 4 weeks' rent if 75% or more of the lease remains
- 3 weeks' rent if between 50% and 75% of the lease remains
- 2 weeks' rent if between 25% and 50% of the lease remains
- 1 week's rent if 25% or less of the lease remains

In an attempt to reduce the disputes between landlords and tenants regarding the condition of the property, there will be a requirement at the beginning of a lease to ensure a property is fit for habitation. There will be a baseline standard, but not an exhaustive list for property managers to consult which includes that the property must:

1. be structurally sound property
2. have adequate natural or artificial lighting in each room, except storage rooms or garages
3. have adequate ventilation

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4. be supplied with electricity or gas and have adequate electricity or gas outlets for lighting, heating and appliances
5. have adequate plumbing and drainage
6. be connected to a water supply service or infrastructure for the supply of hot and cold water for drinking, washing and cleaning
7. must contain bathroom facilities, including toilet and washing facilities, which allows user privacy.

As with all legislation, the changes noted here will run parallel with any regulations presented. We will keep you informed as soon as the regulations and implementation date are released. At that point, we will run seminars, webinars and videos that will assist property managers to ensure the translation of the reality of the legislative changes, can transfer into compliant everyday practices.

'Til next time,

Wishing you every success in your business ventures,

**Rosy**

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## 4 HOUR CPD Seminars

<b>TUES</b> <b>20<sup>TH</sup></b> NOV	<b>GOSFORD</b> Sales & Prop Mgmt	<b>FRI</b> <b>7<sup>TH</sup></b> DEC	<b>SYDNEY</b> Strata Management
<b>THUR</b> <b>22<sup>nd</sup></b> NOV	<b>DEE WHY</b> Sales & Prop Mgmt	<b>THUR</b> <b>13<sup>TH</sup></b> DEC	<b>SYDNEY</b> Real Estate Sales
<b>WED</b> <b>28<sup>TH</sup></b> NOV	<b>NEWCASTLE</b> Sales & Prop Mgmt	<b>THUR</b> <b>13<sup>TH</sup></b> DEC	<b>SYDNEY</b> Strata Management
<b>THUR</b> <b>29<sup>TH</sup></b> NOV	<b>SYDNEY</b> Business Broking	<b>FRI</b> <b>14<sup>TH</sup></b> DEC	<b>CASTLE HILL</b> Sales & Prop Mgmt
<b>THUR</b> <b>6<sup>TH</sup></b> DEC	<b>SYDNEY</b> Commercial & Retail Leasing	<b>THUR</b> <b>21<sup>st</sup></b> FEB	<b>PORT MACQUARIE</b> Sales & Prop Mgmt

## 2 HOUR CPD Seminars - 8am - 10am unless otherwise specified. Pre-reading required) Full 12 points!!

<b>FRI</b> <b>23<sup>RD</sup></b> NOV	<b>CASTLE HILL</b> Sales & Prop Mgmt	<b>TUES</b> <b>4<sup>TH</sup></b> DEC	<b>SYDNEY (5-7PM)</b> Sales & Prop Mgmt
<b>FRI</b> <b>23<sup>RD</sup></b> NOV	<b>SYDNEY</b> Sales & Prop Mgmt	<b>WED</b> <b>5<sup>TH</sup></b> DEC	<b>PARRAMATTA</b> Sales & Prop Mgmt
<b>TUES</b> <b>27<sup>TH</sup></b> NOV	<b>BANKSTOWN</b> Sales & Prop Mgmt	<b>FRI</b> <b>25<sup>TH</sup></b> JAN	<b>SYDNEY</b> Sales & Prop Mgmt
<b>MON</b> <b>3<sup>RD</sup></b> DEC	<b>GOSFORD</b> Sales & Prop Mgmt	<b>FRI</b> <b>1<sup>ST</sup></b> FEB	<b>NEWCASTLE</b> Sales & Prop Mgmt



Chanelle, the usual author of this “From the Office” column has been away from the office for the past fortnight, which has resulted in it being a little eerily quiet around here. Chanelle had back surgery and is recovering at home and attending lots of hydrotherapy and physiotherapy appointments. We are SUPER keen for her to return and significantly raise the noise level in the office.

The trainers have been extremely busy this fortnight, starting with them all being students at a weekend course for an upgrade to the Training and Assessment qualification to meet the new national regulatory requirements that take effect for 2019. Our busy trainers then took to the road running courses in Bathurst, Boolaroo, Moree, Fairfield, Liverpool, Chatswood, Castle Hill, Port Macquarie and Parramatta.

One of our past team members, Nicky, who worked with ACOP whilst she was studying at university, got married last weekend. It was the most magnificent wedding in the Hunter Valley – and ACOP was well represented, with Megan, our Qualifications Manager in the bridal party, her sister was the other bride, her brother was the best man and Rosy, John and Anthony were all in attendance celebrating the day. We wish Nicky and Lisa the very best for the future.

And the big news around ACOP is that November means birthday time for the College. We are turning 15 on 30th November, and we are offering a 15% discount for 15 days to celebrate our 15 years. So take advantage of the discounts and get yourself booked into any course offered through the College.

## Certificate of Registration Courses

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

MON 26 <sup>TH</sup> - WED 28 <sup>TH</sup> NOV	CASTLE HILL
MON 10 <sup>TH</sup> - WED 12 <sup>TH</sup> DEC	SYDNEY
MON 14 <sup>TH</sup> - WED 16 <sup>TH</sup> JAN	SYDNEY
MON 18 <sup>TH</sup> - WED 20 <sup>TH</sup> FEB	PORT MACQUARIE
MON 4 <sup>TH</sup> - WED 6 <sup>TH</sup> FEB	PARRAMATTA

## Finance & Mortgage Broking Courses

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

MON 10 <sup>TH</sup> - WED 12 <sup>TH</sup> DEC	SYDNEY Cert IV in Finance & Mortgage Broking
THUR 13 <sup>TH</sup> - FRI 14 <sup>TH</sup> DEC	SYDNEY Dip of Finance & Mortgage Broking Management



# Property Licence Courses

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

TUES 29 <sup>TH</sup> WED 30 <sup>TH</sup> JAN	Financial Management SYDNEY CBD	FRI 25 <sup>TH</sup> JAN	Trust Accounting + Insurance SYDNEY CBD
WED 21 <sup>ST</sup> THUR 22 <sup>ND</sup> NOV	Staff Management SYDNEY CBD	3 <sup>RD</sup> - 5 <sup>TH</sup> DEC 4 <sup>TH</sup> - 6 <sup>TH</sup> FEB	Trust Accounting SYDNEY CBD
MON 26 <sup>TH</sup> THUR 29 <sup>TH</sup> NOV	Sales for Real Estate SYDNEY CBD	6 <sup>TH</sup> - 7 <sup>TH</sup> DEC 29 <sup>TH</sup> - 30 <sup>TH</sup> JAN	Property Management SYDNEY CBD PORT MACQUARIE
MON 1 <sup>ST</sup> FRI 5 <sup>TH</sup> APR	Stock & Station Agency Practices SYDNEY CBD	THUR 7 <sup>TH</sup> FRI 8 <sup>TH</sup> FEB	Business Broking Agency Practices SYDNEY CBD
MON 21 <sup>ST</sup> THUR 24 <sup>TH</sup> JAN	Strata management Agency Practices SYDNEY CBD		
FRI 30 <sup>TH</sup> NOV	Real Estate Auctioneer Accreditation SYDNEY CBD		

## Finish 2018 with Success

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.



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