

Property Owners' New Tenancy Laws Fact Sheet

NEW LAWS APPLY FROM 1 JULY 2009

A new Act that changes some of the rules for renting will start on 1 July 2009. The Residential Tenancies and Rooming Accommodation Act 2008 combines and updates the existing laws that cover renting a property.

BEFORE A TENANCY

Rental properties must be advertised at a fixed price

It is a requirement that property owners and agents must state a fixed price when advertising rental properties. This means that 'rent ranges' (such as 'from \$250-\$270 pw', or '\$270 neg') and auction style bidding for rental properties are not allowed.

TENANCY AGREEMENTS

Changes in notice periods

When property owners require the tenants to leave without grounds at the end of a fixed term tenancy agreement, 2 months notice is now required prior to the expiry date of the fixed term tenancy agreement, previously only 2 weeks notice. As such, the *lease renewal process* must be completed *at least 2 months prior* to the expiry date of the fixed term tenancy.

Disputing significant changes between tenancy agreements

Current tenants can dispute significant changes upon renewal of their tenancy agreement, such as charging for water, pets being no longer permitted, or rent increases, etc.

Rent increases

Under the new laws rent can not be increased unless there has been at least 6 months since the last increase, no matter what type of agreement the tenant is on. There is now a requirement for property owners and agents to give tenants 2 months written notice of a rent increase during a fixed term tenancy agreement if that agreement contains a special condition detailing the rental increase.

Constraints on the search for new tenants

If the search for a new tenant begins while the current tenants are still in place, the current tenants must provide written agreement to the property owners/agent to hold an open house to show the property to prospective tenants. Photos showing the tenants possessions can only be used to promote the property if the tenant agrees.

Caution regarding potential sale of your property

The tenant may give 2 weeks written notice to leave on a fixed term tenancy, if either of the following occur within the first 2 months of a tenancy commencing, including the renewal of a tenancy:

- The premises are advertised for sale
- The property owners or agent enter to show a prospective buyer

This section only applies if the tenant was not notified that the property was for sale prior to the tenancy commencing.

More information can be found at www.rta.qld.gov.au or by calling 1300 366 311.