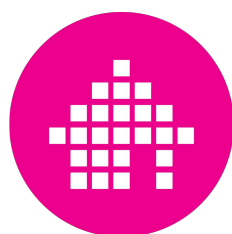


2021 VICTORIAN RENTAL REFORMS:

A GUIDE FOR RENTERS & RENTAL PROVIDERS



Reform
introduced
from
March 29, 2021



Ristic

OVERVIEW



The Residential Tenancies Act 1997 underwent the most significant changes since its introduction with some 130 new rental laws coming into effect from 29 March 2021, impacting every renter (previously 'tenant') and rental provider (previously 'landlord') in Victoria.

Changes to the regulations are designed to create a fairer, safer system for all Victorians. This simple guide aims to provide you with an overview of the new minimum standards, disclosures and safety requirements, as well as clarifying the rights and responsibilities of both the renter, and rental provider, from before the rental agreement is signed until after the agreement ends and unless otherwise stated, the below reforms come into effect from the date above.

In this guide you will find a summary of the changes for each of the following areas -

- Minimum Standards
- Disclosure Requirements
- Safety Related Activities

Whether you're a renter, or rental provider, a member of your local Ristic Property Management team can help you.

MINIMUM STANDARDS



DOOR LOCKS

All external entry doors to the rented premises which are not able to be secured with a functioning deadlock, other than a screen door attached to an external door must at least be fitted with a locking device that:

- is operated by a key from the outside; *and*
- may be locked from the inside with or without a key

This does not apply in the following situations -

- where a front door opens to common property (e.g. entrance to an apartment building); *or*

- if the property is a registered place and a request for a permit to comply with this standard has been refused under the Heritage Act 2017

WINDOWS

- External windows that can be opened must be able to be set in open/closed position
- If there are no locks, there must be latches to secure against external entry

HEATING

- The following reforms will be phased in over a 3-year period -

- 29 March 2021 onwards; a fixed heater in the main living area will be required for all rented premises including -
- Class 1 properties (attached and detached houses) and
- Class 2 properties (multi-unit residential buildings)
- If a fixed heater in the main living area has not been installed, an energy-efficient heater (2 star minimum) must be installed
- From 29 March 2023 onwards; an energy-efficient fixed heater (minimum 2 star rated) in the main living area will be required for all rented premises

Note: If the rental property is in a class 2 building (apartment block) and it is not feasible to install an energy-efficient heater, (e.g. due to Owner's Corporation rules or excessive costs), then the energy efficiency requirement does not apply, but a fixed heater is still required

BATHROOM FACILITIES

All bathroom facilities must include:

- reasonable hot and cold-water supply
- a washbasin
- shower/bath
- minimum 3 star rated showerheads

KITCHEN FACILITIES

The kitchen must have:

- a dedicated food preparation area
- a sink with hot and cold water
- a stovetop in good working order that has two or more burners; and
- if there is an oven, it must be in working order





LIGHTING

- Interior rooms and corridors must have appropriate access to light - natural or artificial
- Any habitable rooms (such as a bedroom, living room or study) must have access to natural light and artificial light

LAUNDRY FACILITIES

- If provided, must be connected to a reasonable amount of hot and cold water.

MOULD & DAMPNESS

- Each room must be free from mould and damp caused by the building structure

RUBBISH & RECYCLING BINS

- Must be supplied by local council and compliant with council regulations

STRUCTURAL SOUNDNESS OF PROPERTY

- Rented premises is to be structurally sound and weatherproof

TOILET FACILITIES

Rented premises must contain a toilet in working order. It must be:

- connected to an appropriate waste system

VENTILATION

- Rented premises must meet the ventilation standards in the Building Code of Australia

WINDOW COVERINGS

From 29 March 2022 onwards;

- All windows in bedrooms and the living area must have coverings that can block light and provide privacy

DISCLOSURE REQUIREMENTS



EMBEDDED NETWORKS

- If the premises is supplied with electricity and/or gas from an embedded network, the rental provider must provide the trading name of the embedded network, ABN of the embedded network operator, the contact details, electricity/gas tariffs and any other fees or details where that information may be accessed

ASBESTOS

- That the rental property has had asbestos in it

DRUG TRAFFICKING OR CULTIVATION

- That the rental property has been used for the trafficking or cultivation of a drug of dependence in the last five years

MORTGAGE

- If a mortgagee is taking action to possess the premises, and if so, whether a mortgagee has commenced proceedings to enforce the mortgage

OWNERSHIP

- If they are the owner of the property, or if they are not the owner of the property but they have a right to rent the property out

HOMICIDE

- That the rental or common property has been the location of a homicide in the last five years

REGISTERED PLACE

- If the rental property is a heritage listed place

BUILDING WORKS

- If the rental property is affected by any building or planning application lodged with a relevant planning authority

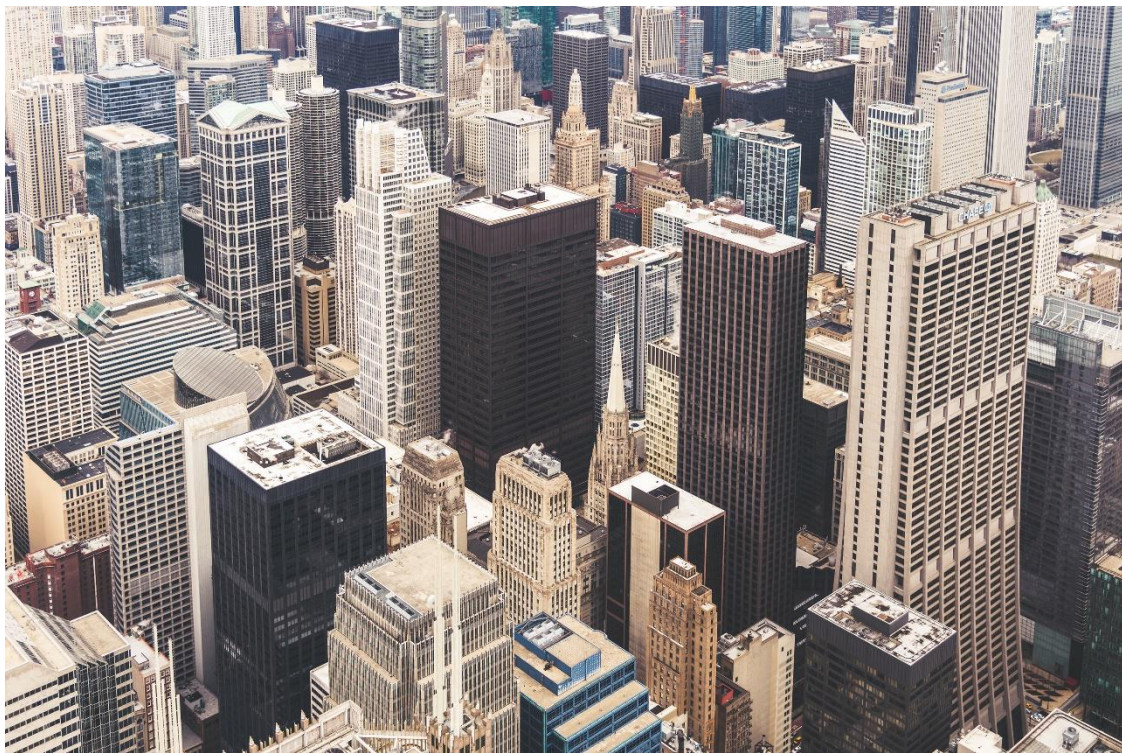
- If there is a current domestic building work dispute under the *Domestic Building Contracts Act 1995* relating to the rental premises

SALE OF THE PROPERTY

- If there is an intention to sell the premises and if so, whether they have engaged an agent to sell the property, or if there is a contract of sale

COMPLIANCE

- That the date of the most recent gas safety check, electrical safety check, and pool barrier safety check (if relevant) and, if there are any outstanding recommendations to be completed from a gas or electrical safety check





NOTICES, ORDERS & DECLARATIONS

- That the rental premises are subject to a notice, order, declaration, report or recommendation issued by a relevant building surveyor, municipal building surveyor, public authority or government department relating to any building defects or safety concerns associated with the rented premises or common property. If the answer is yes, the rental provider must provide a description of the order, notice or report

MOULD & DAMP

- The rental provider has received a repair notice in the last 3 years that is related to mould or damp in the premises which is caused by or related to the building structure (this requirement commences on 31 December 2021)

OWNERS CORPORATION/STRATA

- If there is a current dispute under Part 10 of the *Owners Corporations Act 2006* (a dispute between owners, residents and/or the manager) which affects the rental premises
- Whether the rental premises is subject to the owners corporation rules (the rental provider must provide these the rules to the renter)

SAFETY RELATED ACTIVITIES



SMOKE ALARMS

- Smoke alarms must be installed in all Victorian houses, units, flats and townhouses. Rental providers must fit smoke alarms in rented properties
- All buildings built after 1 August 1997 must have hard-wired smoke alarms with a battery back-up. Buildings built before that date can have a battery-powered smoke alarm
- The rental provider must ensure smoke alarms:
 - are correctly installed and in working order
 - are tested according to the manufacturer's instructions at least once every 12 months
 - have batteries replaced as required

- are repaired or replaced as an urgent repair

GAS INSTALLATIONS

- Gas appliances such as heaters and stoves, must be properly maintained by a licensed or registered gas fitter. If gas appliances aren't maintained, they can cause carbon monoxide poisoning
- Rental providers who enter into a new agreement after 29 March 2021, or have a fixed term agreement of more than five years which rolls over into a periodic tenancy after 29 March 2021 must:
 - have gas safety checks conducted every two years by a licensed or registered gas fitter, and

- keep records of the safety check and provide details if the renter asks
- disclose the date of the last gas safety check, and any outstanding recommendations from the safety check before entering into a rental agreement

ELECTRICAL INSTALLATIONS

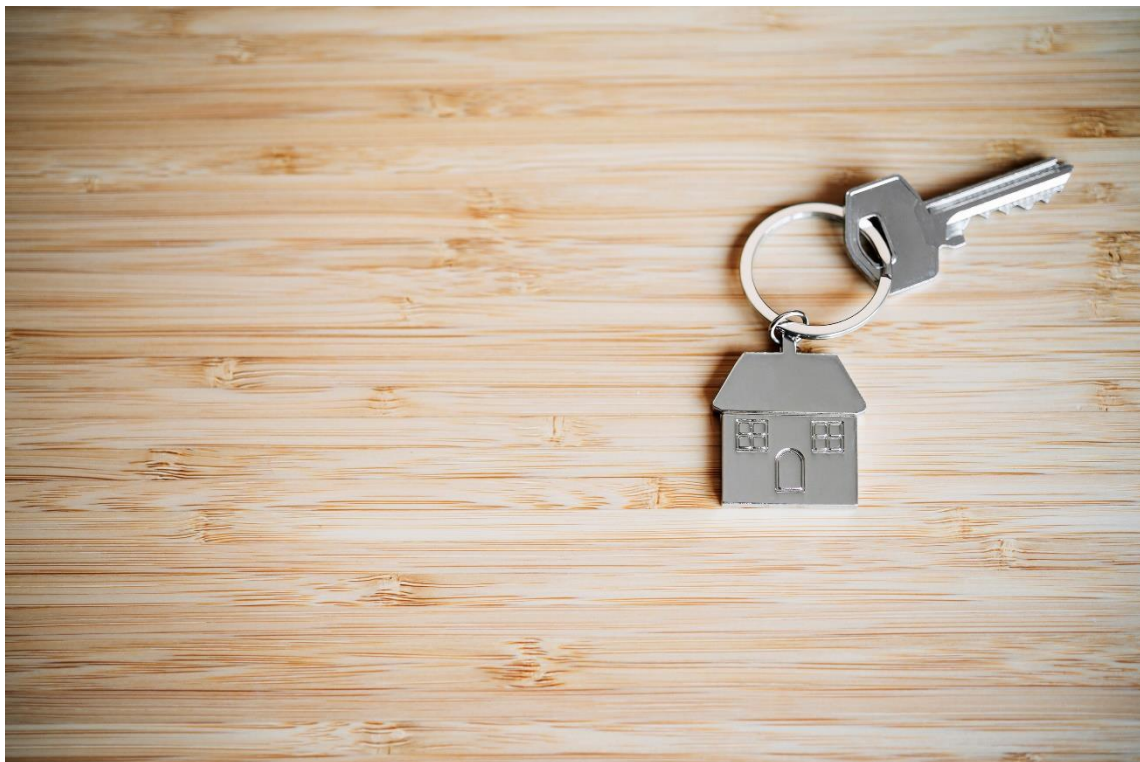
- Rental providers must ensure that an electrical safety check of all electrical installations and fittings in the premises (in accordance with section 4 of AS/NZS 3019 "Electrical installations-Periodic verification") are conducted every two years by a licensed or registered electrician.
- If requested, they must also provide the renter with the date of the most recent safety check, in writing

SWIMMING POOL/ SPA REGISTRATIONS

The owner of the property must:

- register the pool with the local council
- have the pool safety barrier inspected every four years
- lodge a certificate with the council, confirming compliance of the pool or spa barrier
- the new laws apply to swimming pools and spas that are capable of holding more than 300 mm (30 cm) of water. This includes permanent pools, above ground pools, indoor pools, hot tubs, bathing or wading pools and some relocatable pools
- Relocatable pools that do not consist of multiple components and do not require any assembly are not subject to the barrier requirements - an example of such a product is a small inflatable pool that requires no assembly other than inflation





WATER TANKS FOR BUSHFIRE-PRONE AREAS

- Rental properties in bushfire prone areas must have a water tank for bushfire safety
- If a water tank is required for firefighting, the rental provider must ensure the tank and any connected infrastructure is maintained in good repair, is clean and full at the start of the tenancy

NEW REQUIREMENTS

- The rental provider must provide, free of charge, a set of keys or another security device to each renter who signed the rental agreement. If both a key and device are required to enable the renter to access and enjoy the rented property, the rental provider must provide both free of charge

Meet The Team



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Director and Officer in Effective Control



Melodi Brown
Director and Trust Accountant



Mills Ristic
Business Owner



Fusun Ristic
Business Owner



Nadine Augello
Head of Property Management



Georgia Kinnell
Property Manager



Joelle Exon
Property Manager



Molly Booker
Assistant Property Manager



Jacinta Scott
Leasing Consultant



Bella Torres
Leasing Cadet



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Christie Barnes
Receptionist



Chiles Marie Cat-ag
Property Management Support



Ralph Timothy Oberio
Marketing and Digital Support



Leanne Demetrius
Client Services - Front Office



Michael Furlong
Virtual Compliance and General Operations
Manager

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