

What real estate agents and landlords think tenants need to know

A joint project between Western Sydney Community Forum and the NSW Office of Fair Trading

Results of a survey of real estate agents/landlords carried out at an information night held by the NSW Office of Fair Trading at Lidcombe in May, 2008

Information gathered will be useful to anyone running tenant information sessions or assisting people seeking rental housing

The opinions in the survey are those of the real estate agents and landlords surveyed and not Western Sydney Community Forum nor NSW Office of Fair Trading.

Real estate agents were asked:

What information do you think tenants need to know?

List the 3 top tips you'd give tenants when they start a tenancy. Anything else?

List your 3 top tips to tenants to avoid problems during their tenancy. Anything else?

List any emerging issues you see as possible problem areas for tenants in the future.

21 surveys were collected, **16** from real estate agents and **5** from landlords.



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MAJOR FINDINGS

- Tenants may need assistance to understand The Renting Guide contents
- Tenants may need assistance to complete the Condition Report, take photos and return a copy to agent/landlord
 - Tenants may need assistance to understand sub-letting concepts
- Tenants may need assistance to understand the consequences of falling behind in rental payments

- Tenants may need assistance to understand the importance of reporting & documenting repairs needed &/or accidental damage to premises to agent/landlord

*Asterisks denote survey completed by landlord, rather than real estate agent

Survey No.	Q1: List the 3 top tips you'd give tenants when they start a tenancy.	Anything Else?
1	<ul style="list-style-type: none"> The renting guide book Copies of tenancy agreement Condition report <p>* There is a legal requirement to give tenants the above three items</p>	<ul style="list-style-type: none"> Tell tenants about their rights and responsibilities Tell tenants what they do when repairs are needed Issue receipts to tenants
2	<ul style="list-style-type: none"> Information about rent & bond money Tenants & Agent responsibilities Information about repairs 	Tenant to notify if any emergency happens such as electricity failure, plumbing etc which needs fixing
3	<ul style="list-style-type: none"> Tenants should be able to be contacted by telephone Tenants should get fly screens Tenants should make sure they understand payment facilities/responsibilities 	
4	<ul style="list-style-type: none"> Agents should explain the lease & give a lease for a fixed term Agent issues one set of keys to the tenant named on the lease Agent issues a copy of the renting guide 	Agents should tell tenants to report to them if any repairs need to be done
5	<ul style="list-style-type: none"> Tenant should read Office of Fair Trading tenancy guide Tenant should read agent's special conditions guide Tenant should change electricity, phone, gas to their names 	Tenants should read the terms for ending the lease
6	<ul style="list-style-type: none"> Tenant should report all damage and cleaning needs Tenant should pay their rent upfront Tenant should make sure the premises is kept clean 	
7	<ul style="list-style-type: none"> Tenant should complete the Inspection Report in detail to prevent future disputes If tenant does not pay rent on the due date, their future tenancy applications will be affected Tenant should not sublet the property, or increase the number of tenants allowed 	
8	<ul style="list-style-type: none"> Agent should inform tenant about Tenancy Agreement costs Agent should inform tenant about how much bond they have to pay Agent should inform tenant about how to end the Agreement before the end of the lease 	
9	<ul style="list-style-type: none"> Tenant should read the Residential Tenancy agreement Tenant should make sure they lodge the Condition Report Tenant should read the Renting Guide & bond information 	

Survey No.	Q1: List the 3 top tips you'd give tenants when they start a tenancy.	Anything Else?
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10	<p>Tenant should change electricity & gas bills into their name</p> <p>Tenant should inform the agent if there are more people moving in to the property later on</p> <p>Tenants should not pass the property on to a friend or other person without informing the agent</p>	<p>Tenant should inform agent of the home telephone number when they get it</p> <p>Tenant should read the lease & know their rights & obligations</p>
11	<p>A clear brochure about tenant roles & responsibilities to the property should be made available</p> <p>Tenant should know how rent is to be paid and what the consequences are if they fail</p> <p>Agent should disclose any changes ahead. Ongoing changes or outgoings should be fairly explained</p>	<p>Tenants need an awareness session about the Bond & when money may be deducted if a tenant breaches their duties towards keeping the property under fair wear and tear</p>
12	<p>Tenants should make sure they fill in and return the Condition Report to avoid problems</p> <p>Tenant should always abide by the contract</p> <p>Tenant should contact the agent if they are unsure about anything</p>	
13	<p>Periods for notice eg leaving the premises</p> <p>Condition Report, their response & return to agent</p> <p>Utilities, connection or disconnection</p>	
14	<p>Tenant to fill out Condition Report & return ASAP</p> <p>Tenant should read the Tenancy Information Guide</p> <p>Tenant needs to pay rent in advance</p>	
15	<p>Tenant should fill in the Condition Report & return it</p> <p>Tenant should read the Tenancy Information Guide</p> <p>Tenant should check that they get keys for the property (windows, letterbox, etc)</p>	
16	<p>Tenant should have a minimum of 3 types of identification</p> <p>Tenant should get rental history from other real estate agents</p> <p>Tenant should be able to show their pay slip</p>	<p>Tenant should have work references & credit references</p> <p>Tenant should produce anything that helps the owner to understand the tenant's characteristics</p>
17*	<p>Tenant should read the Tenancy Agreement, including the Renting Guide</p> <p>Tenant should fill out Condition Report and return to Landlord</p> <p>Tenant should make sure they have the keys to the property</p>	

Survey No.	Q1: List the 3 top tips you'd give tenants when they start a tenancy.	Anything Else?
18*	There should be an agreement on cost of rent and bond between landlord and tenant Tenant should keep receipts of all payments Landlord/agent should keep a copy of the keys of the premises	There should be a list of tenant rights & responsibilities
19*	Tenant should have Agency agreement Tenant should have Condition report Tenant should lodge Rental /Bond payment	Tenant should know about tradesmen eg handyman, electrician
20*	Tenant should understand the lease Tenants should report on the condition of the property	
21*	Tenant should understand the lease and collect the keys Tenants should be given contact details for emergencies	

Survey No.	Q2: List your 3 top tips to tenants to avoid problems during their tenancy.	Anything Else?
1	Tenants should talk to the managing agent if they have any problems, eg cannot pay rent Tenants should pay rent on time Tenants should report to agents if any repairs are needed or made	Tenants should take good care of the property. If tenants change fixtures, inform the agent If tenants want to end the tenancy agreement or vacate, put it in writing to the agent Tenants should read the renting guide book thoroughly and return a copy of the premises condition report within 7 days
2	Tenant should pay rent on time Tenants should not make noise on weekdays after 7:00pm Tenants should not sublet without the permission of the agent or owner	
3	Tenants should read the premises inspection report carefully and take photos Tenants should sign as long a lease as possible to avoid rent increases	
4	Agents should tell tenants to contact them if there is any problem Agents should tell tenants to inform them at once if there is any major problem or repair needed Agents should call tenants once in a while and ask if any repairs are needed	Agents should make sure tenants can be contacted

Survey No.	Q2: List your 3 top tips to tenants to avoid problems during their tenancy.	Anything Else?
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5	Tenants should report repairs in writing as soon as they happen Tenants should pay rent on time Tenant should keep and maintain property in good condition	Tenants needs to report on all conditions
6	Tenant should pay rent on time	
7	Tenant should maintain the property at all times Tenant should inform the agent of any urgent repairs Tenant should not carry out any illegal activities or breach by-laws	
8	Tenants should avoid destruction of the property Tenants should not sub-let Tenants should not grow marijuana	
9	Agent should keep in touch with the tenant on a regular basis Tenants should retain premises in a good condition for living Agents should monitor tenants in rent arrears	
10	Tenant should pay rent in advance rather than arrears (better for their rental ledger & so they won't be in breach of lease) Tenant should not make changes to the property without informing the agent	
11	A tenancy guide or a simple brochure translated into various languages, so tenant can easily read and understand it, so they would try to keep properties in better condition	Something is needed to convince landlords to stop ripping off tenant bonds
12	Tenant should always keep the rent in advance Tenant should report all important maintenance issues to the agent Tenant should maintain the property at all times (inside & outside)	
13	Tenant should be aware of periods for notice eg two or three weeks for release Tenant should respond to the Condition Report and return a copy to the agent Tenant should attend to utilities connection or disconnection	Tenant should report any property problem to the agent Tenant should keep kitchens and bathrooms clean – open windows Tenants are responsible for visitors when they are on their property
14	Tenant should report repairs in writing Tenant should make sure rent is paid on time If tenant is not sure about something, they should read their residential tenancy agreement. The answers should be there.	

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Q2: List your 3 top tips to tenants to avoid problems during their tenancy.

Anything Else?

- 15 Tenant should put everything in writing
Tenant should report repairs as soon as they happen - don't delay
Tenant should be made aware of their responsibilities at the start of the tenancy
- 16 Tenant should not fall behind in rent. Keep agent / owner updated about problems or concerns
Tenant should not cause nuisance
- 17* Tenant should disclose all information needed by the Agreement
Tenant should provide clear information about the property condition
Tenant should keep the premises clean, tidy & ready to live in
- 18* There should be a Tenancy Agreement
There should be a Condition Report
There should be phone numbers for emergencies & repairs
- 19* Tenant should pay rent in advance
Tenant should report faults, repairs
Tenant should keep landlord in the know
- 20* Tenant should request specific conditions in the lease to suit their needs
- 21* Tenant should keep in contact with the landlord
Tenant should let the landlord know ASAP if something is wrong so he can fix it.

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Q3: List any emerging issues you see as possible problem areas for tenants in the future

- 1 Children drawing on the premises
Tenants who do not pay rent on time will have a bad history which will affect their future renting
Tenants who do not keep premises clean & tidy will get a bad reference from the agent
- 2
- 3 Tenants can't cope with the rate of rent increases
- 4 Issues could include toilet or sewer blockage or water leakage
- 5 Mortgagee repossessions
- 6 Plumbing & electricity
- 7

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Q3: List any emerging issues you see as possible problem areas for tenants in the future

- 8** Rent will go too high for people's income
Income discrimination
- 9** Helping tenants pay rent on time
Repairs should be fixed ASAP
Discuss what tenants need most
- 10**
- 11** A solution to stop the rental increases that landlords always pass on when there are interest rate increases – tenants are not convinced when rents hit the roof so quickly, as happened recently
- 12** Finding a property to rent
- 13** Rent increases & the ability of tenants to pay
General economic climate
- 14** Rental arrears
Property maintenance
The way premises are used
Ending tenancies
- 15** Rental arrears & Ending tenancies – Notices
Property maintenance
Use of the premises
- 16** Abandoning properties
Sub-letting
- 17*** Fire alarm
Water leaking
Security
- 18*** Repairing damage tenants cause
Rent increases
- 19*** Disputes about rent arrears
Repairs
Sub-letting
- 20***
- 21*** Increased pricing on available properties, due to lack of properties