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What does the residential tenancies act cover. Does the residential tenancies act apply. What is residential tenancies act. What is the purpose of the residential tenancies act.

Property condition reports are an important element of any residential tenancy, as they outline the current condition of the property at the start and end of a tenancy. A property condition report can also assist in resolving disputes about damage. The mandatory Form 1 Property Condition Report sets out the MINIMUM content to be included in each report. The reports set down, on a room-by-room basis, the exact contents and condition of the property, and should state if anything in/on/around the property is broken or in poor condition, (e.g. a torn flyscreen in bedroom one; crack along left side of northern wall in kitchen; circular brown stain on carpet in the lounge; broken door handle in the bathroom). The process for completing a property condition report and some tips for lessors and tenants, are outlined below. The lessor inspects the property, prepares a property condition report and provides the tenant with two copies of the report within seven days of the tenant moving into the property. If the tenant disagrees with the condition stated within the property condition report, they have seven days from receiving the report to note their changes or additions within both copies of the report, and return one copy to the lessor. If the tenant does not provide the lessor with an amended copy of the property condition report within the seven days, the tenant is taken to agree with the condition stated in the original report, but may still raise a dispute later.

The property condition report must be completed as close to the start date of the tenancy as possible when preparing the initial property condition report. This will mean the report contains the most accurate description and information. Take photographs of everything and everywhere at the property and include them as part of the property condition report. Sign and date both copies of the property condition report. Provide the incoming and outgoing property condition reports within the respective timeframes. Failing to meet those timeframes can be a breach of your legal obligations. Review any amendments your tenant makes when they return the property condition report. Some of the changes may require you to carry out maintenance or repairs – e.g. kitchen tap drips, pool gate does not lock into place etc. If your tenant makes amendments that you do not agree with or understand, consider contacting them to arrange a meeting at the property to go through those areas of the report together. It is better to resolve any areas of contention sooner rather than later. Stick to the timeframe for amending and returning a property condition report to your lessor. A lessor is not required to accept an amended report if you return it outside the seven day period. Start comparing the property's condition stated within the property condition report to the condition you received the property in, as soon as you receive the report. Inspect everything at the property and all areas of the property. If the property includes appliances or furnishings that you were not intending to use, you should still check their visual and functional condition – e.g. does the dishwasher/oven work? Are there any stains on or under a provided bed/couch? If you are making amendments to the property condition report, take photographs and include them as part of the amended report you return to your lessor. While you should note any items that need to be fixed on the property condition report, you should also advise your lessor of the issue separately, so they can arrange any necessary maintenance or repairs. Sign and date both copies of the amended report and give one copy back to your lessor. You must not sign a property condition report unless you are satisfied with its accuracy. If you are not satisfied with the inspection, you should not sign the report. If you do not sign the report, you cannot avoid any dispute about the reports not being received or timeframes not being followed. How to serve notice correctly is covered in more detail in using rental notices and court proceedings. It is important to be aware of what is a tenant's or landlord's responsibility for any maintenance and repairs. This is a mandatory form. The information within this standard form is not to be deleted, however items or information may be added. A word version is available. Property condition report [Index] [Table] [Search] [Search this Act] [Notes] [Noteup] [Next] [Download] [Help]

(1) A lessor must, within 7 days after a tenant has entered into occupation of a residential premises under a residential tenancy agreement —

(a) prepare a report describing the condition of the premises; and

(b) provide 2 copies of the report to the tenant. Penalty for this subsection: a fine of \$5 000.

(2) A tenant given copies of a report under subsection (1)(b) who disagrees with any information in the report must, within 7 days of receiving the copies —

(a) mark a copy in a manner that shows the information with which the tenant disagrees; and

(b) give the copy back to the lessor. If the tenant does not give a copy of the report back to the lessor under subsection (2), the tenant is to be taken to accept the report as a true and accurate description of the condition of the residential premises.

(3) A lessor must, as soon as practicable, and in any event within 14 days, after the termination of a tenancy or tenant's interest in a residential tenancy agreement —

(a) conduct an inspection of the residential premises; and

(b) prepare a final report describing the condition of the premises; and

(c) provide a copy of the report to the tenant. Penalty for this subsection: a fine of \$5 000.

(4A) A lessor is taken to comply with subsection (4) if, before the termination of a tenant's interest, the lessor —

(a) enters residential premises under a residential tenancy agreement to inspect the condition of the premises; and

(b) completes a report describing the condition of the premises; and

(c) gives the report to the tenant to be signed by the tenant. The regulations may prescribe information that must be included in a property condition report. [Section 27(7C) inserted: No. 60 of 2011 s. 22; amended: No. 3 of 2019 s. 25.] AustLII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Return to Top

The regulations may prescribe information that must be included in a property condition report. [Section 27(7C) inserted: No. 60 of 2011 s. 22; amended: No. 3 of 2019 s. 25.] AustLII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Return to Top

If inspections are conducted throughout a tenancy occupancies as a means of ensuring the property is being maintained to a high and acceptable standard. They are also required to identify any maintenance that will leave your owners in awe. Each template reflects your own branding and is designed in consultation with your Property Management team to establish a simple, repeatable process that anyone in your office can follow. We always allocate the same staff member to your Routine Inspection portfolio for consistency. Your company checklists are followed, if you do not have one in place we will follow our own. We provide Routine Inspection reports in your preferred

format, be it via iPad, Rentfind Inspector, or one of our custom inspection templates featuring your branding and tailor-made to your requirements This guide covers landlords (or head-tenants) and tenants (or sub-tenants) in a Residential Tenancy. This applies to the majority of share accommodation and residential property rental situations. To confirm it covers your situation visit What is my share accommodation situation? Condition Reports record the general state of repair and condition of the rental premises at the beginning and end of the tenancy. If an issue arises about damage or disrepair to the premises, the Condition Reports are used as evidence by the Tribunal or Court to determine who is liable. This is important for determining how the Rental Bond should be paid out, or whether compensation should be paid to the landlord. In Western Australia, the tenant and landlord must complete a Condition Report at the beginning and end of the tenancy agreement. Separate copies of this document should be used at the beginning and end of the tenancy. The tenant and landlord should each retain at least one copy of the Condition Report during the tenancy. The standard form Condition Report from the Department of Commerce can be found Downloaded for Free. It should be completed and signed by the tenant and landlord at the beginning and end of the tenancy. Although a Condition Report is required by law, a tenancy agreement is still valid even if a report has not been completed. Condition Report at the start of the tenancy—what is required? The landlord must complete a Condition Report on the premises within 7days after the tenant moves in. The landlord should inspect the premises thoroughly while completing the report to ensure it is as accurate as possible. The landlord must give the tenant 2 copies of the completed Condition Report. After receiving the 2 copies, the tenant should carefully inspect the premises to see whether they agree with the landlord’s assessment. If the tenant does not agree with any part of the Condition Report, they should indicate their disagreement in the appropriate place. If the tenant does disagree with any part of the Condition Report, then the tenant needs to return it to the landlord within 7 days of receiving it. If the tenant does not return a copy of the Condition Report, then it is assumed that the tenant agrees entirely and that it is an accurate description of the premises. The tenant and landlord must each retain a copy of the Condition Report. It is in the best interests of both the tenant and landlord that the Condition Report is completed as close as possible to the beginning of the tenancy. The Tribunal or Court will not value as highly a Condition Report completed too long after the tenancy begins. Condition Report at the end of the tenancy—what is required? In addition to the Condition Report at the start of the tenancy, the tenant and landlord must complete a second Condition Report at the end of the tenancy agreement, or as soon as practicable after it ends. The standard form Condition Report is used for both the reports at the beginning and end of the tenancy. This Condition Report must be completed at the premises by the landlord in the presence of the tenant. After completing the report, the landlord must give one copy to the tenant. Once the Condition Report has been signed by both the tenant and landlord, the Court will assume it is an accurate record of the state of the premises unless other evidence overrides it. Therefore, the tenant should carefully read the report completed by the landlord, and indicate in the appropriate sections whether they agree or disagree. If the tenant indicates that they disagree with a part of the landlord’s Condition Report, then the Court will not automatically assume that the report is accurate regarding that part. The Condition Report can be completed by the landlord alone if the landlord has given the tenant a reasonable opportunity to be present when the report is completed, but the tenant has chosen not to attend. It is the responsibility of the landlord to make a positive effort to arrange a mutually convenient time with the tenant for the Condition Report to be completed. It is in the best interests of both the tenant and landlord to be present when completing the Condition Report—this reduces confusion and speeds up any dispute resolution process. If the landlord does not give the tenant a reasonable opportunity to attend, the Court will not attach much weight to the Condition Report and will not automatically assume it is an accurate record of the premises. Can I make changes to the standard form Condition Report? In addition to the standard form Condition Report, tenants and landlords can attach additional information to provide a more comprehensive account of the general condition of the premises. For example, if a part of the premises is not included in the standard form Condition Report, then either party may add an additional document recording the state of that part. Further, it is common and good practice for tenants and landlords to take pictures of the premises at either the beginning or end of the tenancy to provide a visual record in addition to the written report. If additional information is attached by the tenant or landlord, the other party should indicate whether they agree that it is an accurate record of the condition of the premises. How do Condition Reports work in co-tenancies? Condition Reports are particularly important in co-tenancy arrangements as they help in attributing liability to individual co-tenants for any damage caused to the premises. Every time a co-tenant is removed from or added to a tenancy agreement, a new condition report should be completed by the landlord, the continuing co-tenant(s), and the incoming or outgoing co-tenant(s). By completing a new report each time there is a change in co-tenants, liability can be more accurately attributed to the responsible co-tenant, especially if the damage is only recognised a long time after a former co-tenant has left the premises. Is a new Condition Report needed if the tenancy is renewed? If a tenancy agreement is renewed for the same premises between the tenant and landlord, a new Condition Report must be completed before the second tenancy agreement begins. A new Condition Report will provide a more relevant and recent appraisal of the premises and therefore reduce the likelihood of a dispute arising at a later point. You might also be interested in WA Bonds WA Tenancy Agreements WA Rental Payments WA Holding Deposits These legal guides provide a brief summary and introduction of the laws and regulations affecting share accommodation. They do not cover all cases in all legal jurisdictions and might not apply in your specific share accommodation situation. It is important that you use this information as a guide only and seek independent Legal Advice or consult the Relevant Acts. We do not accept any liability that may arise from the use of this information.

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