

Non-registrable boarding houses

Do you live in a boarding house that isn't 'registrable'? You and the boarding house operator can choose to enter into an agreement which includes the occupancy principles. You have rights as a consumer under the Australian Consumer Law.

To find out more, visit www.fairtrading.nsw.gov.au or call **13 32 20**.

Boarding house register

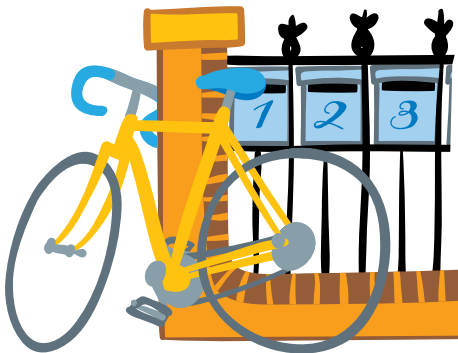
Did you know there is a public register that allows you to search for all 'registrable' boarding houses in NSW? Visit www.fairtrading.nsw.gov.au or call **13 32 20**.

Need help?

If you have any questions about your rights as a boarding house resident, call us on **13 32 20** or visit our website.

If you have a dispute with another resident or with the operator, the NSW Civil and Administrative Tribunal (NCAT) can help. The dispute can be about any of the occupancy principles including the state of the boarding house, fees and charges, inspections, repairs, notices of eviction and more.

Call the Tribunal on **1300 006 288** or visit www.ncat.nsw.gov.au



Useful contacts

Tenants Advice and Advocacy Services (TAAS)

TAAS provides boarders and lodgers, social housing tenants and other NSW tenants with free assistance and information. Find your nearest TAAS at www.tenants.org.au

Housing NSW

Provides people with emergency and temporary accommodation. Call 1300 468 746 or visit www.housing.nsw.gov.au

Mental Health Line

Call 1800 011 511 anytime to speak with a mental health professional.



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NSW Fair Trading – What we do

- Shopping and consumer guarantees
- Renting, buying, selling a home
- Home building and renovating
- Strata and community living
- Loose-fill asbestos implementation taskforce
- Retirement villages
- Co-operatives, associations and charitable fundraising
- Product safety
- Resolving disputes

www.fairtrading.nsw.gov.au Enquiries **13 32 20**
Language assistance 13 14 50 (*ask for an interpreter in your language*)
TTY 1300 723 404 for hearing impaired

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For more information about this topic, refer to the appropriate legislation.

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Living in a boarding house?



www.fairtrading.nsw.gov.au

Your rights when living in a boarding house

Boarding houses

Boarding houses provide accommodation for a fee and are sometimes called lodging houses. Often, residents only have the right to occupy a room and share other facilities such as kitchens and bathrooms.

If you live in a 'registrable' boarding house, you have a basic set of rights called occupancy principles. This brochure outlines these rights and where to get more information.

What is a 'registrable' boarding house?

There are two types of 'registrable' boarding houses:

- **General boarding houses**

These accommodate five or more paying residents excluding the owner's family and manager. This does not include hotels, backpackers and aged care homes. To find out more, visit our website or call **13 32 20**.

- **Assisted boarding houses**

These accommodate two or more persons with additional needs. These are licensed by Ageing Disability & Home Care (ADHC). For more details visit www.adhc.nsw.gov.au or call **02 937 000**.

What is an occupancy agreement?

An occupancy agreement is a written contract between you and the boarding house operator. It details your basic rights and responsibilities. Legally, the operator must have an occupancy agreement with you. Even if they don't, your rights are still protected by law and you can enforce them. Always ask for a written agreement so you know your rights and responsibilities.

Before you move in

You have a right to:

- have a written occupancy agreement
- be told how much the occupancy fee (ie. rent) will be
- know whether you will be charged for utilities such as gas, electricity or water
- be told the house rules
- be told if you have to pay a security deposit and how much it will be
- know how and why the occupancy agreement can be terminated, including how much notice you will get.

While you live there

You have a right to:

- live in a house that is reasonably clean and secure, and in a reasonable state of repair
- have quiet enjoyment of the place you live in
- be given receipts for any money you pay
- be given 4 weeks written notice of any increase in the occupancy fee
- have utility charges limited to the cost of providing the utility plus an estimate of your usage
- not be 'fined' for a breach of the occupancy agreement and house rules. If you breach the agreement or the house rules you can be asked to leave
- apply to the Tribunal for help if you cannot resolve a dispute with a boarding house operator
- be given written notice, except in emergencies, for room inspections or repairs.

When you move out

You have a right to:

- have your deposit refunded within 14 days of moving out minus any allowable deductions such as unpaid rent, the cost to repair any damage you caused or to clean areas you left unclean, or to replace locks you removed or added without permission
- be given reasonable written notice of eviction. The boarding house proprietor can consider the safety of others in deciding how much notice to give.

