
Topic 3 – Signing a lease and condition report

There are things you should know before signing a residential tenancy agreement in New South Wales.

The agreement is also called a lease and is a legal document. It contains information about what the tenant or landlord can do and cannot do. It will also include the amount of rent you need to pay, and how and when to pay it.

Make sure you read the lease thoroughly before you sign it. Be certain that you understand and agree to what you are signing.

If there is anything you don't understand ask the agent or landlord. Or ask for help from someone you trust.

Usually the lease period is discussed and agreed to before the tenant signs it.

A lease period can be for as short or as long as the parties want but leases commonly run for either 6 months, or 12 months.

There is no fee for having a lease prepared.

Before signing the lease the agent must give you the *New Tenant Checklist*. The Checklist can help you think about things before signing the lease.

The agent or landlord must also tell you if there are problems about the property such as serious flooding or bushfire in the last 5 years or health and safety risks.

Once you understand your rights and responsibilities, you are now ready to sign the lease with the landlord or agent.

Remember, the agent must give you a copy of the signed lease.

They must also give you 2 copies of the condition report for you to complete.

Take time to complete this report. Look around the property carefully. Make notes of all damage, stains, or things that don't work. Put as much detail as you can in the report.

It is a good idea to take photos or video of the property before moving in.

After completing the report, you must return one copy to the agent within 7 days.

The tenant and agent must sign the report and both keep a copy.

If you find essential items that don't work such as an oven, you can ask the agent to repair them.

If you have been told an item is working but it doesn't when you move in, you can also ask the agent to repair it.

When you move out, the agent will usually inspect the property for any damage and to check that it is clean.

The condition report will be your evidence if there is a dispute about who should pay for damages or cleaning at the end of your tenancy.

Your local community organisations like a Migrant Resource Centre maybe able to assist you with renting related issues. Or you can contact a tenant advice service.

For more information on tenants rights and responsibilities visit the Fair Trading website on www.fairtrading.nsw.gov.au or phone 13 32 20.

If you need language assistance ring 13 14 50.