



Boarding Premises & Caravan Parks

Information for Tenants

WHAT IS A BOARDING PREMISES?

A Boarding premises is defined under the *Residential Tenancy Act 1997* as a room and any other facilities provided with the room where the room is occupied as a principal place of residence and any of the bathroom, toilet or kitchen facilities are shared with other persons.

The *Act* does not consider a premise which: contains less than three boarding rooms and the owner occupies the same building or where the tenant occupies the building and subleases out rooms, as boarding premises.

The *Act* may not apply to premises which are tertiary institution based, student accommodation.

WHAT IS IN THE ACT?

Part 4A of the *Residential Tenancy Act 1997* applies solely to boarding premises in Tasmania. It provides for the following:

- Costs of meals and any other services provided should be specified separately from rent. Receipts must list these amounts separately.
- There is to be access to a toilet and hand washing facilities at all times and reasonable use of a bathroom at least once a day.
- Bathroom and toilet facilities must be fitted with a device to ensure privacy
- The owner is required to keep in working order, the bathrooms, toilets and other facilities shared by the tenants.
- An owner must not allow more than one person to occupy a room unless they are joint tenants, or unless one of them is a carer for the other.

- Entrances to Boarding Premises are to be fitted with locking devices to secure the premises
- All locks and locking devices must be maintained by the landlord/agent during the tenancy.
- If meals are provided they must be provided within the following times:
 - Breakfast – 6 am to 9 am,
 - Lunch – 12 midday to 2 pm,
 - Dinner – 5 pm to 8 pm.

TERMS OF AGREEMENT

Section 48G requires an owner to provide the tenant with a written statement of the terms of the agreement when entering the lease. This is to be signed by both parties and is to set out the basic rights and responsibilities of the parties to the agreement. This will include:

- the names of the owner and tenant
- the location of the premises
- the facilities provided
- the beginning and end dates of the agreement
- the amount of rent and/or costs associated

The owner must keep a copy of the signed statement of key terms for at least six months after the agreement ends.

HOUSE RULES

A copy of any house rules should be given to the tenant when they are given the statement of key terms. They should also be on display in a prominent, accessible area. Rules apply equally to all tenants and should include:

- Meal times, if meals are provided
- Any facilities provided for the use of the tenant and any associated costs or restrictions

- Rules relating to access to bathroom and shower facilities
- Restrictions on visitor access, parking or storage
- Restrictions on the consumption of alcohol or smoking
- A method for changing the house rules and how the views of tenants are to be considered in the making of house rules.

OTHER PROVISIONS

Many of the standard regulations in the Act also apply to boarding premises, however several are modified specifically for a Boarding Premise as follows:

- The payment period must not exceed two weeks
- No bond (security deposit) is to be charged
- General repairs are to be carried out within 7 days
- Emergency repairs and urgent repairs must be carried out as soon as practicable
- A notice to terminate by a tenant must provide at least 2 clear days written notice
- An owner can enter the boarding premise to carry out an inspection once every month, but they must give at least 24 hours written notice
- An owner must fit each room with a lock and any other device that is necessary to secure the room
- An owner is to provide the tenant with a telephone number or other means of contacting the owner at any time

The Residential Tenancy Commissioner may investigate complaints made by tenants of a boarding premise and can make an order that either party comply with the Act or with a term of the agreement.

CARAVAN PARKS

If a tenant rents in a caravan park and it is their principal place of residence they may be covered by the Act. For further advice about the rights of caravan park tenants please contact the Tenants' Union.

USEFUL CONTACTS

Tenants' Union of Tasmania (TUT)

166 Macquarie Street Hobart
 ☎ 6223 2641 or 1300 652 641

www.tutas.org.au

TUT @ North West Community Legal Centre

☎ 6424 8720

Residential Tenancy Commissioner

(Consumer, Building and Occupational Services)

☎ 1300 654 499

Housing Connect

☎ 1800 800 588

Equal Opportunity

☎ 6224 4905 or 1300 305 062

Women's Legal Service

☎ 1800 682 468

Hobart Community Legal Service

☎ 6223 2500

Launceston Community Legal Centre

☎ 1800 066 019

Legal Aid Commission of Tasmania

☎ 1300 366 611