



## Rent

Residents should keep all records and receipts of rent paid in a safe place, as they are evidence that rent was paid.

The details of how, where and how often rent will be paid must be either in the occupancy agreement or must be documented in other ways.

For occupancies in excess of 12 months, if rent is paid in cash, the operator must immediately provide a receipt. For rent paid by cheque, the operator must provide a receipt within three days of the resident requesting one. If rent is paid directly into the operator's bank account, the operator is not required to provide a receipt.

The operator must keep a written record of each instalment of rent received. At the request of a resident the operator must permit the resident to examine the record of rent received.

An operator cannot require a resident to pay rent in advance of more than one rental period.

An operator cannot require a resident to pay rent in advance of the following rental period until the end of the current rental period for which the rent has already been paid.

The operator, or someone acting on behalf of the operator, must not seize a resident's goods or property if the resident has not paid rent.

### Rent increases

Rent can only be increased during an occupancy if the right to do so is specified in the occupancy agreement. The agreement must also state the amount of the increase and how the increase will be calculated.

Except where it is agreed that rent varies on a seasonal basis, the operator must give at least 30 days notice in writing before increasing the rent. The date from which the increase is to take effect must be at least six months after the date the occupancy commenced or six months from the last increase.

### **Rent reductions**

Rent may decrease, either by a specific inclusion of a term in the occupancy agreement or by agreement between the operator and resident. An agreement to reduce the rent should be put in writing and signed by both parties.

Rent reductions can occur on a temporary basis and at the end of the specified period the rent will revert to the level prior to the temporary reduction.

### **Excessive rent**

For occupancies in excess of 12 months, the resident may apply to the Commissioner for a declaration that rent payable is excessive. Such a declaration can be made only under limited circumstances.

Any claim that rent payable is excessive can only be considered from the date that the application is made to the Commissioner of Tenancies.

For more information contact Consumer Affairs:

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