

Information on changes to residential tenancy laws

Introduction

In June 2024, the Housing and Consumer Affairs Legislation Amendment Bill was passed.

From 10 December 2024:

- tenants who have experienced domestic or family violence will be able to end their tenancy quickly and without having to pay break lease fees.
- rent increases will be limited to once per year, in all circumstances
- a break lease fee clause must be included in all fixed-term tenancies
- there will be increased flexibility for condition reports and inspections when landlords and tenants enter series of tenancy agreements at the same rental property

From 9 January 2025:

- there will be a requirement for landlords to provide additional information when they advertise a rental property, or when they enter a tenancy agreement, including:
 - safety information about any swimming pool or spa at the rental property
 - information about whether there is an electricity embedded network at the rented property, or any other utility that the tenant will have to pay for but won't be able to choose their service provider.
- there will be a requirement for landlords to provide a unit title rental certificate to tenants renting a unit, which will give them information about a unit complex they are renting.

These changes have resulted in updates to the standard residential tenancy terms which are available [on the ACT Government website](#). Further information about these changes to residential tenancy law is also available on the [ACT Government website](#).

What you can do to share this information

You can help to raise awareness of the changes to rental law for tenants and landlords.

Changes are summarised below. On page 3 we have included some suggested content to support messaging in newsletters, emails and social media.

Key points

Changes to apply from 10 December 2024 – Ending a tenancy because of domestic or family violence

- > Tenants can end their tenancy agreement immediately and without having to pay break lease fees if they have experienced domestic or family violence.
- > To end a tenancy in these circumstances, a tenant must give their landlord a *family violence termination notice*.
- > The notice must state the date the tenant will leave the property, which can be the day the notice is given.

- > The notice must be accompanied by one supporting document as evidence that the tenant has experienced domestic or family violence.
- > Supporting documents can be:
 - a declaration by a competent person
 - a family violence order
 - a family law order.
- > A landlord cannot ask for more evidence when a tenant gives them a notice and a supporting document.
- > Certain people can know about a tenant's family violence termination notice and supporting document including:
 - their landlord
 - their landlord's agent
 - an employee of their landlord's agent
 - the ACT Rental Bonds Office.
- > A landlord can also share it with their lawyer if they need to seek legal advice.
- > It is illegal for a landlord to share a tenant's supporting document with anyone else.
- > The landlord must destroy the supporting document (or a copy), unless it is to be used for a legal reason. If the document is to be used for a legal reason, the landlord must store it securely.
- > Visit the ACT Government website to learn more about [what to do as a landlord if you receive a family violence termination notice](#).

Other changes to rental law in effect from 10 December 2024

- > Under the new changes, landlords can only increase the rent every 12 months. This applies in all circumstances, including when a tenant enters a new tenancy agreement at the same property.
- > Landlords can use [the rent increase calculator](#) to find out if they can increase the rent, and by how much.
- > A break lease fee clause is mandatory for all fixed-term tenancies. A break lease fee caps the amount of money a tenant may need to pay their landlord if they end their tenancy during a fixed-term.
- > Landlords and tenants in consecutive tenancy agreements do not need to complete a new condition report or comply with end of lease inspection requirements in between tenancy agreements. They can use the same condition report from a previous tenancy agreement as evidence in subsequent agreements.
- > A consecutive tenancy agreement is when a landlord and tenant sign a series of tenancy agreements at the same property. At least one tenant from a previous agreement must be on the new agreement for the tenancy to be consecutive.
- > Visit the ACT Government website to [learn more about consecutive tenancy agreements](#).

Changes to apply from 9 January 2025 – Disclosure requirements and unit title rental certificates

- > From 9 January 2025, landlords renting out their unit will need to provide tenants with a unit title rental certificate when they enter into a lease.
- > The certificate will give the tenant information about the unit complex they will be renting.

- > Landlords can request a unit title rental certificate from their owners' corporation now to be prepared for tenancies starting from 9 January 2025.
- > Visit the ACT Government website to learn more about [what is required in a unit title rental certificate](#).
- > From 9 January 2025, landlords must also provide more information when they advertise their property for rent.
- > In addition to [what is already required in rental advertisements](#), if the property is a unit, the ad must say if it is a part of an embedded network. This means a tenant [must use certain service providers for their utilities](#).
- > This is important information as it may affect a tenants utility costs.

Forms available for landlords and their agents when a tenancy ends due to domestic or family violence

A tenant will indicate a day they are ending their tenancy and vacating the property in their *family violence termination notice*. This is known as a vacate date.

Upon receiving a *family violence termination notice*, a landlord must wait until after the vacate date and within seven days:

- > issue a Notice to Territory to the ACT Rental Bonds Office so they are aware a family violence termination notice has been issued when dealing with the tenant's bond
- > issue a notice of continuing tenancy informing any remaining co-tenants at the property that a family violence termination notice has been issued and a tenant has left the agreement.

Template forms are available to help issue these notices with the right information:

- [Notice to Territory template](#)
- [Notice of continuing tenancy template](#)

After a notice of continuing tenancy has been issued, any remaining co-tenants at the property can choose to continue their tenancy or end the tenancy. Further [information for remaining co-tenants](#) is on the ACT Government website.

Content for newsletters, emails or social media

Rental laws in the ACT have changed to better support tenant safety and fairness.

Tenants can now end their tenancy agreement immediately and without paying a break lease fee if they have experienced domestic or family violence. More information can be found at www.act.gov.au/housing-planning-and-property/renting/ending-a-tenancy-because-of-domestic-or-family-violence.

Rent increases are now limited to once every 12 months in all circumstances, including where tenants and landlords sign a new fixed term agreement at the same rental property. The rent increase calculator can help landlords and tenants work out if a proposed rent increase complies with the rent increase rules. The calculator can be found at www.justice.act.gov.au/renting-and-occupancy-laws/rent-increase-calculator.

From 9 January 2025, landlords will also need to provide more information in rental advertisements and when signing a lease. This includes safety information about any pools at

the rental property and for rental properties in a unit complex information about whether there is an embedded network at the property.

There will also be a new requirement for landlords renting out their unit to provide a unit title rental certificate to a tenant when they sign a tenancy agreement.

To prepare, landlords can request a unit title rental certificate from their owners' corporation any time from 10 December 2024. More information about requesting a unit title rental certificate is available at www.act.gov.au/housing-planning-and-property/renting/starting-a-tenancy.

More information about what has changed, and links to further information can be found at www.act.gov.au/law-and-justice/changes-to-residential-tenancy-laws.