



# BONDS

## Information for Tenants Lodging Bonds AFTER 1st July 2009

Most residential tenancies in Tasmania are covered by the Residential Tenancy Act 1997. The Act sets out the regulations around the payment and return of bonds.

### What is a Bond?

A bond is the money that you pay to a landlord or agent at the beginning of the tenancy. This is financial security for the landlord in the event that you fail to meet your obligations under the tenancy agreement, such as fail to pay rent or cause damage to the property. It is not compulsory for a landlord / agent to charge a bond.

### How Much Bond Can I be Charged?

The **maximum** amount of bond that you can be charged is the **equivalent of 4 weeks** rent. It is an offence for a landlord or agent to charge more than this amount, and they could be charged up to \$6000 for doing so.

### Condition Reports

If a landlord / agent require you to pay a bond, they must provide you with two copies of a condition report. The condition report records the condition of the premises on or before the day you move in. Once you receive the condition reports, you may inspect the property and make any amendments or additions to the condition reports and sign and return one of them to the landlord / agent within 2 days.

### Rental Deposit Authority

On July 1st 2009 Tasmania introduced the Rental Deposit Authority known in Tasmania as MyBond. This is a central body where all bonds for new leases and lease renewals occurring on or after July 1st 2009 will be held.

### Bond Lodgement

A tenant must lodge and pay the bond to MyBond along with the required forms. How a tenant lodges a bond depends on whether they are renting through an a) agent or b) landlord.

a) If you are leasing through an **AGENT** you can provide the bond to them and they must lodge it with MyBond within 3 working days. Many agents are connected to MyBond via computer and can issue a receipt immediately.

b) If you are leasing through a private **LANDLORD**, you do NOT pay a bond directly to them. As a tenant you must be provided a Bond Lodgement Form signed by the landlord. This must state the amount of the bond. This form is to accompany the lodgement of the bond and must be signed by everyone who contributed to the bond (including Colony 47, Anglicare and joint tenants, if applicable).

Payments and lodgements are to be made at any Service Tasmania shop throughout the state. Alternatively a bank cheque or money order can be posted to the Rental Deposit Authority at the following address:

Rental Deposit Authority  
GPO Box 1244  
Hobart Tasmania 7001

Upon lodging the bond, you will receive several receipts. One of these must be returned to the landlord before gaining possession of the property. (Note that it will take longer to get a bond receipt via the postal method)

It is important that you keep a receipt as it contains a bond number that you will need when claiming the bond back.

MyBond holds the money until the end of the tenancy. They do not pay interest on the bonds being held.

# Tenants' Union of Tasmania

The information in this fact sheet is not legal advice. It is intended as a guide only. It applies only to legislation current in the state of Tasmania, Australia as at 01 July 2009. For information regarding a specific tenancy problem, please phone the Tenants' Union on (03) 6223 2641 or 1300 652 641. The Tenants' Union of Tasmania Inc accepts no responsibility for actions based on this information, nor for actions based on electronic translations of this.

## Claiming the Bond

At the end of a tenancy any person who has contributed to a bond and who has signed the bond forms is entitled to make a claim on the bond.

The landlord/agent must provide the tenant with a signed claim form within 3 days of the end of the lease. If all parties agree to this and sign the claim form MyBond will pay out the bond as soon as possible in the proportions agreed to on the Claim form.

A landlord/owner may lodge a Claim form without the tenants' signature. You have 10 days from receiving written notification from MyBond of this Claim to lodge a Dispute form. The landlord/agent must provide evidence to support any claim against the bond such as photos, receipts, condition reports or rental ledgers. **It is essential that you provide MyBond with an updated postal address upon the end of your tenancy to ensure you are able to dispute the matter in the required 10 days.**

Bond disputes are decided by the Residential Tenancy Commissioner. To dispute a claim against the bond you must obtain a Dispute Form from Consumer Affairs and Fair Trading. You should include any information that supports your claim such as photos, receipts, condition reports, invoices and correspondence. Once you received a formal copy of the decision you have 7 days to appeal the matter to the Magistrates Court.

A Claim on the bond can also be made by a person or organisation who contributed to the bond.

## Information for Tenants Lodging Bonds AFTER 1st July 2009

### What Can I do to Avoid a Bond Dispute?

Ideally you should take dated photos of the property at the beginning and end of your tenancy, as evidence of the state of the property. Also, keep all receipts associated with cleaning the property when you vacate it, such as carpet cleaning receipts.

## USEFUL CONTACTS

Tenants' Union of Tasmania Inc  
166 Macquarie Street Hobart  
☎6223 2641 or 1300 652 641

[www.tutas.org.au](http://www.tutas.org.au)

Rental Deposit Authority (MyBond)  
(Consumer Affairs and Fair Trading)  
☎1300 654 499

[www.mybond.tas.gov.au](http://www.mybond.tas.gov.au)

Private Rental Tenancy Support Service  
(PRTSS)  
☎1300 729 400

## BOND ASSISTANCE

The following organisations offer bond and rent assistance for tenants on low incomes.

Colony 47 CASH  
466 Elizabeth St Hobart  
☎6231 2182

Anglicare  
122 Elizabeth St  
Launceston  
☎6334 6060

Anglicare  
2<sup>nd</sup> Floor Days Building Best St  
Devonport  
☎6424 8581