Renting

When I moved into my new apartment, I noticed some odd things... I didn't know what to do so I let the landlord in.

My landlord kept coming over

I'm here to inspect the place

Umm... okay. I didn't know you were coming. But I guess it's okay...

I didn't know what to do so I let the landlord in.
I told my landlord. I called. I emailed. I called again. Nothing ever happened. The letter was called a 'notice to vacate'. I was very confused.

2 months later I got a letter via email telling me to leave then things started to break down around the apartment... and the tap on the sink broke I heard rats in the walls My toilet started leaking... and the tap on the sink broke I heard rats in the walls My toilet started leaking Assorted problems happened... I told my landlord. I called. I emailed. I called again. Nothing ever happened. I tried to talk to my landlord about it... Why are you kicking me out? Because you've been a bad tenant. The letter was called a 'notice to vacate'. I was very confused.

To top it all off, my landlord said he wouldn't give me back my bond. I've seen the state of the place. When you move out I'm keeping the bond to fix what you've broken.
I decided to get help by calling legal aid act. During my appointment, the duty lawyer explained the law to me and gave me advice for free.

I didn't want to leave

What do you need legal advice about today?

Can my landlord come over whenever he wants?

You are entitled to the quiet enjoyment of the property, free of any interference from your landlord. You need to be given notice about inspections or making repairs.

I still want the repairs made but they ignored me.

Repairs can be 'non-urgent' or 'urgent'. For non-urgent repairs, your landlord must carry out the repairs within 4 weeks.

Urgent repairs should be carried out as soon as necessary. It depends on what the problem is.
I decided I was going to write a letter to my landlord called a 'notice to remedy' asking for them to make the repairs. If they ignore me, I'm going to apply to ACAT.

But they ignored me. So what now?

You could apply to ACAT. If your landlord has failed to make repairs, you could ask ACAT to order your landlord to fix the problems and ask for a rent reduction from when you first reported the issues.

But mainly I was worried about being kicked out

It sounds like your landlord is trying to evict you without grounds but would need to see the Notice to Vacate letter to be sure.

You are in a fixed term tenancy that won't end for another 6 months. This means that your landlord can't evict you without grounds before the term ends.

If you don't leave the property, your landlord could apply to ACAT for a 'Termination and Possession Order'. For now, you don't have to leave your home until ACAT says to.

Do you need legal advice?

Contact Legal Aid ACT's Tenancy Advice Service by calling 1300 402 512 or email TAS@legalaidact.org.au

Legal Aid ACT

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