



Utilities – Water, Electricity, Gas

Services to your home such as electricity, gas, water and sewerage are called “utility services”. This fact sheet explains your responsibilities for connecting and disconnecting these services. It also explains what costs you and your lessor are responsible for. Generally, lessors pay the rates, and the tenants pay for their consumption of these services.

*In the
**Residential
Tenancies Act**
the **landlord** is
referred to as
the **lessor**.*

WHEN YOU MOVE IN

Tenant’s responsibility:

When you move into a rental property, it is your responsibility to have the utility services reconnected in your name. You should give the utility providers 48 hours’ notice, and they will arrange for the services to be reconnected and for the meters to be read. There will be connection fees for electricity, gas and telephone accounts.

Lessor’s responsibility:

The lessor should notify the Water Corporation and arrange a special meter reading to ensure you are not charged for the previous tenant’s water usage.

WHEN YOU MOVE OUT

There are no disconnection fees when you move out. However, you must tell the utility providers when you are moving so they can arrange for the final meter reading and disconnection of utilities, including the telephone.

WHEN THE UTILITIES AT THE PROPERTY ARE SEPARATELY METERED

The prescribed tenancy agreement [Form 1AA](#) requires the lessor to indicate whether the electricity, gas and water services to the property are separately metered.

If utilities are separately metered, you are responsible for paying the following charges:

- All charges based on the amount of water consumed (but not the service charges or reconnection fee).
- All charges for the supply or use of electricity and gas.
- All charges for the use of bottled gas (but not for the supply or hire of gas bottles). The lessor is not allowed to charge you more than the utility provider would have charged.

If you think what you are being charged seems excessive, request a copy of the original bill from your lessor and check they are only charging for “water use calculation” not the “service charge calculation”. These charges can be found on the second page of the water bill.

WHEN THE UTILITIES AT THE PROPERTY ARE NOT SEPARATELY METERED

If there is no separate metering for any of these services (for example, if you live in an apartment, or a block of flats), then you are not obliged to pay a utility bill unless you have a written agreement about how your consumption will be calculated.

The tenancy agreement that you signed at the beginning of your tenancy has a section where the lessor must clearly outline how they calculate consumption if the utility service is not separately metered. Refer to your agreement to ensure the lessor is calculating costs correctly.

WRITTEN NOTICE

If the utility is provided under a contract between the provider of the utility and the lessor (or strata), then you are only required to pay a charge for the utility if the charge is for your consumption (whether your consumption is separately metered or not), and the lessor gives you the **correct written notice** within 30 days after they receive an invoice for the public utility service.

What is the correct written notice?

The notice **must** be in writing and set out the following details:

- Total charge for the tenants consumption of the utility; and
- Either
 - If consumption at premises is separately metered, the notice must set out the meter readings and charge per metered unit
 - If consumption at premises is not separately metered, the notice must set out the charge (as calculated by the method agreed to in the agreement)
- The amount of GST payable in respect of the provision of the service to the premises.

What happens if the lessor receives a utility invoice after the tenancy has terminated, or within 30 days from termination?

If the tenancy ends within 30 days after the lessor receives an invoice for the public utility service, or the lessor receives an invoice for the public utility service after the agreement has ended, the lessor is not required to give the written notice to the tenant within the strict 30-day time period. Instead, the lessor may give the notice to the tenant (or former tenant) as soon as practicable, after the lessor receives the notice and locates the tenant.

Different laws apply to utility bills received by the lessor prior to 1 January 2020

For utility bills received by the lessor prior to 1 January 2020, there is no time limit for when the lessor is required to pass on these bills to the tenant. For such bills, the lessor is **not subject to the 30-day time limit** which applies to bills received after 1 January 2020.

In practice, this means that the lessor could potentially provide the tenant with several utility bills from before 1 January 2020 in a bundle (or separately) resulting in the tenant owing a large sum of money for utilities that they consumed several years ago. If this situation applies to you, you should seek legal advice on your circumstances.

PENSIONER AND CONCESSION DISCOUNTS

If you have a pensioner concession, state concession, WA senior, or both, you may be eligible for rebates or concessions on your water bill. For further information, see the [Water Corporation website](#).

WATER LEAKS

If you suspect a water leak, see the [Water Corporation website](#) or contact the Water Corporation who can explain how to check the property for leaks. Contact the lessor in writing to notify them of a leak.

TELEPHONE, TELEVISION AND INTERNET CONNECTIONS

A lessor is not required to provide telephone, television and internet connections.

Existing phone/TV/internet sockets are fixtures provided with the premises for use by the tenant. The lessor is obliged to provide such fixtures in reasonable condition and to maintain them – unless this is specifically excluded in the tenancy agreement.

At the start of the tenancy, ask whether the sockets work. If they do not, negotiate with the lessor about having them fixed. Get any agreement in writing.

NEW CONNECTIONS FOR INTERNET AND TELEPHONE OR OTHER SERVICE

If you want a new connection installed, you must first have the lessor's consent. They must not unreasonably withhold consent if the work required for the installation is of a "minor nature".

You will have to pay for the installation and repairs to connections you have had installed.

DISPUTES OVER BILLS

If you have a dispute over a utility bill, contact the provider and lessor as soon as possible to discuss.

A large utility bill may be a sign that there is a fault in the property (e.g. leaks can lead to a high water bill). If you notified your lessor about the fault, and nothing was done, they may be in breach of their obligation to keep the property in a reasonable state of repair, and you may be able to claim compensation for the bill.

If there is an ongoing dispute over payment of an account and the supplier threatens disconnection, consider writing to the supplier to explain the situation and include supporting documentation.

The Energy and Water Ombudsman may be able to help. You can contact them on 1800 754 004 or visit their [website](#).

DIFFICULTY PAYING UTILITY BILLS

[HUGS \(Hardship Utility Grant Scheme\)](#) assists individuals having difficulty paying their electricity, water or gas bills who have had or are at risk of having their supply disconnected or restricted. The amount of the grant varies according to where you live in Western Australia. You may be eligible if you are a residential customer assessed as being in financial stress and having difficulty paying your utility bills.

Individuals should contact their utility provider to discuss their situation. If you are eligible for HUGS assistance, you may be able to receive a grant directly from your utility provider or alternatively you may be referred to a free financial counselling service in your area.

FURTHER HELP – TENANTS ADVICE AND ADVOCACY

Circle Green Community Legal

(08) 6148 3636

www.circlegreen.org.au

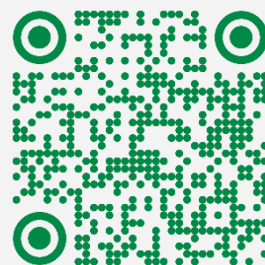
Department of Energy, Mines, Industry Regulation, and Safety Consumer Protection

for consumer and tenancy related matters

commerce.wa.gov.au/consumer-protection | 1300 304 054

To find a tenant advocate in your area,
visit our website or use the QR code →

<https://circlegreen.org.au/resource/find-a-tenant-advocate>



Disclaimer

This fact sheet only contains general information. This fact sheet is not legal advice and should not be relied on as a substitute for legal advice. You may wish to seek advice from a lawyer regarding your own particular circumstances. We are not responsible for any consequences arising from your use of, or reliance on, the information contained in this fact sheet.

Further information about our disclaimer and your use of this fact sheet can be found here:

www.circlegreen.org.au/disclaimer/

© Circle Green Community Legal.