Circle Green Community Legal

As a tenant you have rights and responsibilities under the *Residential Tenancies Act 1987* (the Act). This fact sheet incorporates the changes affected by the Residential Tenancies Legislation Amendment (Family Violence) Bill 2018 from 15 April 2019.

Security, RCDs and Smoke Alarms

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

SECURITY – LESSOR'S RESPONSIBILITY

The lessor is responsible for providing the rented property in a condition which is reasonably secure. The lessor is responsible for having a minimum level of security in place.

MINIMUM STANDARDS FOR SECURITY

The lessor is required to provide the following minimum security at the property:

- On the **main entry door**, a deadlock or key lockable security screen that complies with Australian Standards must be fitted.
- On **all other external doors**, a deadlock, or patio bolt lock (in cases where a deadlock cannot be fitted), or a key lockable security screen that complies with Australian Standards must be fitted.
- **Exterior windows** must be fitted with a lock which prevents the window from being opened from outside (doesn't have to be a keyed lock). Windows with security screens (compliant with Australian Standards), or above the first floor and not easily accessible from outside, are exempt.
- At the **main entry door**, there must be an electrical light installed, that is capable of lighting the main entry to the property and can be operated from indoors.

NOTE: The lessor must obtain your consent before they alter, remove, or add security fittings. Consent may not be unreasonably withheld.

SECURITY – TENANT'S RESPONSIBILITY

You must notify the lessor or property manager as soon as anything in the property needs to be repaired, so that the lessor can take steps to fix it. This could include a broken lock or electrical light at the main entry door.

SECURITY – FAMILY VIOLENCE

If it is necessary to prevent family violence being committed against the tenant or a dependant of the tenant, or if there is a Court order to take a tenant off the tenancy agreement due to family violence, then a tenant may:

- Without the lessor's prior consent, alter or add any lock or other means of securing the premises; and/or
- Make **'prescribed alterations'** to the premises.

The tenant will then be required to provide a copy of the key (or other means of securing the property) to the lessor within 7 days after the locks have been changed (unless the lessor is a person reasonably suspected of being likely to commit the family violence).

If family violence affects your tenancy, see our Family Violence fact sheets for more detailed information.

If your situation doesn't involve family violence, then as a tenant, you must obtain the lessor's consent before you alter, remove or add security fittings, including locks. It's best to get the lessor's consent in writing.

SMOKE ALARMS

Lessor responsibilities

All properties are required to have working smoke alarms, as set out in the Building Regulations 2012. The lessor must ensure that the smoke alarms fitted are:

- No more than 10 years old;
- In working order; and
- Permanently connected to the mains power supply.

The building regulations do permit the installation of battery-powered smoke alarms in particular circumstances. A battery-operated smoke alarm must have a 10 year life battery that cannot be removed. Replacement of batteries in battery powered devices is the responsibility of the lessor. However, tenants should check their lease agreement to see what is stated. Seek specific advice from a community legal centre if this situation applies to you.

If your property doesn't have smoke alarms, request the lessor install them. Make sure you have this in writing.

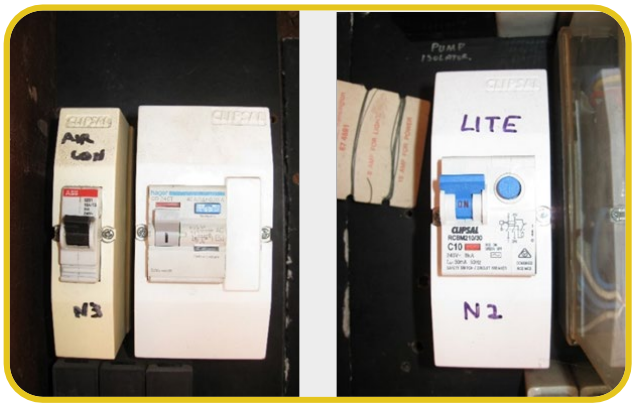
All smoke alarms should be installed and maintained in compliance with Australian Standards. If you have any doubts about whether your alarm complies, you can ask the lessor to have the alarm tested by an electrical contractor. Make sure this is done in writing.

Local government enforces issues with smoke alarms, so you can contact your local council if your lessor refuses to install a smoke alarm.

Tenant responsibilities

You should check smoke alarms to ensure they are working. All smoke alarms have test buttons, when pressed they will indicate whether the alarm is working or not.

RESIDUAL CURRENT DEVICES



Residual Current Devices (RCDs), also known as safety switches, protect all power and lighting circuits in a property.

According to the *Electricity Regulations 1947,* the lessor must have two RCD's installed on the switchboard protecting all power points and lighting circuits.

When entering into a tenancy agreement, it is always a good idea to check that the property has two RCDs.

TESTING RESIDUAL CURRENT DEVICES

- You should check the RCDs are working every 3 months.
- All RCDs have a test button. By pushing the test button all power should be lost.
- To restore power simply move the "on/off" switch.
- If power isn't lost, contact your lessor for a licensed electrical contractor to further test the RCD

WHAT TO DO IF THERE ARE NO RESIDUAL CURRENT DEVICES

If RCDs are not installed in the property, contact the lessor to request they are installed.

If the lessor refuses to install RCDs, contact Building and Energy on 1300 489 099. Further information from Building and Energy on RCDs here.

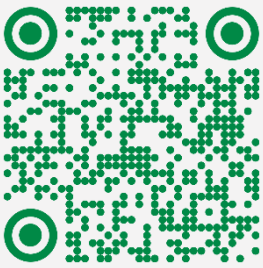
FURTHER HELP – TENANTS ADVICE AND ADVOCACY

Circle Green Community Legal
(08) 6148 3636
www.circlegreen.org.au

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

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