

LANDLORDS NEWS

VOLUME 172

November 2020

GENERAL MEETING

**Tuesday
3rd November 2020
HAS BEEN
CANCELLED**

**Fullarton Park
Community Centre
411 Fullarton Road
Fullarton SA 5063**

**6:50pm for 7:00pm start
in the Parkview Room**

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COVID-19

**DUE TO THE COVID-19 RESTRICTIONS
THE 3RD OF NOVEMBER
GENERAL MEETING
HAS BEEN CANCELLED**

GENERAL MEETING GUEST SPEAKER

**Guest speaker:
Due to COVID-19, there is no meeting this month.**

What the Agenda was going to be

- Meeting opening and welcome
- Apologies
- Guest Speaker
- Minutes of the previous meeting
- Business arising from minutes
- President's report
- General business
- Close meeting

ADDITIONAL CONDITIONS OF USE (COVID 19)

Due to the ongoing coronavirus (COVID-19) pandemic, **Fullarton Park Community Centre** is taking measures to protect all members of the community. It is vital all instructions listed below are followed.

1. As required by the Emergency Management (Public Activities) (COVID-19) Direction 2020 have a COVID Safe Plan in place and ensure you have it available at the time of your hire
2. Do not attend the Centre if you, or anyone in your group:
 - Is experiencing cold and flu like symptoms including fever, cough, sore throat, and/or shortness of breath
 - Has a chronic medical condition and/or weakened immune system and has not sought advice from a health care professional prior to attending.
3. If you have travelled interstate or overseas you must follow the advice of the Government of South Australia travel restrictions available at <https://www.covid-19.sa.gov.au/>
4. Practice physical distancing where possible, stay 1.5m apart.
5. Wash hands or use sanitiser provided when entering and exiting the premises.
6. Maintain appropriate personal hygiene practices (especially covering coughs and sneezes).
7. Ensure you only enter and exit the building during your allotted times.
8. It is recommended that you restrict your booking to a 2-hour time limit per activity, not including set up and pack up, however will assess each booking on its needs. To avoid lingering in foyers and waiting areas encourage members to arrive no earlier than 5 minutes prior to your starting time and to exit promptly after completion of your activity.
9. Ensure you do not exceed the maximum occupancy requirement (1 person per 2m²) of the room you are using. This is stated on the signage prior to entering the room.
10. There is no communal food or beverage service areas, however Hirers can nominate 1-2 persons to use the kitchen facilities to make and serve tea and coffee. Please advise the Centre if you wish to do this. Hirers must BYO disposable plates, cups etc.
11. Report any witnessed non-compliance of conditions of entry to the Centre.
12. It is a responsibility of the program organiser and Hirer to keep and retain contract tracing records in accordance with their COVID Safe Plan. You will be required to complete an attendance sheet containing details of the group, the date of the activity, and the names and phone numbers of each attendee (unless a person refuses to provide their details).
13. Hirers are responsible for cleaning and disinfection of touch-points (door handles, light switches, counters, table tops, and backs of chairs) and must initial the cleaning checklist provided before and after each session. Disinfectant spray and paper towels will be provided by the Centre.
14. Where a contracted clean is required, Hirers are made aware and the cost is borne by the Hirer.
15. Hirers who are conducting prescribed operations as defined under The Emergency Management (Public Activities No 8) (COVID-19) Direction 2020 must ensure that the prescribed operations are supervised by a COVID Marshal.
A list of prescribed activities can be found at <https://www.covid-19.sa.gov.au/business-and-work/covid-marshals>
16. Hirers who fall under the list of prescribed operations are required to:
 - Complete the required training and keep records of the training to provide to an authorised officer on request www.covid-19.sa.gov.au/recovery/covid-marshals
 - Take reasonable steps to visually identify as a COVID Marshal.
 - Ensure a copy of the Certificate of Completion of COVID Marshal online training is provided to the Centre prior to your hire and have it available at the time of your hire.

Spot checks will be conducted by Council Staff. Non-compliance of any of the above could result in the exclusion from hiring the Centre.

ATO. Working for all Australians:

Good Morning, I have recently joined the public relations team at the ATO. I thought I would introduce myself and send you some resources for residential rental property owners, that you might find useful to share with your members or through your networks.

This is a difficult time for many due to the Coronavirus pandemic, and we want to ensure that rental property owners and their agents are equipped to understand their obligations and how to best treat rental income and expenses.

Podcast: 'Tax inVoice - Managing residential rental properties in a time of crisis'.

The podcast features guest host Michael Yardney, CEO of Metropole Property Strategists, with Adam O'Grady Assistant Commissioner Risk and Strategy – Individuals, discussing how the events of 2020 may have impacted rental property owners and what recent law changes mean for residential rental property owners.

They discuss what can and can't be claimed, how to avoid some common mistakes and where to find more information. As Michael says, "the aim is to get some more clarity around some of these changes introduced by the Tax Department to help people keep more money in their pocket by avoiding the costly mistakes when completing their tax returns."

We also have put together some important guides for this unique tax-time:

- **Tax Time Toolkit - Rental property owners**
This toolkit has been designed to help rental property owners understand their obligations complete their returns.
- **Rental Properties Guide 2020**
This guide explains how to treat rental income and expenses, including how to treat more than 230 rental property items.

I would love to hear from you if these resources are useful and are suitable for your channels, or if there is anything more that you would find helpful.

I look forward to hearing from you shortly.

Many thanks,

Emily

Emily Lake

Public Relations and Social Media | Public Affairs
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ATO. Working for all Australians

COVID-19 ON UNIT

So, how's our experience of Covid-19 been with our tenants? It seems some aspects of society have used the coronavirus for their own means. Our tenants were no exception to this. After having to wait 6 months to engage in a routine inspection we discovered our unit to be in deplorable condition. The reason for food scraps all over the floors? Covid-19. The beaten-up old fridge and random furniture that has appeared outside? Covid-19's fault. The brown spots on the bathroom ceiling and carpets? Covid-19 once again.

We agreed to give our tenant 4 weeks to bring the unit back into an acceptable condition and away from the grips of Covid-19. During the following agreed inspection we discovered all the rubbish from the unit somehow ended up being deposited in multiple garbage bags under the unit. When informing the tenant that rubbish cannot be dumped under the unit, again Coronavirus was raised as some sort of a deflection shield away from the issues of common decency. It's been said the coronavirus has caused the largest consolidation of wealth this planet has ever seen, I'm beginning to understand how that could be true.

Nadia M.

As a result of this enquiry:

I rang one of our past committee members seeking information of services available in such a scenario, her reply was.

Hi Rodney

Each council has a liaison officer in charge of supporting tenants at risk of losing their rental.

They are private rental officers and can be called in to help.

Stella S.

WELCOME TO OUR NEW MEMBERS

Mr & Mrs Bruce & Jane WARE

and welcome back to:

Mr John HROMIS

Mr & Mrs Kingsley & Bronwyn de HOGHTON

FINANCIAL HARDSHIP AS A RESULT OF COVID-19

Legislation has been introduced into Parliament to continue support for residential tenants and landlords during COVID-19. Where a tenant is experiencing financial hardship as a result of COVID-19, the landlord cannot increase rent and tenancy agreements cannot be terminated for non-payment of rent.

If alternative arrangements are needed, tenants and landlords are encouraged to work together on an agreement. Where agreement cannot be reached, the matter may need to go before the South Australian Civil and Administrative Tribunal (SACAT). SACAT can consider undue hardship to tenants or landlords. It is proposed that the supports continue for another six months for residential tenancies, rooming houses and residential parks.

Attorney-General Vickie Chapman said that developments interstate as well as the situation in South Australia meant an extension to the COVID-19 Emergency Response Act is necessary.

"The legislation is another component of the State Government's strong plan to deal with both the health and economic impacts of COVID-19," said Attorney-General Vickie Chapman.

"Some provisions were set to expire by the end of September, when it's clear the impacts of the coronavirus are still being felt by families, businesses and the broader community.

"This bill will extend provisions until 28 March 2021, or 28 days after the COVID-19 Emergency Direction expires - whichever comes first."

Provisions to continue under the proposed bill include:

- those involving commercial leases
- restrictions on rent increases, as well as breaches and terminations of tenancy agreements involving financial hardship due to the coronavirus for residential tenancies, residential parks and supported residential facilities
- the use of 'virtual' visits by the Community Visitor
- alternative methods of signing and witnessing documents.

"We have ended the provisions covering water and sewerage charges for sporting clubs, given the establishment of a grants scheme to support those clubs," said Attorney-General Chapman.

"Also, to ensure that measures aimed at protecting residential tenants are not exploited, we have narrowed the focus of the Act so that the prohibition on rental increases only applies if the tenant is experiencing financial hardship as a result of the COVID-19 pandemic." These and other provisions that remain in effect will help ensure support for business and those vulnerable members of our community."

SMOKE ALARMS (NAG NAG)

The following text was initially printed in the August 2019 and August 2020 edition of our newsletters and I am reprinting it as a reminder of our responsibilities to comply with the legislative requirements regarding replacing smoke alarms that are now ten years old. I am a little concerned by the lack of activity in procuring new smoke alarms through our association, not that we expect our services to be utilised, but maybe that as a result of the distraction of the current virus situation the replacement requirement may have been overlooked.

Rodney Webb.

MISSING TENANTS

We are trying to locate: Mr David Aiken & Ms Leah Pitt. Should you know of their whereabouts please contact Rodney Webb on 08 8258 6660 or 0408 830 382.

GREENS WELCOME PETS IN RENTAL HOMES

A Greens' "Renting with Pets" Bill amending residential tenancy laws that will allow people to rent with their pets, will again be introduced into State Parliament tomorrow.

According to the 2016 Census over 28% of South Australians rent. Yet very few rental properties are advertised as pet-friendly. 259 pets were surrendered to the RSPCA in the 2019 financial year because their owners couldn't find a pet-friendly rental, and this number increased to 293 pets in 2020.

"Since we introduced the same Greens' Bill last year, the number of pets being surrendered to the RSPCA because their owners couldn't secure a rental home that allowed their pet, has increased by 13%. This is a concerning trend and it shows that this reform is now more urgent than ever." said Greens MLC, Mark Parnell.

"Pets are part of our families, so being told that you're not allowed to take them with you to your new home is an awful position to be put in. Sadly though, this is a reality for many South Australians. "I've been contacted by many South Australians who've share their stories of how difficult it is to rent with pets.

Maria is one renter who shared her story. "I currently live alone and have a pet dog who I might have to give up because my lease is up in February and my rent is too high to renew. There is a serious lack of houses that are near to my work that allow pets, that are at a price I can afford on my own."

The Bill is based on the renting with pets laws in the ACT and Victoria, which commenced on 1/11/19 and 1/3/20 respectively. The NT also passed similar laws last February, but have delayed commencement due to COVID-19.

Currently the default position of most residential tenancy agreements is that pets are not allowed. The Greens "Renting with Pets" Bill flips this around so that pets are allowed, except in certain circumstances. If a tenant applies to keep a pet and the landlord doesn't consent, the landlord can apply to SACAT (South Australian Civil and Administrative Tribunal) and SACAT will determine whether the pet can stay, and any conditions that would be imposed, after giving consideration to the circumstances.

"The Greens believe that this is a much fairer system than we currently have where the tenant has no rights at all when it comes to keeping their pets with them. Having to give up your much loved pet in order to have a place to live, is not a choice we think people should have to make" concluded Mark Parnell MLC.

*For further information
contact Mark Parnell MLC: 0439 215 937*

PETS ALLOWABLE IN RENTALS

Hi Rodney and Margaret
Hope you are well and keeping sane during this period.

Have you read today's Advertiser (23/9/20) regarding a proposal by Mark Parnell MLC, (Greens), to allow tenants to have pets? A tenant can apply to the Tribunal to have a pet against the Landlord's wishes.

There are several issues here:

- a) What about strata corporations
- b) There is no pet bond and even where a pet bond is allowed, you can only claim that bond for pet damage. So if the tenant owes \$1000 in rent after the original bond is exhausted, you still have to give the pet bond back. Landlords will be forced to accept a greater risk, hence, I see rents going up to compensate.
- c) Many years ago, I applied to the RTT for compensation because a tenant brought a dog into the house contrary to the lease terms, and when he vacated, the smell was horrendous. The cleaner, the carpet cleaner and a tradie who

attended the premises all noted this terrible smell on their report and invoice. This was not urine - it was just the dog pressing against everything including fixtures and curtains. The RTT did not accept the report from the three people who attended, but advised that I should have brought the curtains and carpet to the hearing. How am I going to bring the curtains and carpets to a hearing?

- d) I believe that landlords should consider pets, as the problem is the tenant, not the pet. However, the decision should be with the Landlord who can impose conditions.
- e) All my tenants have pets but under certain conditions, so I am not anti-pet.
- f) Imagine selecting a tenant who has no pets, then being taken to the RTT for a hearing to determine if the Tenant can keep a pet - the Landlord will have to waste time to attend a hearing - who pays for that?

You may want to raise this with your members - if landlords do not contact their MPs and voice their opinion; their rights will be further diminished.

Jack Eskenazi © 23/09/2020

To which John Wyk Replied:

Hi Jack,

Thanks for raising these issues, agree with everything you say.

One of the concerns underlying the push for this kind of legislation is that the number of properties advertised as pet friendly is pretty low. I, and I presume many other landlords/property managers never advertise a property as pet friendly - that doesn't mean that we don't allow pets for the right tenant. So the number of properties available for pets is actually far greater than it first appears.

When we met with Mark Parnell some time ago I'm pretty sure he wasn't going to venture into Strata Corp territory - but that of course is only one part of the whole issue.

I'm pretty sure that the idea of giving the tenant the right to have pets then puts the onus on the landlord to make the application to SACAT and bear the cost of hearings.

Another matter of concern is that ‘pets ain’t pets’ to misquote something famous! There are wolfhounds and shih tzu’s. One might be appropriate in the two bedroom unit with the old lady and the other with the commensurate tenants totally inappropriate. Does that mean the landlord needs to apply to SACAT with each tenant/pet?

We can only hope that Mr Parnell’s bill doesn’t get passed!

Regards, John Wyk

CHANGES TO OPENING TIMES AND ONLINE SERVICES AT SACAT

SACAT continues to monitor the official public health advice in order to provide a safe environment for participants at SACAT. In the current COVID-19 environment, most hearings and conferences continue to be by telephone or video where possible.

SACAT’s opening times are changing

From 7 September 2020, SACAT’s registry will be open from 9:00am to 4:30pm on Monday to Friday (excluding public holidays).

The 1800 723 767 free call telephone line will operate from 9:00am to 4:30pm on Monday to Friday (excluding public holidays).

Applications can be filed 24 hours a day on our website at www.sacat.sa.gov.au and documents can be filed via email 24 hours a day by emailing sacat@sacat.sa.gov.au.

More information about contacting SACAT is here. To give us your feedback visit the website here.

Changes Coming to SACAT Online Services

Over the coming weeks, SACAT will be upgrading the Online Services Portal: (<https://services.sacat.sa.gov.au>)

The SACAT Online Portal provides the following functions to support access to case information:

- View case information
- View correspondence related to case
- View case history of events

- View submitted case actions and supporting documents provided

There will be several enhancements including:

Improved User Registration

- To improve user validation, only valid email addresses will be allowed as usernames.
- Existing registered users that **HAVE** used Online Services to submit an application in the last 6 months will have their username updated to reflect the email address on file. This will become the username.
- Existing registered users that **HAVE NOT** used Online Services to submit an application in the last 6 months will be inactivated – users will need to register for a new account using a valid email address.
- Existing registered users that **HAVE NEVER** used Online Services to submit an application will be inactivated – users will need to register for a new account using a valid email address.

Additional Portal (MyCases) Functions

- Improved access to case information will be available to registered users. Once it becomes available, you will be able to contact sacat@sacat.sa.gov.au to set this up.
- My Cases will soon allow you to upload additional documents relating to a specific matter. Note: the documents will not appear in My Cases until processed by a SACAT Registry Staff Member.
- My Cases Case Summary has been improved and will provide you with the ability to view case information, correspondence sent to you and all documents submitted by you via the portal.

Changes to SACAT Correspondence via Email

- SACAT will be **sending secure file links** to parties instead of attaching PDF files to email messages. When correspondence is sent, you will receive an email from SACAT containing a link to the file. You then follow this link to access the documents.

- For registered users, the documents will be available from the My Documents tab and will only be accessible **once** from this tab. After that it will be available from the MyCases tab. Alternatively the email containing the link can be retained.

SACAT will be updating the information on the website, as we get closer to the release date, with further information at (<http://www.sacat.sa.gov.au/bringing-a-case/applying/online-services>)

The above information was sent to me by email on 03/09/2020.

Rodney Webb.

HANDY WEB LINKS

In the 2020 August newsletter I included a listing of handy web links to various forms and information sheets relevant to residential tenancy activities.

I did not check any of the links at that time due to lack of available time to do so. It was as a result of a member enquiring about the notice required to be given to a tenant notification that the lease is not being extended but terminated, Form 2a.

The list that I had published in the newsletter did not contain any link at all and the one listed on our website under Member Area/Landlords Kit, Handy Web Links is not correct. The correct link to this form is:

https://www.sa.gov.au/__data/assets/pdf_file/0019/75313/Notice_by_landlord_end_of_fixed_agreement2A.pdf

As soon as I can I will double check the previously printed listing and also update our website when I learn how to.

Rodney Webb.

RESIDENTIAL MISCELLANEOUS AMENDMENT BILL 2020.UN.PDF

I urge all our members to read this proposal again presented by Mark Parnell, MLC.

Among other issues he is again pushing for Section 83 of the Residential Tenancies Act (1995) to be removed, that's the condition whereby a landlord can terminate a periodic tenancy giving 90 days notice without any reason.

He is also pushing for tenants to have the right to have pets in a rental property meaning that a landlord would have to seek an order of a SACAT tribunal hearing if the pet was not to be allowed.

OUR ASSOCIATION'S WEBSITE

This project has been a long running one and still nowhere near completion. The original website that was created some years ago was deemed by a majority of people on committee and the original creator, Craig, as being outdated and a total new approach required. Apologetically Craig said that he did not have the time to build us a new site but kindly offered to assist in the monitoring of events surrounding the new creation. He has been most assistive in that role and was able to advise committee members involved on technicalities that we had no knowledge of.

The new site has been launched, but other than Margaret B working out how to upload documents using software called "wordpress", we as committee don't know how to manage the upkeep of the site as yet.

Please, we do have a vacancy on committee for one of our members who have the expertise and would be so kind as to join us to educate us on the site's upkeep? Not keen to join committee, that's fine as well if you would just like to assist us.

Rodney Webb

RENT RELIEF GRANT

Eligibility has been expanded for the \$1,000 rent relief grant to help tenants who have suffered financial hardship due to COVID-19.

The grant is available to residential tenants in SA who can show one of the following, since 30 March 2020:

- Loss of employment
- Reduction in working hours of 20% or more
- Reduction in wages of 20% or more
- Sole trader's business was suspended or turnover dropped by 20% or more.

The previous requirement for applicants to be receiving either JobKeeper or JobSeeker payments has been removed.

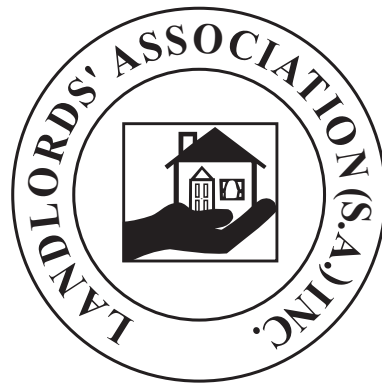
Applicants also need to have less than \$5,000 in savings and pay more than 30% of their current income in rent (under the original/existing rent agreement).

The grant will be paid to the landlord where they are providing rent relief to the tenant. Landlords and their tenants can apply together for the grant.

The scheme is administered by the Department of Human Services.

This information was supplied by Consumer and Business Services to me by email on 21/09/2020.

Rodney Webb



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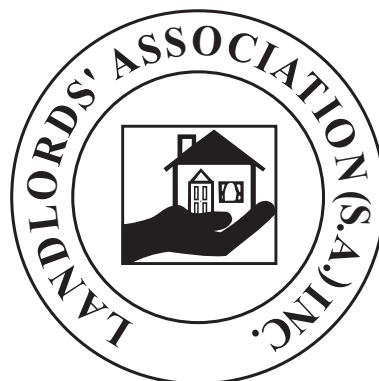
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ADVERTISED PRODUCTS AND SERVICES

*Whenever you need specific products or services,
please consider contacting the companies listed in
our newsletter.*

*These companies have committed to advertising
in our newsletter and in kind it is a courtesy for us
as a collective organisation to demonstrate some
commitment to them.*

*Please note: The Landlords' Association (S.A.) Inc.
does not take responsibility or endorse any
of the products or services.*

*Let us know of the outcome if you use any
of the listed products or services.*

CLOSING DATE FOR FEBRUARY 2021 NEWSLETTER

Saturday 26th December 2020

ARTICLES, ANNOUNCEMENTS
& OTHER MATERIAL

Please send to:

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GPO Box 2486 Adelaide SA 5001
or Email to: lasa.info@landlords.org.au

*An annual prize will be awarded for the best
original article*

PLEASE NOTE: It would be a great help if material
for the Newsletter could be sent by email wherever
possible to save typing.

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GUEST SPEAKER/S DISCLAIMER

The opinions expressed by speakers at our meetings do not necessarily reflect the views or policies of the Landlords' Association (S.A.) Inc.

PRICE DISCLAIMER

The Landlords' Association (S.A.) Inc. cannot accept responsibility for any change in value of any advertised prices or discounts.

FUTURE MEETING DATES

Tuesday 02/02/2021, General Meeting
Tuesday 04/05/2021, General Meeting

At the Fullarton Park Community Centre
411 Fullarton Road Fullarton SA 5063

Guest landlords are always welcome
Please mention if this is your first attendance

ADVERTISE YOUR BUSINESS IN OUR NEWSLETTER

A quarterly publication – published February,
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