



Changes to residential tenancy law

Frequently asked questions

Minimum levels of security

On 1 July 2013, changes to the Residential Tenancies Act 1987 (the Act) and the Residential Tenancies Regulations 1989 will commence. The changes include a list of the locks and devices that must be installed in premises to make them reasonably secure. These frequently asked questions are designed to assist you in understanding how the new laws may apply to your rental premises.

How long will I have before my property has to comply with these new requirements?

Lessors will have until 1 July 2015 to comply.

What security must be installed on all rental properties?

Main entry door

The minimum required security is a:

- deadlock; or
- a key lockable security screen door that complies with AS 5039-2008.

Additional information

The deadlock can be either a single cylinder or double cylinder deadlock. A single cylinder deadlock can be opened from the inside simply by turning the handle or a knob, reducing the risk of a person being unable to exit the house quickly in case of an emergency.

The deadlock can be separate to the door handle or it can be incorporated into the handset.

These are either/or requirements. If there is a key lockable security screen compliant with Australian standards already fitted to the front entry door, there is no requirement to retrofit a deadlock. Likewise, if there is a deadlock fitted, you are not required to fit a security screen door.



All other external doors

The minimum required security is a:

- deadlock; or
- if a deadlock cannot be installed, a patio bolt lock; or
- a key lockable security screen door that complies with AS 5039-2008.

Additional information

The same requirements as above apply.

If there is a need to install a patio bolt, it does not need to be lockable by key.



Windows

Minimum required security

Windows to be fitted with a lock, whether or not a key lock, that prevents the window from being opened from outside the premises.

Additional information

This does not mean having to install keyed window locks, but that window latches, closers or locks are fitted and are in working order to reduce the risk of a window being forced open from the outside.

If the window is fitted with a security screen compliant with Australian standards (AS 5039-2008), there is no requirement to retrofit a window lock.



External lighting

Minimum required security

An electrical light at, or near, the main entry that is capable of illuminating the main entry to the premises and is operable from the inside.

Additional information

This won't apply if the property is a flat or apartment and the lighting is the responsibility of the strata body.



How is this different from the current laws?

Landlords have always been required to provide and maintain locks or other devices to ensure rental premises are “reasonably secure.” These new laws simply provide more detail about the minimum standards that need to be in place to ensure the premises are reasonably secure.

Why have the changes been made?

A review of the Residential Tenancies Act 1987 recommended the changes to provide clarity about what is considered “a reasonable level of security.” There is also an increasing concern within the community about the safety in the home of more vulnerable people, including the elderly and children.

How were the minimum standards of security decided?

The Department of Commerce consulted with industry representatives, property owners and tenants. The Department also sought advice from the Office of Crime Prevention.

The minimum levels of security reflect a position of agreement reached with the majority of the stakeholders.

I own an apartment that is not on the ground floor. Do I still need to comply with these requirements?

You will need to meet the minimum security requirements in relation to the main entry door. If there is a door onto a balcony, you do not need to install the required security if the balcony can only be accessed from inside the premises.

You do not need to install window locks if the windows are not easily accessible from the outside of the premises.

You do not need to meet the requirement for an entry light if the external lighting is the responsibility of the strata body of owners rather than the individual owner.

Do the minimum standards of security apply to my two storey house?

Yes, but only to some of the doors and windows. The required locks will need to be applied to all entry doors and windows on the ground floor. If there is a door onto a balcony, you do not need to install the required security if the balcony can only be accessed from inside the premises. The requirements also do not apply to any window that is situated on the second storey or above in a multi-storey home and is not easily accessible from the outside.

My property has louver windows. Do I need to install window locks on these?

Louver windows rely on an internal lever to move them into the open and closed position. This lever, when pushed into the fully closed position, locks the louver window. If this locking mechanism is not functioning, you will need to install another mechanism that will allow this lever to be locked in the fully closed position.

Do the minimum standards of security apply to rural properties?

If the property is on land zoned for agricultural or rural use, you will not be required to meet the minimum security standards. You will still be required to provide and maintain locks or other devices to ensure the rental premises are ‘reasonably secure’.

The property I own is heritage listed and I am not allowed to install deadlocks. What can I do?

Properties listed on the State Heritage Register are exempt from these requirements. You will still be required to provide and maintain locks or other devices to ensure the rental premises are ‘reasonably secure’.

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