



Updated May 2018

## Targeted Assistance Strategy Factsheet - Some tips for landlords

# What should I do if my tenant is in rent arrears and cannot pay?

### What do I do first?

If your tenant has not made a current rental payment seven days after the due date, contact them as soon as possible to ask when they will be making a payment.

Arrears procedures are required to be undertaken under the terms of the Residential Tenancies Act 1997. These can be found in the Standard Lease Agreement. Copies of the Agreement are available at [www.tenantsact.org.au](http://www.tenantsact.org.au).

If the tenant is unable to pay the arrears in one payment, try to reach agreement where they pay off the amount over time, such as agreeing to pay an extra amount of rent per week.

If an offer by either you or your tenant is agreed, confirm this agreement in writing.

### Where can I get help?

#### The Renting Book [[www.ors.act.gov.au](http://www.ors.act.gov.au)]

This book is a guide for all tenants, property owners and agents involved in renting residential property in the ACT.

It aims to explain in simple language your rights and responsibilities under residential tenancy laws.

Enquiries about this publication should be directed to the ACT Office of Regulatory Services on (02) 6207 3000.

#### ACT Legal Society [[www.actlawsociety.asn.au](http://www.actlawsociety.asn.au)]

Legal Advice Bureau solicitors are available to provide general legal advice to private landlords at lunchtime on weekdays. Free 15 minute appointments can be arranged by contacting the Law Society on 6247 5700.

### How can I help my tenant deal with issues?

It is important that an outstanding rental debt is resolved quickly in a fair, clear and informed manner. Agreeing to a payment plan may save costs in the longer term of finding a new tenant, or of the tenant vacating or abandoning the property with costs still owing to you. Both you and your tenant may need advice before finalising any arrears agreements or proceeding to more formal dispute resolution.

A tenant entering into an arrears agreement that they are unable to meet or do not understand will not resolve the issue and possibly result in further effort, time and expense at a later date. Your

tenant can seek assistance from the following organisations:

**ACT Government [[www.assistance.act.gov.au](http://www.assistance.act.gov.au)]**

A “one stop shop” website is available to find out what assistance and advice your tenant may be eligible for. Your tenant can access the ACT Government Assistance website at [www.assistance.act.gov.au](http://www.assistance.act.gov.au).

**Care Financial Counselling Services Inc [[www.carefcs.org](http://www.carefcs.org)]**

In order for your tenant to make a realistic offer to pay the rental debt, they may need assistance with their budget. Care Financial Counselling Services Inc can provide information about options for tenants in debt, and help assess their current financial position.

You can refer tenants to Care’s telephone information line on (02) 6257 1788 which is available from 9am – 4.30pm Monday to Friday or Freecall 1800 007 007.

**Supportive Tenancy Service (<https://www.wcs.org.au/services/housing-support/supportive-tenancy>)**

It is important to note that even when a tenant cannot pay rent, the importance of the rental property in their lives may remain unchanged. Your tenant’s rental debt may be connected to issues they are currently facing, including sudden loss of income, illness or loss of a family member. Sustaining a tenancy in their current property can help a tenant and their family stay connected to work, school, support networks and communities.

The Supportive Tenancy Service (STS) works with people to stay in their tenancies. STS helps tenants with referrals to organisations, programs and services, and can be contacted via OneLink: 1800 176 468, [www.onelink.org.au](http://www.onelink.org.au)

**Tenants Advice Service [[www.tenantsact.org.au](http://www.tenantsact.org.au)]**

Your tenant may need help understanding their rights and responsibilities as a tenant. The Tenants Advice Service can provide legal advice, with detailed information available at [www.tenantsact.org.au](http://www.tenantsact.org.au), and a telephone advice service.

To access this service, the tenant can leave a message on the dedicated Advice Line on (02) 6247 2011 which is open from 10.00am to 11:30am on weekday mornings.