

Disclosure requirements before entering into a rental agreement

Under new renting laws, rental providers (landlords) must disclose important information to renters before they sign a rental agreement.

Before entering a residential rental, rooming house or site agreement, the renter, rooming house resident or caravan/residential park resident must be informed of whether:

- an agent has been engaged to sell the property or, if a contract of sale has been prepared, that there is an ongoing proposal to sell the property,
- there is action underway to enforce a mortgage over the property which means the mortgagee is acting for possession of the property,
- the rental provider is not the owner of the property, and what rights they have in letting the property
- the electricity is supplied to the property from an embedded electricity network, and the details of this network
- the premises or common property is known by the rental provider to have been the location of a homicide in the last 5 years
- the premises comply with the rental minimum standards
- the rental provider has received a repair notice in the last 3 years that is related to mould or damp in the premises which is caused by or related to the building structure (this requirement starts on 31 December 2021)
- the date of the most recent gas safety check, electrical safety check, and pool barrier safety check (if relevant)
- there are any outstanding recommendations to be completed from a gas or electrical safety check
- the premises is registered under the Heritage Act 2017
- the premises is known by the rental provider to:
- be contaminated because the premises has been used for trafficking or cultivation of a drug of dependence in the last 5 years
- have friable or non-friable asbestos based on an inspection by a suitably qualified person
- be affected by a building or planning application
- the premises or common property is known to be the subject of any notice, order declaration, report or recommendation issued by a relevant building surveyor, municipal building surveyor, public authority or government department relating to any building defects or safety concerns for the property,
- there is a current domestic building work dispute under the Domestic Building Contracts Act 1995 which applies to or affects the premises,
- there is a current dispute under Part 10 of the Owners Corporations Act 2006 (any internal dispute, for example between lot owners, occupants and/or the manager) which applies to or affects the premises,
- there are any owners corporation rules applicable to the premises – and if so, the renter must receive a copy of them.

This information applies to residential rental premises.

source: <https://www.consumer.vic.gov.au/housing/renting/changes-to-renting-laws/resources-for-practitioners/fact-sheet-6-disclosure-requirements-before-entering-into-a-rental-agreement>