

South Australia

Residential Tenancies Variation Regulations 2015

under the *Residential Tenancies Act 1995*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Residential Tenancies Variation Regulations 2015*.

2—Commencement

These regulations will come into operation on 9 May 2015.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Residential Tenancies Regulations 2010*

4—Variation of regulation 9—Transmission of bond to Commissioner (sections 62 and 105L of Act)

- (1) Regulation 9—delete "section 62(2)" and substitute:
 - sections 62(2) and 105L(2)
 - (2) Regulation 9(a)—delete "30 days" and substitute:
 - 4 weeks
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- (3) Regulation 9(b)—delete "7 days" and substitute:
2 weeks

5—Variation of regulation 10—Bond—third party payments and guarantees (sections 63 and 105M of Act)

- (1) Regulation 10(1)—delete "section 63(7)" and substitute:
sections 63(7) and 105M(8)
- (2) Regulation 10(2)—delete "section 63(7)(b)" and substitute:
sections 63(7)(b) and 105M(8)(b)
- (3) Regulation 10(2)—after "62" insert:
or 105L
- (4) Regulation 10(3)—delete "section 63(9)" and substitute:
sections 63(9) and 105M(10)
- (5) Regulation 10(3)(b)—after "tenant" insert:
or a rooming house resident

6—Revocation of regulation 15

Regulation 15—delete the regulation

7—Insertion of regulation 22

After regulation 21 insert:

22—Repayment of bond—rooming houses

A rooming house proprietor must, on termination of a rooming house agreement, repay the full amount of any bond paid by the rooming house resident before the commencement of section 105L(2) of the Act less not more than—

- (a) an amount equal to any outstanding rent or payments for meals, facilities or other services due to the proprietor by the resident; and
- (b) if the resident's room or property provided by the rooming house proprietor for use by the resident is not returned in a reasonable condition (taking into account the condition of the room and property when the resident's period of accommodation began and the probable effect of reasonable wear and tear since that time)—reasonable costs incurred in repairing the room and property.

Maximum penalty: \$1 000.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 16 April 2015

No 36 of 2015

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