

Security, RCDs and Smoke Alarms

As a tenant you have rights and responsibilities under the *Residential Tenancies Act 1987* (the Act). This fact sheet incorporates the changes affected by the *Residential Tenancies Legislation Amendment (Family Violence) Bill 2018* from 15 April 2019.

SECURITY – LESSOR’S RESPONSIBILITY

The lessor is responsible for providing the rented property in a condition which is reasonably secure. The lessor is responsible for having a minimum level of security in place.

In the Residential Tenancies Act the landlord is referred to as the lessor. The real estate agent is a representative of the lessor.

MINIMUM STANDARDS FOR SECURITY

The lessor is required to provide the following minimum security at the property:

- On the **main entry door**, a deadlock or key lockable security screen that complies with Australian Standards must be fitted.
- On **all other external doors**, a deadlock, or patio bolt lock (in cases where a deadlock cannot be fitted), or a key lockable security screen that complies with Australian Standards must be fitted
- **Exterior windows** must be fitted with a lock which prevents the window from being opened from outside (doesn't have to be a keyed lock).
Windows with security screens (compliant with Australian Standards), or above the first floor and not easily accessible from outside, are exempt.
- At the **main entry door**, there must be an electrical light installed, that is capable of lighting the main entry to the property and can be operated from indoors.

NOTE: The lessor must obtain your consent before they alter, remove or add security fittings. Consent may not be unreasonably withheld.

SECURITY – TENANT’S RESPONSIBILITY

SECURITY – FAMILY VIOLENCE

If it is necessary to prevent family violence being committed against the tenant or a dependant of the tenant, or if there is a Court order to take a tenant off the tenancy agreement due to family violence, then a tenant may:

- without the lessor’s prior consent, alter or add any lock or other means of securing the premises; and/or
- make ‘**prescribed alterations**’ to the premises.

The tenant will then be required to provide a copy of the key (or other means of securing the property) within 7 days after the locks have been changed (unless the lessor is a person reasonably suspected of being likely to commit the family violence).

The **'prescribed alternations'** will come into effect 6 months after the original changes to the Act have been in place.

If family violence affects your tenancy, see our **"Family Violence"** fact sheets for more detailed information.

If your situation doesn't involve family violence, then as a tenant, you must obtain the lessor's consent before you alter, remove or add security fittings, including locks. It's best to get the lessor's consent in writing.

SMOKE ALARMS

All properties are required to have working smoke alarms, as set out in the Building Regulations 2012. If your property doesn't have smoke alarms, request the lessor to install them. Make sure you have this in writing.

LESSOR'S RESPONSIBILITY

Smoke alarms should be mains powered however, approved battery powered devices are permitted in limited circumstances.

NOTE: A battery operated smoke alarm must have a 10 year life battery that cannot be removed.

Replacement of batteries in battery powered devices is the responsibility of the lessor. However, tenants should check their lease agreement to see what is stated.

All smoke alarms should be installed and maintained in compliance with Australian Standards. If you have any doubts about whether your alarm complies, you can ask the lessor to have the alarm tested by an electrical contractor. Make sure this is done in writing.

Local government enforces issues with smoke alarms, so you can contact your local council if your lessor refuses to install a smoke alarm.

TENANT'S RESPONSIBILITY

You should check smoke alarms to ensure they are working. All smoke alarms have test buttons, when pressed they will indicate whether the alarm is working or not.

RESIDUAL CURRENT DEVICES

Residual Current Devices (RCDs), also known as safety switches, protect all power and lighting circuits in a property.



The lessor must have two RCD's installed on the switchboard protecting all power points and lighting circuits.

NOTE: When entering into a tenancy agreement, check that the property has two RCDs. Contact the lessor as soon as possible if there are no RCDs installed.

TESTING RESIDUAL CURRENT DEVICES

- You should check the RCDs are working every 3 months.
- All RCDs have a test button. By pushing the test button all power should be lost.
- To restore power simply move the "on/off" switch.
- If power isn't lost, contact your lessor for a licensed electrical contractor to further test the RCD

WHAT TO DO IF THERE ARE NO RESIDUAL CURRENT DEVICES

If RCDs are not installed in the property, contact the lessor to request they are installed.

If the landlord refuses to install RCDs, contact EnergySafety on 9422 5200.

FURTHER HELP – TENANTS’ ADVICE AND ADVOCACY

Tenancy WA provides free, state wide telephone advice services and referrals.

Metro: (08) 9221 0088 • Country: 1800 621 888 (free call) • www.tenancywa.org.au

Department of Mines, Industry Regulation and Safety 1300 304 054

METROPOLITAN COMMUNITY LEGAL CENTRES	REGIONAL COMMUNITY LEGAL CENTRES
<p>Fremantle CLC (Western Suburbs) 9432 9790 www.fremantle.wa.gov.au</p> <p>Gosnells CLC (South Eastern Suburbs) 9398 1455 www.gosclc.com.au</p> <p>MIDLAS (Eastern Suburbs) 9250 2123 www.midlas.org.au</p> <p>Northern Suburbs CLC (Northern Suburbs) www.nslc.org.au Mirrabooka – 9440 1663 Joondalup - 9301 4413</p> <p>SCALES (South Western Suburbs) 9550 0400 www.law.murdoch.edu.au/scales</p> <p>Sussex Street CLS (South Central Suburbs) 6253 9500 www.sscls.asn.au</p> <p>Welfare Rights & Advocacy Service (North Central Suburbs) 9328 1751 www.wraswa.org.au</p>	<p>Albany CLC (Great Southern) 9842 8566 www.albanyclc.com.au</p> <p>AccordWest (South West) 9729 9000 www.accordwest.com.au</p> <p>Regional Alliance West (formerly GRC) (Mid-West/Gascoyne) https://raw.org.au/ Geraldton – 9938 0600 Carnarvon – 9941 1062</p> <p>Goldfields CLC (Goldfields) 9021 1888 www.gclc.com.au</p> <p>Kimberley CLS (Kimberley) 9169 3100</p> <p>Peel CLS (Peel) 9581 4511 www.peelcls.com.au</p> <p>Pilbara CLC (Pilbara) Karratha - 9185 5899 Newman - 9175 0148 Roebourne - 9182 1169 South Hedland - 9140 1613 www.pcls.net.au</p> <p>Wheatbelt CLC (Wheatbelt) 9622 5200 www.wheatbeltclc.com.au</p>

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