

DISCLOSURE



REAL ESTATE AGENT REQUIREMENTS, NSW ONLY:

I declare I have inspected/will inspect the property and am willing to accept it in its current state. I hereby offer to rent the property from the owner under lease to be prepared by the Agent. Should this application be accepted by the Landlord, I agree to enter into a Residential Tenancy Agreement pursuant to the Residential Tenancies Act 2010. I acknowledge that this application is subject to the approval of the Landlord/Owner. I declare that all information contained in this application (including the front page) is true and correct and given of my own free will. I am aware that the availability of telephone lines, internet services, digital or cable television and the adequacy of such services are the sole responsibility of the tenant(s) and the tenants should make their own enquiries as to the availability and adequacy of such services. The landlord or agent do not warrant that any telephone plugs, antenna sockets or other such service points located in the property are serviceable, or will otherwise meet the requirements of the tenant(s) and the tenant(s) must rely upon their own enquiry.

RESIDENTIAL TENANCIES ACT 2010 NO 42 PART 3 DIVISION 1 SECTION 24 HOLDING FEES

- (1) A person must not require or receive from a tenant a holding fee unless: (a) the tenant's application for tenancy of the residential premises has been approved by the landlord, and (b) the fee does not exceed 1 week's rent of the residential premises (based on the rent under the proposed residential tenancy agreement). Note. A tenant is defined in this Act as including a prospective tenant.
- (2) A person who receives a holding fee must give the tenant a written receipt setting out the following: (a) the amount paid and the date on which it was paid, b) the address of the residential premises, (c) the names of the landlord and the tenant.
- (3) If a tenant has paid a holding fee, the landlord must not enter into a residential tenancy agreement for the residential premises with any other person within 7 days of payment of the fee (or within such further period as may be agreed with the tenant) unless the tenant notifies the landlord that the tenant no longer wishes to enter into the residential tenancy agreement.
- (4) A holding fee may be retained by the landlord only if the tenant enters into the residential tenancy agreement or refuses to enter into the residential tenancy agreement.
- (5) Despite subsection (4), a holding fee must not be retained by the landlord if the tenant refuses to enter into the residential tenancy agreement because of a misrepresentation or failure to disclose a material fact by the landlord or landlord's agent.
- (6) If a residential tenancy agreement is entered into after payment of a holding fee, the fee must be paid towards rent.

It should be noted that the personal information provided on your tApp application will be available to and retained by the Real Estate Agent to whom you submit that information and the real estate agent will use this information for purposes related to the conduct of their own business which may include use by the real estate agent and/or further disclosure by the real estate agent for marketing purposes.

ELECTRONIC TRANSACTION LEGISLATION AMENDMENT (GOVERNMENT TRANSACTIONS) BILL 2017

I understand that the email address supplied at time of application is and will be used for notices being sent relative to Section 197 Manner of giving notice section 197 on page 3 of the Electronic Transactions Legislation Amendment (Government Transactions) Bill 2017 (view here: <https://www.legislation.nsw.gov.au/bills/32b1181b-99d7-4d9e-b277-d7780377525c>)

See the relevant text from the document:

“(1) Any notice required to be given to a person under this Act may be given:
(a) personally, or by post, or (b) by email to an email address specified by the person for the service of documents of that kind, or (c) by any other method authorised by the regulations for the service of documents of that kind.”

“I state that I have read and agree and understand the terms including Real Estate Agent Requirements, NSW Only the paragraphs titled “Residential Tenancies Act 2010 No 42 Part 3 Division 1 Section 24 Holding Fees and Electronic Transaction Legislation Amendment (Government Transactions) Bill”



Print Name
SignatureDate.....

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