

Security, RCDs and Smoke Alarms

As a tenant you have rights and responsibilities under the *Residential Tenancies Act 1987* (the Act). This fact sheet explains the law in Western Australia about security, RCDs and smoke alarms and incorporates the changes made to the Act, which came into effect on 1 July 2013. Please note that while changes were made to the Act effective 1 July 2013, some of the old laws may still apply to you. If, for example, you entered into a lease prior to 1 July 2013, the old laws may still be valid. Accordingly we strongly encourage you to get appropriate legal/tenancy advice from your local tenancy service concerning the application of the new laws.

In the Residential Tenancies Act the landlord is referred to as the lessor.

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.

Lessors have until the 1st of July 2015 to ensure that the rented property complies with these new standards.

MINIMUM STANDARDS FOR SECURITY

As of July 2015, 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

As a tenant, you must obtain the lessor's consent before you alter, remove or add security fittings, including locks. Make sure it is in writing.

SMOKE ALARMS - LESSOR'S RESPONSIBILITY

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.

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.

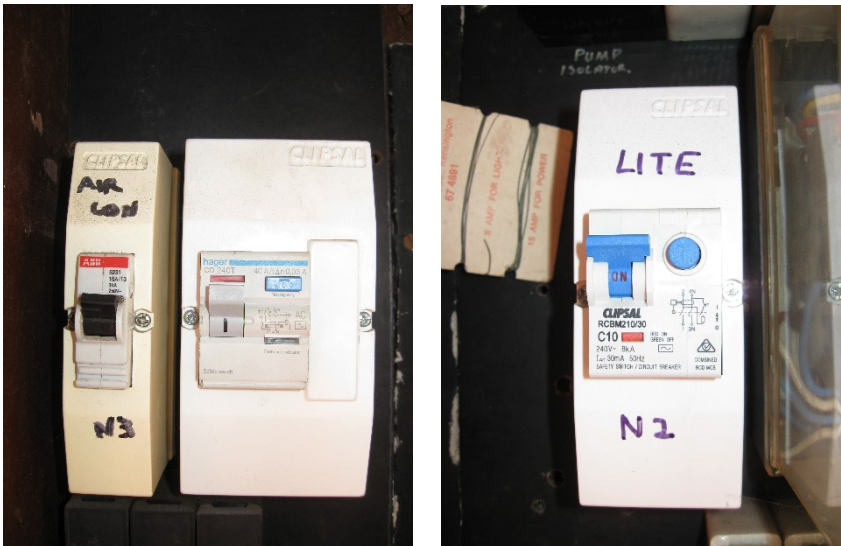
Local government enforces issues with smoke alarms, so you can contact your local council if your lessor refuses to install a smoke alarm.

SMOKE ALARMS – 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 state wide telephone advice services and referrals.

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

Department of Commerce 1300 304 054

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

Disclaimer: This fact sheet is intended as general information only and should not be relied on as a substitute for legal advice. You may wish to seek advice from a tenant advocate or lawyer about your particular circumstances. Tenancy WA does not accept responsibility for any consequences, including damage or loss, arising from your use of, or reliance on, the information contained in this publication. Tenancy WA does not accept responsibility for the accuracy of any information obtained from third party website links. © Tenancy WA