

## Utilities – Water, Electricity, Gas

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 utility services 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.

Services to your home such as electricity, gas, water and sewerage are called “utility services”. This fact sheet explains your responsibilities for connecting and disconnecting these services. It also explains what costs you and your lessor are responsible for.

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

Generally, lessors pay the rates and the tenants pay for their consumption of these services.

### WHEN YOU MOVE IN

#### Tenant’s responsibility

When you move into a rental property, it is your responsibility to have the utility services reconnected in your name. You should give the utility providers 48 hours’ notice and they will arrange for the services to be reconnected and for the meters to be read. There will be connection fees for electricity, gas and telephone accounts.

#### Lessor’s responsibility

The lessor should notify the water corporation, and arrange a special meter reading to ensure you are not charged for the previous tenant’s water usage.

### WHEN YOU MOVE OUT

There are no disconnection fees when you move out. However, you must tell the utility providers when you are moving so they can arrange for the final meter reading and disconnection of utilities, including the telephone.

### WHEN THE UTILITIES AT THE PROPERTY ARE SEPARATELY METERED

The prescribed tenancy agreement Form 1AA requires the lessor to indicate whether the electricity, gas and water services to the property are separately metered.

If utilities are separately metered, you are responsible for paying the following charges:

- All charges based on the amount of water consumed (but not the service charges or reconnection fee).
- All charges for the supply or use of electricity, gas.
- All charges for the use of bottled gas (but not for the supply or hire of gas bottles).

The lessor is not allowed to charge you more than the utility provider would have charged.

## WHEN THE UTILITIES AT THE PROPERTY ARE NOT SEPARATELY METERED

If there is no separate metering for any of these services, you are not obliged to pay a utility bill unless you have a written agreement about how the charge will be calculated.

The tenancy agreement that you signed at the beginning of your tenancy has a section where the lessor must clearly outline how they calculate consumption if services are not separately metered. Refer to your agreement to ensure the lessor is calculating costs correctly.

## TWO MONTHLY WATER BILLS

If you are uncertain about what you are being charged or it seems excessive, request a copy of the original bill from your lessor and check they are only charging for “water use calculation” not the “service charge calculation”. These charges can be found on the second page of the water bill.

## PENSIONER AND CONCESSION DISCOUNTS

If you have a pensioner concession, state concession, WA senior, or both, you may be eligible for rebates or concessions on your water bill.

Contact the Water Corporation on 13 13 85 for more information.

## WATER LEAKS

If you suspect a water leak, see <https://www.watercorporation.com.au/faults> or contact the Water Corporation who can explain how to check the property for leaks.

Contact the lessor in writing to notify them of a leak.

## TELEPHONE, TELEVISION AND INTERNET CONNECTIONS

A lessor is not required to provide telephone, television and internet connections.

Existing phone/TV/internet sockets are fixtures provided with the premises for use of the tenant. The lessor is obliged to provide such fixtures in reasonable condition and to maintain them – unless this is specifically excluded in the tenancy agreement.

At the start of the tenancy, ask whether the sockets work. If they do not, negotiate with the lessor about having them fixed. Get any agreement in writing.

## NEW CONNECTIONS FOR INTERNET AND TELEPHONE OR OTHER SERVICE

If you want a new connection installed you must first have the lessor’s consent. They must not unreasonably withhold consent if the work required for the installation is of a “minor nature”.

You will have to pay for the installation and repairs to connections you have had installed.

## DISPUTES OVER BILLS

If you have a dispute over a utility bill, contact the provider and lessor as soon as possible to discuss.

A large utility bill may be a sign that there is a fault in the property (e.g. leaks can lead to a high water bill). If you notified your lessor about the fault, and nothing was done, they may be in breach of their obligation to keep the property in a reasonable state of repair and you may claim compensation for the bill.

If there is an ongoing dispute over payment of an account and the supplier threatens disconnection, consider writing to the supplier to explain the situation and include supporting documentation.

The Energy and Water Ombudsman may be able to help. You can contact them on 1800 754 044, or visit their website at <http://www.ombudsman.wa.gov.au/energyandwater/>

## DIFFICULTY PAYING UTILITY BILLS

HUGS (Hardship Utility Grant Scheme) assist individuals having difficulty paying their electricity, water or gas bills who have had or are at risk of having their supply disconnected or restricted. The amount of the grant varies according to where you live in Western Australia. You may be eligible if you are a residential customer assessed as being in financial stress and having difficulty paying your utility bills.

Individuals should contact their utility provider to discuss their situation. If you are eligible for HUGS assistance, you may be able to receive a grant directly from your utility provider or alternatively you may be referred to a free financial counselling service in your area. Contact the HUGS unit on 9222 2739, or see more information at

[https://www.dcp.wa.gov.au/servicescommunity/Pages/HardshipUtilitiesGrantScheme\(HUGS\).aspx](https://www.dcp.wa.gov.au/servicescommunity/Pages/HardshipUtilitiesGrantScheme(HUGS).aspx)

## 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](http://www.tenancywa.org.au)

**Department of Commerce** 1300 304 054

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

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