



T: 02 9987 2322

F: 02 9479 9720

www.realestatetraining.com.au www.macdonaldeducation.com.au

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New Window Safety Laws

In an effort to prevent children falling from windows, the Minister of Fair Trading has recently announced new safety measures. Windows above ground floor in existing strata schemes will need to be retrospectively fitted with window locks or a safety device to prevent windows opening any more than 12.5cm.

In 2011-12, 39 children aged 9 or younger were hospitalized in NSW following a fall.

The number of high rise residential apartments is growing significantly and by 2030 it is estimated that 50% of the State's population will live in a strata scheme. Mr Roberts, the Minister of Fair

Trading has stated "Some owners and tenants will already have safety devices fitted to their windows but



this will ensure that any children living or visiting an apartment above ground level will be safe."

The NSW Government will amend Strata and Residential Tenancies legislation to

require owners corporations to install safety devices on all windows that pose a safety risk to young children, allow owners to install safety devices regardless of the by-laws of the strata scheme and to include window safety devices in the prescribed condition report for rental premises.

With more than 70,000 strata schemes across NSW and an average of five new schemes registered each day, Mr Roberts said owners and corporations will be given 5 years to retrospectively fit windows with safety devices.

To read full article [click here](#)

Translated Publications Inform Tenants

The RTA have revamped publications for tenants, agents, self-managing lessor and property managers

One of the publications, The Pocket Guide for Tenants—houses and units, is now a handy 12 page booklet cover-

ing the basics of renting responsibilities and rights.

In order to inform tenants who have English as an additional language it has been translated into Chinese, Vietnamese, Korean, Japanese and Arabic.

Tenancy information mini guides are also available in Swahili, Dinka, Farsi, Dari, Somali, Karen, Karundi and Tamil.

To read more about the new publications [click here](#)

Owners, Vendors And Landlords Must Register Swimming Pools



Owners are now required to register their backyard pools with the NSW Government.

The NSW Government passed the Swimming Pools Amendment Act 2012 late last year in order to improve compliance with pool barrier requirements and reduce the number of children drowning.

An online swimming pool register has been set up and

all owners must enter their pool on this register. When doing so they are required to indicate that the pool complies with the applicable safety standards.

If pools are not registered by 29 October 2013, owners risk a fine of \$2,200.

In addition, from April 2014, when a property with a swimming pool is being sold, a valid certificate of compliance must be

annexed to the Contract of Sale. Failure to do this means that the purchaser may rescind the Contract at any time within 14 days of exchange.

In the case of a property for lease, from April 2014, there must be a valid certificate of compliance in place at the time the Residential Tenancy Agreement is entered into. A copy must be given to the tenant.

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To read about the coming changes to the residential tenancy laws in Western Australia from 1 July 2013 [click here](#)

Fake Testimonials Risk Fines

The Minister of Fair Trading has warned all types of business to make sure that all testimonials and endorsements on their websites are from genuine customers or risk thousands of dollars worth of fines.

Businesses have been using testimonials as a marketing tool but false or misleading statements are prohibited

under the Australian Consumer Law.

So far four businesses have been asked to substantiate testimonials on their websites within 21 days. If they cannot do so there is a maximum fine of \$16,500 for corporations or \$3,500 for individuals.

The Minister of Fair Trading

has said the crackdown is about ensuring traders act with honesty and transparency to prevent consumers being misled.

Brisbane Agency Fined

Directors of a Brisbane Real Estate Agency have been fined \$4,200 after pleading guilty to using Unlawful Specified terms in a tenancy agreement.

The terms included requiring the tenant to:-

Let the agent enter the property without notice at the end of the lease

Have carpets shampooed every 6 months

Give 6 weeks notice rather than the required 2

Pay for maintenance which could generally be considered fair wear and

tear. To include the above terms is an offence under Queensland tenancy laws.

