

Safety and security

Information for tenants

When you are renting a place to live, the landlord must provide premises that are in a reasonable state of repair and are reasonably secure. There are a number of safety and security matters that you may need to think about.

Window and balcony safety

Each year, around 50 children fall from windows or balconies in Australia. Many suffer serious injuries. Sometimes these falls are fatal.

There are a number of simple, commonsense steps you can take to reduce this risk. For example, move furniture away from windows and balustrades, and fit locks or guards to windows so they cannot be opened more than 12.5cm, except by an adult.

Falls occur more often in the warmer months when families leave windows and doors to balconies open during the day and at night. Do not rely on flyscreens to prevent your child from falling out of a window.

Fair Trading has produced two short videos about window safety presented by DIY guru and TV personality, Rob Palmer. They include easy step-by-step instructions on how to install window safety devices yourself. You can watch the new Window safety video series on our YouTube channel.

The NSW tenancy laws require landlords to provide and maintain locks and security devices to make the premises reasonably secure. Landlords cannot unreasonably refuse permission for tenants to make minor changes to rental premises, such as installing child safety window locks.

Go to the Window and balcony page on the Fair trading website for more information.

Swimming pools

Young children can drown because of faulty or inadequate pool fencing. The maintenance of pool fencing is extremely important, even if you do not have young children living at your home. Children are most at

risk of drowning within six months of moving into a new property with a swimming pool, or when visiting the home of a friend, family member or neighbour with a pool.

If the property you are renting has a swimming pool, you need to check that the pool fence is in good, working condition. Landlords must meet the standards in the *Swimming Pools Act 1992*. This requires most pools to be surrounded by a fence that separates the pool from the house. Please visit the pool safety checklists page on the swimming pool register website for further information.

Landlords are required to register the pool with the NSW Government Swimming Pool Register. From 29 April 2016, landlords will also be required to give tenants a copy of a compliance certificate or an occupation certificate issued within the last 3 years when they enter into a new residential tenancy agreement. This requirement does not apply to lots in a strata or community scheme with more than two lots, as these properties are subject to Council pool inspection every 3 years.

Smoke alarms

A smoke alarm is an effective early warning device designed to detect smoke and alert you to the presence of a fire, and increase the time available for safe escape. Your landlord is required by law to have installed at least one smoke alarm in a hallway outside a bedroom or other suitable location in each storey of your rented home. You are not allowed to remove or interfere with smoke alarms, without a reasonable excuse. If a smoke alarm is battery operated you are responsible for replacing the batteries and testing that it is working. This should be done once each year.

For information about the type, location and number of smoke alarms that are required call the Smoke Alarms Helpline on 1300 858 812 or go to the Fire and Rescue NSW website, where you can also find information about conducting a fire safety audit of your home.

Gas water heaters

Gas water heaters that have not been properly maintained have been responsible for deaths and serious injuries. If your property has a gas bath heater or flued instantaneous water heater in the bathroom, or a flueless water heater in the kitchen, it could be a source of danger.

The Australian Gas Association recommends that all gas water heaters are serviced regularly by approved service agents and when replaced are installed externally to reduce the risk of an accident.

Always ensure:

- the bathroom and kitchen heaters have unobstructed ventilation
- heater flue pipes are free from all restrictions and holes
- there is no evidence of the heater creating soot deposits
- there are no signs of discolouration on or around the heater and flue.

Flueless water heaters using natural or LPG gas are designed to work without a flue pipe. However, if the ventilation is obstructed poisonous fumes such as carbon monoxide can be forced back into the room and contaminate the air. As carbon monoxide is colourless, odourless and tasteless, it is virtually undetectable. Inexpensive carbon monoxide detectors can be purchased from most hardware stores.

For further information, contact the gas retailer, or the Master Plumbers Association of NSW toll free on 1800 424 181.

Security

Your landlord must provide and maintain locks or security devices to ensure that the premises are reasonably secure. What is reasonably secure will vary in different situations.

The likelihood the premises may be broken into will have a bearing on the type and standard of locks needed to make a property reasonably secure. This will depend largely on the area in which the premises are located.

The level of security needed for a ground floor unit may be greater than for a unit on an upper level.

Your landlord does not have to make the property so secure that the premises can never be broken into. The requirements of insurance companies are not the sole test of what is 'reasonably secure', but are merely one factor to be taken into account.

You can change or add locks or security devices with the landlord's consent, or if it is reasonable to do so, such as in an emergency (eg. if the premises have been burgled and keys are missing or if your key breaks off in the lock). You will need to give the landlord a copy of the new key within seven days. If the premises are not reasonably secure, you should raise this matter with the landlord or agent as soon as possible.

Rural properties and dams

Around 20 children are fatally injured on Australian farms every year and many more are hospitalised. Drowning accounts for around 35-40 percent of all child farm deaths, with farm dams being by far the most common risk. Children also find their way into creeks, troughs, dips and irrigation channels. Children under five are at most risk. For more information on how to protect children living or visiting farms, go to the Farmsafe website.

Rainwater tanks

Rainwater tanks are used widely for drinking water in rural areas. It is important that the water is free of harmful microorganisms or harmful levels of chemicals. Good quality water depends on proper maintenance of the rainwater tank and catchment area such as the roof and gutters if the tank is connected to the roof.

It is good practice to flush rainwater taps used for drinking or cooking for 2-3 minutes at the start of each day. Before renting out a property the landlord should ensure that the tenant is informed that rainwater is the source of drinking water and that maintenance responsibilities have been discussed. More information on the installation and maintenance of rainwater tanks is available from the NSW Health website.

www.fairtrading.nsw.gov.au
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