# Detailed Reference Guide 15: Transitional arrangements

### New requirement

The full set of new rental laws will come into effect on 29 March 2021, but some laws will not apply to existing agreements.

### Fixed term tenancy agreements

The amended or new requirements listed below do not apply to:

* a fixed term tenancy agreement entered into before the commencement of the applicable amendment (29 March 2021 for most amendments) until that agreement is terminated; or
* a periodic tenancy agreement that commenced before the commencement of the applicable amendment (29 March 2021 for most amendments) until that agreement is terminated.

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| **Provision number** | **Provision title** |
| s3A | Objectives of the Act |
| s17 | The rooming house provisions do not apply to a room used or intended to be used as a residence by the rooming house operator |
| s19 | Minister may declare building to be a rooming house |
| s26 | Residential rental agreements to be in standard form |
| s26A | Offence to include prohibited terms in residential rental agreement for fixed term of more than 5 years |
| s27 | Invalid terms in a rental agreement |
| s27A | Additional term in fixed term tenancy agreement for more than 5 years |
| s27B | General prohibited terms in rental agreements |
| s27C | Prescribed terms relating to professional cleaning, maintenance and related obligations |
| Divisions 1A, 1B and 1C of Part 2 | Discrimination in relation to residential rental agreements, Disclosures and representations prior to entering into residential rental agreements, Rental auctions prohibited |
| s30 | Prohibition on refusing to let premises to a renter with children |
| s35A | Residential rental provider or renter may apply to Tribunal to amend inaccurate or incomplete condition report |
| s36 | Condition report is evidence of state of repair |
| s37 | Certain guarantees prohibited regarding a renter performing duties |
| s38 | Maximum amount of certain guarantees |
| s39 | Accrual of rent |
| s40 | Limit on rent in advance |
| s41 | Rent in advance under weekly residential rental agreement |
| s42 | Where and how is rent to be paid? |
| s43 | Receipts for rent |
| s44 | Rent increases (Other than s44 (4A), which relates to annualised rent increases that commenced on 19 June 2019) |
| s49 | Renter's goods not to be taken for rent |
| s50 | Application and holding deposits |
| s65A | Occupation of rented premises that do not comply with rental minimum standards |
| s66 | Residential rental provider must give renter certain information |

### Pets

The new provisions concerning pets in Division 5B or Part 2 do not apply to a tenancy agreement in existence before the commencement date of those provisions, unless the renter who was the tenant, on or after that commencement, introduces or wishes to keep a pet at the rented premises.

### Rental agreements

A reference in a tenancy agreement to a landlord is taken to mean a rental provider, a reference to a tenant is taken to mean a renter, and a reference to a tenancy agreement is taken to mean a residential rental agreement.

### Rooming house operators

A reference to a rooming house owner in rooming house agreements is taken to be a reference to a rooming house operator.

### Regulations

Additional transitional arrangements can be made by regulation.

## Relevant legislation in the *Residential Tenancies Act 1997*

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| Part 18, Division 2 | Transitional provisions |