# Detailed Reference Guide 26: Rental minimum standards

This reform starts on 29 March 2021.

## New requirements

The rental provider has a duty to ensure that the rented property meets the standards prescribed as rental minimum standards, before a renter occupies the property.

If the rented property does not meet the rental minimum standards, the renter can issue a notice to terminate the rental agreement if the renter has not yet entered into possession of the property. Alternatively, the renter can occupy the property and issue a request to the rental provider for urgent repairs to be carried out to bring the property up to standard.

Failure to comply with the rental minimum standards is included in the definition of urgent repair, so a renter can request an urgent repair if a rental property falls out of compliance with the rental minimum standards at any time during the rental agreement.

The prescribed rental minimum standards will be phased in, and will only apply when a new residential rental agreement begins.

## Previous requirements

Previously, the only requirements were that the rental provider was required to ensure that the rented property was vacant and in a reasonably clean condition before the renter occupied the property, and to maintain the property in good repair during the rental agreement.

## Requiring further specification

The rental minimum standards will be prescribed in the Regulations. Further information will be provided once the Regulations are made.

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

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| Section 3 | Definitions of ‘rental minimum standards’ and ‘urgent repairs’ |
| 65A | Occupation of rented premises that do not comply with rental minimum standards |
| 91L | Termination by renter before possession |

Note: This was Reform 38 in the Fairer Safer Housing review.