# Detailed Reference Guide 6: Pre-contractual disclosure

This reform starts on 29 March 2021.

## New requirements

Before entering into a rental agreement, the rental provider must disclose the following information to the renter:

* if an agent has been engaged to sell the property or if a contract of sale has been prepared, that there is an ongoing proposal to sell the property
* if proceedings have commenced to enforce a mortgage over the property, that a mortgagee is taking action for possession of the property
* if the rental provider is not the owner of the property, that the rental provider has a right to let the property and the nature of the rental provider’s interest in the property
* if electricity is supplied to the property from an embedded electricity network, the prescribed details of the embedded electricity network
* any other information in relation to the property prescribed by the Regulations.

Similar disclosure requirements also apply to rooming houses, caravan parks and residential parks.

If the disclosure requirements are not complied with the renter may make a general application to VCAT, which may make a compensation order or another order as it sees fit.

## Previous requirements

Disclosure of the above information before entering into the rental agreement was not previously required.

## Requiring further specification

Further detail on the required details on embedded networks will be prescribed.

Other information that must be disclosed can be prescribed.

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

|  |  |
| --- | --- |
| 30D | Information that residential rental providers must disclose before entering residential rental agreement |
| 94I | Information that rooming house operators must disclose before occupancy commences |
| 145E | Information that caravan park owners or caravan owners must disclose before agreement under section 144(1) or (2) commences |
| 206JF | Information that site owners must disclose before entering into site agreements |
| 452 | General applications to the Tribunal |

Note: This was Reform 13 in the Fairer Safer Housing review.