

## Urgent attention and instruction required

Dear

As of July 1 2007, there are a number of legal requirements that must be adhered to by owners of residential rental properties. These legislative requirements fall under the *Queensland Fire and Rescue Service Amendment Act Bill 2006*.

Under this new legislation lessors are legally required to test and clean a smoke alarm within 30 days of the start of a new tenancy. This will also apply on tenancies that are renewed with existing tenants. In addition to this obligation, the lessor is also required to immediately replace any alarm before the end of its service life. The service life is indicated in some circumstances on the manufacturer's information supplied with the smoke alarms. One of the most efficient ways to manage this new requirement is to provide our agency a budget for this purpose so that we can organise suitable contractors to meet your legal obligations. If our agency already has a written authority from you to expend money on your behalf, we can proceed with organising suitable contractors to carry out the legislative requirements. However if we currently have no authority to expend monies on your behalf, we urgently seek your instructions in relation to this legal requirement.

The obligation of the tenant to clean and test the alarm only applies if the tenant has a fixed term tenancy of 12 months or longer or, in the case of a periodic tenancy where the tenant resides in the property for a period of 12 months or longer.

If there is a fixed term tenancy of less than 12 months, such as a 6 month tenancy, the tenant is under no obligation to test or clean the alarm. This requirement will need to be fulfilled by the lessor upon each renewal of a tenancy of less than 12 months.

Tenants are responsible for the replacement of the battery if during the tenancy they become aware that a battery is flat, or almost flat. The tenants are also required to notify our agency immediately if the alarm fails other than because the battery is flat, or almost flat.

These services can be paid for from rental funds and where this occurs; we will supply a copy of the invoice with your statement. It is important to note that if we do not receive instruction from you in this regard; our agency cannot accept any liability or responsibility for your failure to comply with this legislation.

Please respond within 7 days using the form attached or in writing with your own instructions. This can done via email, fax or post. Our contact details are:

Agency name: ELDERS REAL ESTATE MUDGEERABA

Address: 1/58 RAILWAY ST

Phone: 07 5530 2222

Fax: 07 5530 2121

Email: rentals@eldersmudgeeraba.com.au

Yours sincerely

-----

# Smoke Alarm Instructions & Expenditure Permission Form

Lessor/s to complete and return to Agent

## 1. Lessor/s

Name/s:

Address:

Phone:

Fax:

## 2. Premises

Address:

## 3. Agent

Name: *ELDERS REAL ESTATE MUDGEERABA*

Address: *1/58 RAILWAY ST*

Phone: *07 5530 2222*

Fax: *07 5530 2121*

## 4. Agent's Authority

I/we, lessor/s of the above premises, give authority to the Agent to expend money from rental income on a suitable contractor/electrician to fulfil my lessor obligations under the Smoke Alarm Legislation coming into effect as of 1 July 2007.

This expenditure will cover installation of smoke alarms (if required) as well as the cleaning, testing and replacement of batteries as required to keep them compliant with the law.

## 5. Lessor's Obligations

I/we understand that the legislative requirements are:

- (i) to clean and test the alarm/s within 30 days of a start of a tenancy. This includes the renewal of an existing agreement.
- (ii) to change the battery if upon cleaning and testing of the alarm it is found that the battery is flat, or almost flat.

## 6. Installation Instructions

I/we instruct the agent to arrange for a contractor/electrician to install the legislative required amount of smoke alarms in the premises. Please install the following type of alarms:

- 9 volt battery operated alarm (minimum legal requirement)
- 10 year lithium tamper proof alarms
- Hard wired alarms (240v) - (to be installed by an electrician)

## 7. Further Instructions from Lessor

.....  
.....

Signature .....

Signature .....

Date .....

Date .....