



7+

Essential tips for a Tenant to know

KNOW YOUR RIGHTS AND OBLIGATIONS

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PROPERTY RENTALS





- Ensuring a positive experience
- Lease agreement
- Rental deposit
- Rental payments
- Utilities, Rates, Taxes
- Rates, Taxes and Levies
- General property maintenance
- The unspoken rule





Guiding you all the way

A happy Tenant - Landlord relationship is dependent on give-and-take principles, where both parties are aware of their individual duties or responsibilities as well as their rights. This also holds true for any legally binding agreement between two parties. These obligations and rights should be clearly covered in the lease agreement, containing all the respective terms and conditions governing the relationship.

This article has been written for the benefit of Tenants, particularly those who are leasing for the first time. Renting a home, apartment or outbuilding is unlike leasing any other asset. Therefore, in order to ensure that your experience as a Tenant is as positive as possible, you would need to gain some basic insight.

This booklet will cover seven main areas of responsibility as a tenant:





The lease agreement

The Landlord provides the lease agreement.

There is usually a nominal lease fee which is charged to the Tenant unless otherwise agreed.



Rental deposit

When the Lease Agreement is signed, the rental deposit plus first month's rent is usually paid over to the Landlord, or to the Estate Agency's account if it is a managed lease. Although the deposit is requested at the discretion of the homeowner, for obvious reasons it is almost always required.

In some cases a Landlord might even require 1 ½ or double the rent as a deposit. This generally avoids an age-old issue that many Landlords have had to deal with whereby the Tenant has the misguided belief that the last month's rent is not paid over, with the intention of setting off against the rental deposit.

Rental payments

Your agreed rental become payable each month in advance, without demand, on the date agreed in the lease agreement and must reflect in the landlord's nominated bank account on the agreed date. Late payments will not only put you in breach of the lease agreement but will also incur interest.





Utilities, Rates and Taxes

Depending on the terms discussed, the Tenant may be liable for specific costs such as water and electricity. This is over and above the rental payment. The Landlord would be obliged to furnish the Tenant with the respective bills and the payment thereof would be as per details stipulated in the lease.

SECTIONAL TITLE Rates, Taxes and Levies

In Sectional Title schemes, the Body Corporate levies are usually paid by the Landlord. It is important that this is clarified in the Lease agreement.







General Property Maintenance

General fair wear and tear maintenance of the property is part of the Landlord's responsibility. However any damage or repair as a result of negligence or an act of the Tenant, will be for the Tenant's account. As a Tenant you are responsible for keeping the premises clean and replacing short term consumables (i.e. lightbulbs).

When the Lease is terminated it is the Tenant's responsibility to ensure that the property is returned in the same condition as it was at the commencement of the lease. Damages or losses identified at the exit inspection, as well as any monies due by the Tenant to the Landlord in terms of the lease, will be deducted from the rental deposit. Should the Landlord not recover the amount for outstanding fees, such as rental and repair expenses, then the Landlord can proceed with legal action.



Property Use

It is the Tenant's responsibility to use the property for the consented purpose of stay for the agreed number of occupants. If this is violated in any way or if there is misrepresentation then the Landlord can cancel the lease and proceed with recoveries as well as possible legal action.







Please call your nearest agent

This article is intended as a brief overview of Tenants' primary obligations in respect of these seven components and should not be considered as anything other than an "overview".

If you are seeking professional guidance and help in finding the ideal home or apartment to rent, then look no further than our experienced Rental Specialists. Simply call on us today and our experienced & helpful personnel will gladly assist.

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