



TENANCY RELIEF

COVID-19 RESPONSE



NEW SOUTH
WALES

NEW MEASURES

Coronavirus (COVID-19) has already had a significant impact on the economy, meaning some tenants are having difficulty keeping up with rent payments. The NSW government is introducing measures to help landlords and tenants work together.

The new measures include an interim 60 day stop on landlords issuing termination notices or applying for NSW Civil and Administrative Tribunal (the Tribunal) eviction orders due to rental arrears, where tenants are financially disadvantaged by COVID-19.

"This will allow time for Government financial support to reach those who need it and limit social movement in order to minimise public health risks during the COVID-19 pandemic."

A landlord is required to negotiate a rent reduction with the tenant in good faith in the first instance, and can only seek to give a termination notice or apply for an eviction after the interim 60-day stop if it is fair and reasonable in the circumstances of the specific case.

Fair Trading will be able to assist landlords and tenants try to reach an agreement if needed.

Along with these restrictions on evictions for rental arrears, the Government will be extending the notice periods for certain other lease termination reasons to 90 days.

At any time during the 60 day stop and the longer six-month restrictions, landlords can still apply to the Tribunal at any time to take possession of a property if they are suffering undue hardship.

ELIGIBILITY

To meet the requirements for 60 day stop on evictions and the longer six-month restrictions, a household needs to demonstrate they are impacted by COVID-19.

A household is COVID-19 impacted if:

- ▶ One or more rent-paying members of a household have lost employment or income (or had a reduction in employment or income) due to COVID-19 business closures or stand-downs, or



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- ▶ One or more rent-paying members of a household have had to stop working or reduce work hours due to illness with COVID-19 or due to COVID-19 carer responsibilities for household or family members, and
- ▶ The above factors result in a household income (inclusive of any government assistance) that is reduced by 25% or more.

IMPORTANT

All tenants who are not impacted by COVID-19 are expected to honour their existing tenancy agreements including paying all rent and charges in full.



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