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COVID-19 RESPONSE



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RENT RELIEF FOR SMALL BUSINESSES AND NOT-FOR-PROFITS

The WA Government will waive rental payments for small businesses and not-for-profit groups in Government-owned buildings for six months to help these lease holders respond to the impacts of COVID-19 coronavirus.

The WA Premier and WA Treasurer announced \$25 million had been allocated for the rent relief plan.

This is the first time the State Government has waived rental payments for any lease holders.

The plan will benefit businesses such as convenience stores in train stations, cafés in government buildings, and restaurants in tourism precincts, such as Elizabeth Quay and Yagan Square. It will also benefit eligible small businesses leasing land from the WA Government, such as caravan park and eco-tourism operators.

The rent relief builds on the recently announced moratorium on the termination of leases for non-payment of rent for six months for commercial tenancies suffering financial distress. This will be implemented by State and Territory Governments in response to the COVID-19 pandemic coronavirus.

HOW TO APPLY

Lease holders will be contacted directly with further information.

FAQS

Who will this benefit?

This will benefit businesses such as convenience stores in train stations, cafés in government buildings, and restaurants in tourism precincts such as Elizabeth Quay and Yagan Square. It will also benefit eligible small businesses leasing land from the State, such as caravan park and eco-tourism operators.



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LAWS TO PROVIDE SUPPORT FOR COMMERCIAL AND RESIDENTIAL TENANTS AND LANDLORDS

Legislation to support tenants and landlords of both commercial and residential tenancies are being introduced into State Parliament.

The Residential Tenancies (COVID-19 Response) Bill 2020 will introduce:

- ▶ A moratorium on evictions for 6 months
- ▶ A prohibition on rent increases during the emergency period
- ▶ That any fixed term tenancy agreement due to expire during the emergency period will continue as a periodic agreement
- ▶ Relieving lessors of the obligation to conduct ordinary repairs if the reason they cannot do so is COVID-19 related financial hardship or a lawful restriction on movement
- ▶ Enabling a tenant to end a fixed term tenancy prior to its end date without incurring break lease fees (tenants will still be liable for damage and rent arrears).

The laws will apply equally to tenants in public and private housing, park homes as well as boarders and lodgers.

FAQS

How are commercial landlords and tenants affected by the moratorium on evictions?

[New legislation has been developed](#) to put into place a six-month moratorium on evictions and other measures relating to commercial tenancies in order to address the financial impacts of the COVID-19 coronavirus, including introduction of a code of conduct.

The aim of the legislation is to help small and medium-sized enterprises that are in financial distress to survive the current restrictions.

The Commercial Tenancies (COVID-19 Response) Bill 2020 will introduce:

- ▶ A six-month moratorium on evictions due to non-payment of rent.
- ▶ A freeze on rent increases.
- ▶ Restrictions on penalties for tenants who do not trade or reduced their trading hours.
- ▶ Prohibitions on charging interest on rent arrears.



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- ▶ The introduction of a dispute resolution process; and
- ▶ An ability for government to prescribe a code of conduct.

How does the commercial tenancy code of conduct work?

National Cabinet has agreed to introduce a code of conduct to provide a framework for negotiations in relation to commercial leases where the tenant is suffering financial distress as a result of the COVID-19 pandemic.

The proposed code requires that negotiations must to be carried out in good faith by both parties with a view to reaching agreement on temporary changes to leasing arrangements during the moratorium period.

The impact the COVID-19 coronavirus restrictions have had on the tenant's business with regard to revenue, expenses and profitability will be taken into consideration when determining and implementing appropriate deferrals, reductions or waivers of rent as well as the sharing of other costs.



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