Maintenance requirements in tenancies

(Regulation 13D)

(1) Within 30 days before the start of a tenancy agreement in relation to residential premises, or a hire agreement in relation to a moveable dwelling, the owner of the premises or dwelling must do the following:

   (a) test each smoke alarm in the premises or dwelling in accordance with regulation 13E;

   (b) replace a smoke alarm that does not function when tested;

   (c) replace a stand-by battery in a 240v hard wired smoke alarm in the premises or dwelling, in accordance with the manufacturer's instructions, if:
       (i)   the battery is spent; or
       (ii) the owner is aware the battery is almost spent;

   (d) clean each smoke alarm in the premises or dwelling in accordance with the manufacturer's instructions;

   (e) give the tenant or hirer written information about testing and maintaining the smoke alarms.

(2) During the term of a tenancy agreement or hire agreement, the tenant of the residential premises or hirer of the moveable dwelling must do the following:

   (a) test each smoke alarm in the premises or dwelling, in accordance with regulation 13E, at intervals of not more than 12 months;

   (b) if a smoke alarm does not function when tested – advise the owner of the premises or dwelling as soon as practicable;

   (c) replace each stand-by battery in a 240v hard wired smoke alarm in the premises or dwelling, in accordance with the information statement, if:
       (i) the battery is spent; or
       (ii) the tenant or hirer is aware the battery is almost spent;

   (d) clean each smoke alarm in the premises or dwelling, in accordance with the information statement, at intervals of not more than 12 months.

Note for paragraph (c) A smoke alarm may emit a warning signal (for example, a beeping sound) when its battery is almost spent.

Note for paragraph (d) The manufacturer's instructions may require that the smoke alarm be cleaned with a vacuum cleaner to remove dust and other materials that may hinder its performance.