

AGENT (OF A LESSOR)

Person employed, or authorised by the Lessor, to act as their Agent.

ALLOWED REMEDY PERIOD

The period stated in a notice to remedy breach as the period within which a party to an agreement is required to remedy the breach of the agreement stated in the notice.

ARRANGEMENT

Includes a promise, scheme, transaction (with or without consideration) understanding and undertaking (whether expressed or implied).

ARREARS

Means an amount of money that is overdue.

BODY CORPORATE

Consists of each Owner of a lot (townhouse, duplex, apartment, villa or unit) in a community titles scheme. Upon purchase, the Property Owner automatically becomes a member of the body corporate. A body corporate is generally responsible for the management and maintenance of the scheme's common Property e.g. lawns, access roadways, stairs and infrastructure such as pipes and wiring. In addition, a committee elected from the lot Owners, also carries out some decisions on behalf of the body corporate. Lot Owners pay contributions to the operation of the body corporate. More information about the legislation regulating bodies corporate can be obtained from the Office of the Commissioner for Body Corporate and Community Management within the Department of Justice and Attorney-General. Contact Information line 1800 060 119 or fax 32278023 or email BCCM@justice.qld.gov.au

BOND

The sum of money paid as protection of the Lessor against the Tenant breaching the agreement. Bond maximum if the rent is \$700 a week or less = 4 weeks rent. If rent is over \$700 a week, there is no limit on bond charged.

CONCILIATION

The process to reconcile differences between parties so they can come to agreement.

CONCILIATION AGREEMENT

Agreement in writing specifying the agreement made between Lessor and Tenant of how a tenancy dispute will be resolved.

CONCILIATOR

Person trained in conciliation process to resolve disputes.

CONDITION REPORT

Report describing the physical condition of Property and its inclusions.

CONTRACTOR

A service provider e.g. Tradesperson.

CO-TENANCIES

All occupants of the premises are named on the Agreement as Tenants.

DECLINED DIRECT DEBIT

An amount of money being drawn from a nominated bank account pre-arranged but the transaction is not successful due to insufficient funds in the account.

DEFAULT

Failure to perform a required action.

DISHONoured CHEQUE

A payment is made by cheque but when presented for payment, the transaction is not successful as the cheque account holds insufficient funds.

DISPUTE RESOLUTION REQUEST

A request to RTA to try to resolve a dispute between Lessor and Tenant. RTA Form 16 is to be used.

DOMESTIC ASSOCIATE

Means a person in any of the following relationships (a) spousal (b) intimate personal (c) family (d) informal care.

DOMESTIC VIOLENCE

Has the meaning given by the Domestic and Family Violence Protection Act 1989.

ENTRY NOTICE

A notice given to the Tenant to advise when the Lessor, their Agent or tradesperson will be entering the Property. RTA Form 9 is to be used.

FIXED-TERM AGREEMENT

A General Tenancy Agreement for a fixed time period.

GOODS

Include animals, plants, money, documents and anything else of value.

HANDOVER DAY –OF PREMISES

Means the day stated in a notice to leave, or notice of intention to leave, as the day vacant possession of the premises is required to be, or will be, handed over to the Lessor.

HOLDING DEPOSIT FOR PREMISES

Means an amount paid as consideration for an option to enter into an agreement for the premises.

INCLUSIONS

Everything supplied at the Property for Tenant's use – including items not listed on the Agreement.

INDEMNITY

Protection against loss or damage.

INDIVIDUALLY METERED FOR PREMISES

Means there is, for the premises, a meter that (a) has been installed or approved by a supply Authority; and (b) measure, for the premises only, the quantity of something supplied to, or used at, the premises under a service or facility made available by the Authority.

INVENTORY

A list of articles with a description and quantity of each.

KEY

Device or information normally used to operate a lock. Includes alarm code, entry cards, security keys, electronic device, remote control.

LESSOR

The registered Owner of the rental Property who gives the right to Tenants to occupy the Property via a tenancy agreement. Also referred to as The Client.

LIABILITY

Legally responsible.

LOCK

Means a device for securing a door, gate, window or another part of premises.

MORTGAGEE FOR A MORTGAGE

Includes any person from time to time deriving title to the mortgage under a previous mortgagee.

NOTICE OF INTENTION TO LEAVE

Means a notice given by the Tenant to the Lessor indicating the Tenant's intention to hand over vacant possession of the premises to the Lessor on the handover day.

NOTICE TO LEAVE

Means a notice given by the Lessor to the Tenant requiring the Tenant to handover vacant possession of the premises to the Lessor on the handover day.

OBSTRUCT

Includes hinder, resist and attempt to obstruct.

OCCUPANT – OF PREMISES

Means a person who resides at the premises.

PENALTY POINT

A fine issued by the Office of Fair Trading to an Agent for a breach of the PAMD Act. 1 x Penalty Point = \$110.00.

PERIODIC AGREEMENT

A tenancy agreement for an indefinite period of time and is not a fixed term agreement.

PERSONAL DOCUMENT – OF A PERSON

Means a document it would be reasonable to expect the person would want to keep eg passport, birth certificate, marriage certificate, photograph.

PREMISES

The dwelling plus the land occupied by the dwelling.

REBATE

A sum of money which is given as payment.

RELATIVE OF A PERSON

(a) means the person's spouse, child, grandchild, great-grandchild, parent, grandparent, great-grandparent, brother, sister, uncle, aunt, cousin, niece, nephew, parent-in-law, daughter-in-law, son-in-law, sister-in-law or brother-in-law and

(b) for an Aboriginal person – includes a person who, under Aboriginal tradition, is regarded as a relative of the Aboriginal person; and

(c) for a Torres Strait Islander person – includes a person who, under Island custom, is regarded as a relative of the Torres Strait person.

RENT

Means an amount payable by a Tenant under a General Tenancy Agreement for the right to occupy residential premises as a residence.

RENTAL PURCHASE PLAN AGREEMENT

Means an agreement entered into between the State and someone else (the Buyer) about residential premises (a) under which the Buyer agrees to buy, or after the Buyer has bought, a part interest (a share) in the premises; and (b) under which the State gives the Buyer the right to occupy the premises; and (c) under which the Buyer is required to make payments to the State and (i) if the Buyer is buying a share – the payments are divided by the State between the amount owing for the purchase of the share and rent for the right to occupy the premises; or (ii) if the Buyer has bought a share and is not buying a further share – the payment of rent for the right to occupy the premises.

RENTING AGENT – FOR A LESSOR

Means the Agent to whom the Tenant normally pays the rent.

REPRESENTATIVE – OF A PERSON

Means (a) if the person is a corporation – an executive officer, employee or agent of the corporation; or (b) if the person is an individual – an employee or agent of the individual.

SCHEDULE

A written list of events, duties and instructions.

SELLING AGENT

Means an Agent acting for the Lessor – the Agent appointed to sell the Lessor's premises.

SERVICE CHARGE

Is a charge payable by a person as owner or occupier of premises for (a) electricity, gas or water supplied to the premises; or (b) another service or facility, prescribed under a regulation supplied

to or used at, the premises. Service Charge also included an amount payable by a person for water which has been delivered by a vehicle.

STRUCTURAL CHANGE - TO PREMISES OR RENTAL PREMISES

Means any renovation, alteration or addition to the premises or rental premises.

SUB-LETTING

Where Tenants named on an Agreement establish a sub-tenancy agreement with other occupants either verbally or in writing for the right to occupy part or all of the premises. It is recommended that the Agent processes an application from a person intending to occupy the premises in a sub-letting arrangement. If approved, the occupant is referred to by the Agent as an approved occupant.

TENANCY DATABASES

Means a database (whether or not stored in a computer) containing personal information about a Tenant in relation to the occupation of residential premises under a General Tenancy Agreement.

TENANCY GUARANTEES

Is an undertaking by the department to pay to the Lessor up to a stated amount if the Lessor suffers a loss or expense because of a breach by the Tenant or the amount of bond held is insufficient to cover the loss or expense of the Lessor.

TENANT

Person with whom the Lessor has entered into a General Tenancy Agreement to lease the Property. Also referred to as the customer.

TERMINATION ORDER

Means an order of a tribunal terminating a General Tenancy Agreement or Rooming Accommodation Agreement.

TRIBUNAL

Means a Tribunal under the Small Claims Tribunals Act 1973.

WARRANTY

A documented assurance that something will be done to rectify a problem under certain conditions e.g. usually applicable to new items purchased or built. Extended Warranty may be an option available to the Buyer for some items eg electrical items.

WATER CONSUMPTION CHARGE – FOR PREMISES

Means the variable part of a water service charge assessed on the volume of water supplied to the premises.

WATER SERVICE CHARGE – FOR PREMISES

Means a service charge for water supplied to the premises.