

Schedule 2: Condition report

How to complete this report

1. Three copies, or one electronic copy, of this condition report should be completed and signed by the landlord or the landlord's agent.
2. Two copies, or one electronic copy, of the report, which have been completed and signed by the landlord or the landlord's agent, must be given to the tenant before or when the tenant signs the agreement. The landlord or landlord's agent keeps the third copy or an electronic copy.
3. Before the tenancy begins, the landlord or the landlord's agent must inspect the residential premises and record the condition of the premises by indicating whether the particular room item is clean, undamaged and working by placing "Y" (YES) or "N" (NO) in the appropriate column (see example below). Where necessary, comments should be included in the report. The landlord or the landlord's agent must also indicate "yes" or "no" in relation to the matters set out under the headings "Minimum standards", "Health issues", "Smoke alarms", "Other safety issues", "Communications facilities" and "Water usage charging and efficiency devices".
4. As soon as possible after the tenant signs the agreement, the tenant must inspect the residential premises and complete the tenant section of the condition report. The tenant indicates agreement or disagreement with the condition indicated by the landlord or landlord's agent by placing a "Y" (YES) or "N" (NO) in the appropriate column and by making appropriate comments on the form. The tenant may also comment on the matters under the headings "Minimum standards", "Health issues", "Smoke alarms", "Other safety issues", "Communication facilities" and "Water usage charging and efficiency devices".
5. The tenant must return one copy of the completed condition report, or a completed electronic copy, to the landlord or landlord's agent **within 7 days after taking possession of the residential premises** and is to keep the other copy or a completed electronic copy. The tenant is not required to do this if the landlord or landlord's agent has failed to give the tenant either two copies, or one electronic copy, of the completed condition report (see 2 above).

6. If photographs or video recordings are taken at the time the inspection is carried out, it is recommended that all photographs or video recordings are verified and dated by all parties. Any photographs should be attached to this condition report, in hard copy or electronically, under the heading "Photographs/video recordings of the premises". Any video recordings should be attached to this condition report electronically.

Note: Photographs and/or video recordings are not a substitute for accurate written descriptions of the condition of the premises.

7. At, or as soon as practicable after, the termination of the tenancy agreement, both the landlord or the landlord's agent and the tenant should complete the copy of the condition report that the landlord, landlord's agent or the tenant has retained, indicating the condition of the premises at the end of the tenancy. This should be done in the presence of the other party, unless the other party has been given a reasonable opportunity to be present and has not attended the inspection.
8. If the residential premises are separately metered for water and if the tenant is required to pay for water usage charges under the residential tenancy agreement, the landlord or landlord's agent must also indicate whether the residential premises has the required water efficiency measures.

Important notes about this report

- a) It is a requirement that a condition report be completed by the landlord or the landlord's agent and the tenant (see above). This condition report is an important record of the condition of the residential premises when the tenancy begins and may be used as evidence of the state of repair or general condition of the premises at the commencement of the tenancy. It is important to complete the condition report accurately. It may be vital if there is a dispute, particularly about the return of the rental bond money and any damage to the premises.

- b) At the end of the tenancy, the premises will be inspected and the condition of the premises at that time will be compared to that stated in the original condition report.
- c) A tenant is not responsible for fair wear and tear to the premises. Fair wear and tear is a general term for anything that occurs through ordinary use, such as the carpet becoming worn in frequently used areas. Intentional damage, or damage caused by negligence, is not fair wear and tear.
- d) A condition report must be filled out whether or not a rental bond is paid.
- e) If you do not have enough space on the report you can attach additional pages. All attachments should be signed and dated by all parties to the residential tenancy agreement.
- f) Call **NSW Fair Trading** on **13 32 20** or visit **fairtrading.nsw.gov.au** for more information about the rights and responsibilities of landlords and tenants or before completing the condition report.

Where to go for help when you are renting

1. NSW Fair Trading looks after your bond money, manages the renting laws that cover tenancy agreements, and can provide help with renting problems through the free tenancy complaint service.
Contact NSW Fair Trading at fairtrading.nsw.gov.au or call **13 32 20**.
Language assistance on **13 14 50** (ask for an interpreter in your language)
2. Your real estate agent or landlord (record contact number here):
0418 236 273
3. Tenants' Advice and Advocacy Service at www.tenants.org.au