

Bond lodgements

At the start of a residential tenancy agreement a landlord can ask the tenant to pay a bond. The bond belongs to the tenant and is held in trust until the tenancy ends. At the end of the tenancy the landlord/agent may claim the bond if there is any money owed by the tenant e.g. cleaning costs, rent arrears.

Maximum amount of bond that can be taken

For rental properties where the rent payable is \$250 per week and under, the landlord cannot ask for a bond that is more than four weeks' rent. For rent over \$250 per week, a landlord cannot ask for a bond that is more than six weeks' rent. If a bond is not lodged within the required time frame an expiation notice may be issued.

Care should be taken when calculating the amount of bond the tenant is to pay to ensure that the amount taken does not exceed the relevant limit. E.g. where the rent is paid calendar monthly taking one calendar month's rent as bond would be more than the relevant limit.

Only **one** bond is allowed for each residential tenancy agreement and no extra security can be taken e.g. taking a 'pet bond' is illegal and may be subject to further investigation by CBS.

Receipt the bond

Whether the bond is paid with the tenant's own money or with a Housing SA bond guarantee, a landlord or agent must provide the tenant with a receipt within 48 hours after receiving the bond.

The receipt must specify what the payment relates to, the date the payment was received, the person who made the payment, the amount paid and the address of the premises. Where a receipt is issued for a bond guarantee, write on the receipt that a guarantee rather than a cash bond was received. If a receipt is not provided an expiation notice may be issued.

Lodge the bond

Bonds must be lodged with CBS within 2 weeks (or in the case of registered land agents, within 4 weeks) of receipt. All bonds received must be lodged within the required time frame, including:

- bonds that are paid by instalments - the first instalment should be noted as being a part bond payment. Once this is received by CBS, a bond number will be provided and this number can be provided when lodging, so that each payment can be linked
- where a bond lodgement form is not signed by the tenant - a copy of the lodgement form will be returned to the landlord/agent to obtain the tenant's signature at a later date
- a bond that is paid after a tenant has moved into the property - it is advisable to provide proof of when the bond was received at time of lodgement e.g. copy of the bond receipt.

The bond may be lodged together with a bond lodgement form (payment by Direct Debit, or cheque to the Residential Tenancies Fund), or online at www.sa.gov.au/residentialbonds.

A security bond guarantee provided by Housing SA must also be lodged within the prescribed time frame and must be lodged before the 'to be lodged by' date issued by Housing SA. The guarantee form must be signed by all parties to the bond. An unsigned guarantee form will not be accepted.

Bonds not lodged on time

If a bond is not lodged within the required timeframe an expiation notice may be issued.

Residential Bonds Online (RBO) service

RBO is a secure and fast way to lodge and manage bonds. Further information about RBO services is located at www.sa.gov.au/residentialbonds.

For further information contact Consumer and Business services on 131 882, or visit www.sa.gov.au/tenancy/renters