Government of South Australia
Housing Safety Authority

Fact Sheet

Rights and Responsibilities

Tenants

Tenants must take reasonable steps to comply with an action taken by the landlord to ensure that the premises are safe and suitable for human habitation.

Tenant must take reasonable steps to ensure that the premises are maintained in a reasonable state for purposes of human habitation.

Allowing reasonable access

If your landlord is issued with an order under the Housing Improvement Act, they, or a person contracted by them, must be allowed reasonable access to assess issues at the property or carry out works to comply with the requirements of the order.

If the premises is rented under a residential tenancy agreement, the landlord must give least forty-eight (48) hours' notice, at a reasonable time to the tenant, to carry out the requirements of a housing assessment order or housing improvement order.

Terminating a residential tenancy agreement

The landlord or agent cannot terminate your residential tenancy agreement within six months of the premises being inspected by the Housing Safety Authority, or if an order has been issued under the Housing Improvement Act. The landlord or agent must apply to the South Australian Civil and Administrative Tribunal (**SACAT**) if they seek to terminate your residential tenancy agreement.

Privacy

The Housing Safety Authority does not disclose to property owners or agents how it was notified about the substandard property. Investigations into substandard properties are treated as confidential.

Reporting a substandard property can be made anonymously. However, if we need further information from you, we may not be able to proceed any further with your report.

Tenants are not updated with the regulatory action taken by the Housing Safety Authority. Tenants may provide updates in relation to the premises' condition. Copies of documents, including inspection reports, are not provided to tenants.

Matters with SACAT

If there is an application made to SACAT or a hearing arranged, tenants are recommended to inform SACAT that the Housing Safety Authority is investigating the property's condition.

Disclaimer - *Information contained in this factsheet has been prepared for general information only and does not constitute legal advice.*

Notices to Vacate

Notices to Vacate may be issued when premises are too unsafe or unsuitable for human habitation. All occupants must vacate the premises within the timeframes detailed in the notice.

If an occupant does not vacate the premises as directed by a Notice to Vacate, the property owner or the Housing Safety Authority may apply to SACAT for an Order of Ejectment.

Offences

A person, including tenants and other occupants, must not provide false or misleading information to the Housing Safety Authority. A person, including tenants and other occupants, must not hinder or obstruct an authorised officer, or a person assisting an authorised officer, while conducting an inspection.

Further information about rights and responsibilities

For further information about rights and responsibilities and the minimum housing standards, refer to the following fact sheets or visit www.housingsafetyauthority.sa.gov.au.

- Rights and Responsibilities: Property owners and landlords
- Rights and Responsibilities: Property agents
- Rent reforms and the minimum housing standards

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