

Ending a tenancy

This fact sheet covers what to do when you are moving out of a rented property. See the **Breaking a lease** and **When you want to leave** fact sheets for more information about how and when you can give notice to end your tenancy.

When does the tenancy end?

Your tenancy ends when you vacate the property and hand in the keys. Make sure you hand in the keys as soon as possible, as you may be considered to be in possession of the property (and liable to pay rent) while you still have the keys.

If you gave notice to the landlord that you were leaving (see the **When you want to leave** fact sheet for more information), you can move out before the notice expires. However, you will still be liable for rent until the end of the notice period, unless the landlord finds new tenants before the notice period expires.

Condition of the property

When you move out, you must leave the property in a reasonably clean condition. This doesn't necessarily mean that you must steam clean the carpets, although landlords and agents often try to insist that you do this. What is considered 'reasonably clean' can depend on how long you have lived in the property and what state it was in when you moved in.

However, if you installed any fixtures or fittings (such as picture hooks) or made any alterations to the property, you must remove these and restore the property to its original condition. Otherwise the landlord may make a claim against your bond or make a compensation claim for the cost of restoration.

If possible, take photographs of the property after you have cleaned it. If you have the carpets steam cleaned or you hire equipment to do it yourself, make sure you keep the receipt. It is also a good idea to have a family member or friend look through the property so if necessary, they can give evidence about its condition when you moved out.

Ideally, you should arrange a joint inspection with the landlord or agent at the time that you move out. However you cannot insist on the landlord or agent inspecting the property with you.

Getting your bond back

At the end of the tenancy, you and the landlord or agent can decide how the bond should be paid out. You can agree that the bond be returned to you in full, or that part or all of the bond be paid to the landlord.

When you reach an agreement, both you and the landlord or agent must sign a Bond Claim form, which the landlord or agent must then send to the Residential Tenancies Bond Authority. The Bond Authority will then pay out the bond according to the form. The bond will be paid directly into the bank account you nominate on the form, (usually by the next business day after receiving the form).

If the bond was paid on your behalf by the Office of Housing, you cannot agree to pay some or all of it to the landlord. If they want to make a claim against your bond the landlord must apply to the Victorian Civil and Administrative Tribunal and name the Director of Housing as a party to their application.

➔ To prevent the landlord or agent from making a fraudulent claim on your bond money, never sign a blank Bond Claim form or leave any of \$ amount sections blank (including the 'Total amount payable to Landlord/Agent if applicable' section).

If you and the landlord or agent cannot agree, the landlord or agent must apply to the Tribunal within 10 business days of the end of your tenancy. The landlord cannot claim any money from your bond without your agreement or without an order from the Tribunal.

If you have moved out but you haven't got your bond back, you should apply to the Tribunal as soon as possible. There is no cost for applying for return of bond. See the **Bonds** fact sheet for more information.

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➡ It is illegal to refuse to pay your rent on the grounds that your bond can be used as rent.

Getting a reference

If you are moving to another rental property, you will almost certainly be asked for the name of your previous landlord or agent so they can be contacted for a reference. You may ask for a written reference when you leave, but your previous landlord or agent will probably be contacted anyway.

Utilities & mail

Before you move out, you should arrange to have the gas, electricity, water and phone disconnected at your old property on the day you move out, and connected at your new property. You should also have your mail redirected, which is done by filling out a form at any post office. There is a small fee for this service, and you will need some identification to prove you are the person whose mail is being redirected. See the **Utilities** fact sheet for more information.

You should leave a forwarding address with your landlord. It doesn't have to be your new home address—it could be a post office box or care of family or a friend. If you don't provide a forwarding address, you will not receive any notices from the landlord or Tribunal if they try to claim your bond or make a compensation claim against you, and a Tribunal order could be made against you without your knowledge.

For more information phone the Tenants Union Advice Line on ☎ (03) 9416 2577.