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Postal Address: GPO Box 3180, Darwin NT

Location: 8 Manton Street, Darwin, NT

## CONDITION REPORTS

The Residential Tenancies Act 1999 (NT) sets out the law about condition reports.

### Condition reports

A condition report records the condition of the premises, for example whether it is clean and in a reasonable state of repair. You may be asked to complete a condition report when you move in and out of a rental property. In this factsheet, a reference to a landlord generally includes a real estate agent or another person acting on the instructions of the landlord.

### Ingoing condition report

Within 3 business days of you moving into the rented premises, the landlord may complete and provide you with an ingoing condition report. The landlord must complete this in your presence, unless it is not practical to do so or you or someone acting your behalf does not turn up at the agreed time.

Within 5 business days of receiving the condition report, you can either:

- accept it by signing it and returning it to the landlord; or
- make changes, initial the changes and return it to the landlord.

If you do not make any changes, it is presumed that you agree that the condition report completed by the landlord is correct.

If you change a condition report and give it back to the landlord, within 5 business days the landlord can:

- accept the condition report by initialling the changes you made and giving you a copy; or
- come to an agreement with you about the contents of the condition report, which is confirmed by you and the landlord initialling changes that you both accept.

If the landlord does not either accept the changes you made to the condition report, come to an agreement with you about the changes, or apply to the Northern Territory Civil and Administrative Tribunal\* ('NTCAT'), the landlord is taken to have accepted your changes to the condition report.

### Where a dispute arises

If you and the landlord cannot reach agreement about changes you have made to the condition report, either can apply to the NTCAT within 5 business days of the landlord receiving the modified condition report. The NTCAT can ask the Commissioner of Tenancies to prepare ingoing condition report.



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### **Outgoing condition report**

Within 3 business days of you returning the keys to the premises at the end of the tenancy, the landlord may complete and provide you with an outgoing condition report. The landlord must complete this in your presence, unless it is not practical to do so, or you or someone acting on your behalf does not attend at the agreed time.

Once you receive the outgoing condition report, you can:

- accept the condition report by signing it and returning it to the landlord; or
- refuse to accept the condition report.

### **Where a dispute arises**

If you do not come to an agreement with the landlord within 7 business days of receiving the outgoing condition report, either you or the landlord can apply to the NTCAT. The NTCAT can ask the Commissioner of Tenancies to prepare the outgoing condition report.

See also the DCLS 'Security deposits (bonds)' factsheet.

***Contact Darwin Community Legal Service for further information.***

\*If you make an application to the NTCAT prior to approximately June 2015, you will need to use a Commissioner of Tenancies application form. Prior to making an application, contact the NTCAT for up to date information.