

Bills in Tenancies

Electricity, Gas and Water

As a tenant you may be required to pay for electricity, gas or water supplied to the property you rent (s 117).

You do not need to pay for council rates, landlord's insurance, body corporate fees or any other charges, levies, rates or taxes that may be charged to the property (s 117 and s 118).

Unless specifically included in your lease, tenants are expected to pay for personal items like internet, phone bills and home insurance (s 118).

TIP: If you are unsure whether you have to pay something you are being asked to pay, it is always a good idea to seek legal advice before paying it.

How do I know what I have to pay?

You are only required to pay for services that are:

- Included in your lease
- That the landlord (as the property owner) would otherwise have to pay for

If it is not written in your lease, you do not have to pay for electricity, gas or water, even if your real estate agent or landlord insists that you do.

If there are multiple groups of people living on a property, (e.g. a block of units or apartments, multiple dwellings on a rural property etc) then either: (s 118 (1)(c))

- each unit must be individually metered; or
- your lease must set out what you need to pay for, how your portion of the bill will be calculated, and how you are to pay this bill to the landlord.

If you are unsure whether your property is individually metered you can contact Jacana, PowerWater, your real estate agent or landlord to find out.

TIP: You should always ask to see a copy of the bill you are being asked to pay. This way, you can check the amount based off your usage and make sure that you are not being overcharged (s 118).

It is an offence for your landlord to ask that you pay a bill for electricity, gas or water if the amount charged has not been calculated in accordance with your lease.

Resolving disputes

If you disagree with the amount of a bill that you are being asked to pay or that you have already paid, you can apply to the Northern Territory Civil and Administrative Tribunal (NTCAT).

The Tribunal can determine the proportion of the bill that you have to pay as a tenant and can order that the landlord or real estate agent pay you back if you have already paid the full bill.



Excess water charges

If your lease has an excess water clause, you may be required to pay for water charges beyond a certain amount of usage (for example, usage beyond 125 kilolitres per quarter). It is important that you read your lease carefully so that you know what you will be required to pay and always ask to seek a copy of the bill.

TIP: Your lease cannot 'contract out' of or exclude the protections given to tenants under the *Residential Tenancies Act 1999*. This applies even after you have signed the lease or any other agreement. You should seek legal advice if you think that your real estate agent or landlord is trying to limit your rights as a tenant.

It is a good idea to insist that your lease says that the landlord or real estate agent must provide you with an excess water bill within 30 days after the bill is generated. That way, you will not get to the end of your tenancy agreement and have thousands of dollars in unpaid bills to pay.

My bill is much higher than usual, what can I do?

A bill that is much higher than normal, usually signals a problem such as a water leak, gas regulator leak, a faulty electrical appliance or that your usage was more than usual for the period that you are charged.

It is a good idea to check your previous bills and compare these to the current bill to work out if your usage seems accurate. A significant increase in usage could indicate a bigger issue (for example, a faulty air conditioner driving up electricity costs or leaking irrigation increasing your water usage).

Issues regarding the supply of gas, electricity or water are considered to be emergency repairs and you must immediately notify your landlord or real estate agent in writing. Your landlord or real estate agent has 14 days to carry out the repairs.

If you have previously notified your landlord or real estate agent of the issue and they haven't acted to fix it within a reasonable time, you may be able to claim compensation for the excessive bill.

It is a good idea to seek legal advice if your landlord or real estate agent is not responding to your repair requests.

Share house arrangements

All tenants are jointly and severally liable in a tenancy – this means that all tenants on a lease are responsible collectively and individually liable for the tenancy. Tenants living in a share house can be held responsible for the actions of another tenant living in the property.

The landlord or real estate agent can pursue all tenants on the lease for any unpaid amount of a bill, even if you have already paid your share (s 122(1)).

If disputes occur about individual usage and you have not been able to resolve the dispute, you can contact the Community Justice Centre for assistance in settling the dispute through mediation.



Factsheet

Helpful Resources and Further Information

Our website has a variety of factsheets to assist you in your tenancy, including:

- [Starting your tenancy](#)
- [Ending your tenancy](#)
- [Repairs and maintenance](#)
- [Understanding your lease \(tenancy agreement\)](#)

Useful Contacts

[Darwin Community Legal Service](#) | 1800 812 953

[Power and Water Corporation](#) | 1800 245 092

[Jacana Energy](#) | 1800 522 262

[Community Justice Centre](#) | 1800 000 473

[NT Civil and Administrative Tribunal](#) | 1800 604 622

[NT Consumer Affairs](#) | 1800 019 319

[ShelterMe](#) | online directory for homeless Territorians

[North Australian Aboriginal Justice Agency \(NAAJA\)](#) | 1800 898 251

[Northern Territory Legal Aid Commission](#) | 1800 019 343

[Katherine Women's Information and Legal Service \(KWILS\)](#) | 1800 620 108

[Domestic Violence Legal Service \(DVLS\)](#) | 8999 7977

[Central Australian Women's Legal Service \(CAWLS\)](#) | 1800 684 055

[Northern Australian Aboriginal Family Legal Service \(NAAFLS\)](#) | 1800 041 998

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Disclaimer: The information contained in this publication is a guide to the law in the Northern Territory. It is not a substitute for legal advice. You should talk to a lawyer about your particular legal issue. The information contained in this factsheet is current as of January 2022.