

Paying water charges

Your landlord can only ask you to pay water usage charges provided all the minimum criteria have been met.

Minimum criteria

The minimum criteria for passing on water usage charges is:

- the rental premises must be individually metered (or water is delivered by vehicle, such as those with water tanks on rural properties) and
- the charges must not exceed the amount billed for water usage by the water supplier and
- the rental premises must meet required 'water efficiency' standards.

Water efficiency standards

A rental property is only considered water efficient if it meets these standards.

Water efficiency devices	Minimum standard required
Internal cold water taps and single mixer taps for kitchen sinks and bathroom hand basins	A maximum flow rate of nine litres per minute
Showerheads	A maximum flow rate of nine litres per minute
No leaking taps	No leaking taps anywhere on the premises at the start of the tenancy or when the other water efficiency measures are installed

The requirement for sink and basin taps to have a maximum flow rate of nine litres per minute does not apply to other taps in the premises such as bathtub taps, laundry taps, outside taps for the garden, or taps which supply washing machines and dishwashers.

The landlord does not necessarily need to change the showerheads and tap fittings. The water efficiency

measures can be achieved simply by installing aerators or regulators to existing taps and showerheads and fixing any leaking taps on the premises.

Proving water efficiency

It is important to note the presence of the water efficiency measures on the condition report for the premises.

If you are unsure if the taps and showerheads in your property meet the required standards ask the landlord or agent to provide some form of evidence. You could carry out a simple bucket and stop watch test to see if, when fully turned on, the flow rate is less than 9 litres in a minute.

Timeframe for installing water efficiency measures

If you are entering into a new agreement from 31 January 2011 the landlord needs to ensure the premises are water efficient in order to pass on water usage charges.

For all tenancies in place **before** 31 January 2011, the landlord has 12 months to make the premises water efficient. You can continue to be asked to pay water usage charges during the transitional period even if the premises are not water efficient. **After** 31 January 2012, you can only be asked to pay if the premises have been made water efficient.

Charges limited to water usage

You are only responsible to pay water usage (volume) costs. Other costs on the water bill such as water service or sewerage services are payable by the landlord and you cannot be asked to pay them. The landlord or agent cannot charge you an administration fee for passing on the bill, late fees or other additional amounts.

Time to pay

You only have to be pay if the landlord or agent gives you a copy of the part of the water bill setting out the water usage charges payable, or some other evidence showing how your usage was calculated, within **3**

months of getting the bill. You must be given 21 days to pay the amount owing. So long as they request your payment within the 3 months, if you don't pay they can still take action to recover the money later on (e.g. making a claim against your bond or getting an order from the Consumer, Trader and Tenancy Tribunal).

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Things to know

Some important points to remember include:

- If you remove or tamper with the water efficiency devices you still have to pay for water usage and you may have to pay to replace them.
- If you think your water bill is too high, it may be helpful to contact your local water provider about average water consumption. A large increase in water usage may indicate a water leak on the property. You should let the agent or landlord know as soon as possible.
- Water billing periods are unlikely to align with tenancy agreements. It is important that the water meter reading be noted on the condition report at the start and end of each tenancy to ensure you are not paying for another tenant's water consumption.
- Tenants in social housing premises may have a different system applied for calculating and paying for water usage. Contact Housing NSW for further information.
- These provisions apply to all tenancies, regardless of the terms of any existing leases.

At a glance

Old laws	New laws
No water efficiency standards in place	Minimum water efficiency standards now required
No time periods	Time periods included for how long tenant has to pay and when requests

www.fairtrading.nsw.gov.au
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