



# PME MANUAL

## CHAPTER CONTENTS

### DETAILED GUIDE

PME Manual

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter. [www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

**Ensure you are using the latest PME chapter version by checking the version guide**

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Welcome to the PME manual and the PME system - Stacey Holt -

### Author of PME

### Company Director - Real Estate Excellence Academy Pty Ltd

PME is an acronym for **Property Management Excellence**. The PME system includes the PME manual in full version plus via chapter reference folders, training videos and hundreds of best practice forms. Your agency also has a tenancy sign up CD presentation that is posted to your office upon commencement of membership, plus a link from you tube is provided to enable effective time management, risk management and to ensure tenants are receiving the same information each time they enter into a tenancy agreement with your agency. If your agency ever misplaces the link, simply email us to receive.

PME member offices need to ensure their agency refers to the online version of the PME manual, as the online version has the most up to date information and is most current. The version number is on the footer of each page. The versions are updated online as required due to best practice changes, QCAT cases and or legislative updates. If your agency is ever in doubt as to the current version number, please email Real Estate Excellence or refer to [www.realestateexcellence.com.au](http://www.realestateexcellence.com.au). Members are advised of version updates via the member update service each month emailed to members (as per email addresses provided by the agency to Real Estate Excellence). The Member updates are also available to view online in the Member Updates folder. If an urgent change is needed to the PME manual due to a QCAT case and or legislative change, emails are sent to the main contact of the office to advise that an update to the manual has occurred.

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide

## Chapter Folder online/01

## Property management – an overview

- 1.1 What is the role of a property manager?
  - 1.1.1 The key to property management success
- 1.2 Rent collection commission
- 1.3 Letting commission
- 1.4 Fees generally
- 1.5 Expenses
- 1.6 Terminology and explanations of legislation
- 1.7 The legislation generally and how to find the legislation
  - 1.7a Offences and penalties under the RTRA Act
  - 1.7b Penalties and breaches of the PO Act
- 1.8 Setting up a property management division – an overview
  - 1.8.1 What KPI's should you use for property managers?
- 1.9 Notices - what are they?
  - 1.9a Serving notices and approved forms - issuing, serving, giving
  - 1.9b QCAT and postage time frame
  - 1.9D Notice periods expiring on weekends and public holidays
  - 1.9E Counting notice periods in days, months and hour periods
- 1.10 When the RTRA Act does and does not apply
- 1.11 Definition of terms used in the RTRA Act
- 1.12 Task management versus portfolio management

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.  
[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide

1.13 How many properties can one property manager manage?

## **Chapter Folder online/02**

## **Prospecting and new business**

2.1 Landlord listing booklet – how to use and what to do

2.1.1 Example scripts for phone enquiry

2.1.1a Example scripts for email enquiry

2.1.1b Face to face appraisal and listing presentation tips

2.1.2 Tenant enquiry

2.2 Recommended tasks to grow the rent roll

2.3 Database set up – suggested ways

2.4 Newsletters and content suggestions

2.5 Daily, weekly, monthly plans

2.6 Other growth tips suggestions

2.7 Survey existing lessors

2.8 Direct marketing and the law

2.9 Compliance checklist

2.10 Suggested growing the rent roll business plan

2.11 Overcoming price objections and dealing with 'discount requests'

2.12 Landlords objecting to paying an administration fee

2.13 What am I paying management fees for?

2.14 What am I paying the letting fee for?

2.15 I don't want to sign an agreement just yet. Find me a tenant and I will then sign.

2.16 What am I paying tribunal presentation fees for?

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Chapter Folder online/03

## The management agreement & landlord obligations

- 3.1 The Management Agreement
  - 3.1a PAMD Form 20a
    - 3.1.1 Exclusive management agreements
      - 3.1.1a Assignment of appointment
    - 3.1.2 Termination of management agreements
    - 3.1.3 Prior appointment of another agency
    - 3.1.4 Lessor monies and the trust account
    - 3.1.5 Best practice documents to form part of management agreement
  - 3.2 Let only and multi listing appointments
  - 3.3 Other matters when listing property for rent
    - 3.3.1 Rental appraisals
      - 3.3.1a What to look for when inspecting property before listing for rent
    - 3.3.2 Rental listing sheet
      - 3.3.2a Furnished properties
    - 3.3.3 Landlord disclosure statement
    - 3.3.4 Title search
      - 3.3.4.1 Identification of lessors and setting up passwords for lessors
    - 3.3.5 Lessor obligations generally
      - 3.3.5a Minimum housing standards
    - 3.3.6 Disclosure of death and other matters to prospective tenants
    - 3.3.7 Lessor insurance details
    - 3.3.8 Pest control
    - 3.3.9 Light bulbs, gutters, gardens, house washing, trimming of trees
    - 3.3.10 Mould

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



- 3.3.11 Body corporate by laws
- 3.3.12 Legal impediment
- 3.3.12a Vacant possession requirements
- 3.3.13 Pools and Spas
- 3.3.13a Risk management and best practice (pools)
- 3.3.13b Pool information for tenants
- 3.3.13c Definition of a swimming pool
- 3.3.14 Safety switches
- 3.3.15 Smoke alarms
- 3.3.15a Smoke alarm amendments January 2017
- 3.3.15.1 Smoke alarms and risk management recommendations
- 3.3.16 Keys and locks
- 3.3.17 Telephone lines and internet
- 3.3.17a NBN and NBN batteries
- 3.3.18 Television aerials/antennas
- 3.3.19 Solar Panels
- 3.3.19.1 If the tenant does not pay the solar panel invoice
- 3.3.20 Supply of goods and services
- 3.3.21 Gas bottles and gas certificates
- 3.3.22 Curtain and blinds cords
- 3.3.22.1 Window coverings at the rental property
- 3.3.23 Outgoing charges for the property that the lessor is responsible for
- 3.3.24 Electricity to the property is not separately metered
- 3.3.24a When a property is broken into

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



3.3.24b When the tenant damages the property (such as broken glass)

3.3.24c When an invoice is owing due to tenant reporting maintenance and nothing wrong

3.3.25 Asbestos and rental property

3.4 Taking over management from another agent or lessor

3.4a Taking over management from a private lessor – a case study

3.4b Tenancy agreement taken over by another agent or lessor during the tenancy

3.5 Preparing a property for rental

3.6 How many people can live in rental property

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Chapter Folder online/04

## Advertising and showing property

- 4.1 Writing advertising copy
  - 4.1.1 Advertising expenditure and approval
- 4.2 Rent must be advertised at fixed rental amount
- 4.3 Showing property – safety and presentation
- 4.4 Showing property with a tenancy still in place
- 4.5 Vacant property reports and dealing with vacant property
- 4.6 Tenant enquiry and working with prospective tenants
- 4.7 Vacant property and landlord insurance
- 4.8 Advertising free rent as an incentive



The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Chapter Folder online/05

## Application forms and processing

- 5a Tenancy applications and processing; an overview
- 5b Tenants who apply for property via email
- 5.1 Key factors in assessing applications
  - 5.1a Requirements under the RTRA Act – tenancy database disclosure
  - 5.1b Disclosure to tenant requirements if listed on a tenancy database
    - 5.1.1 Guarantors
- 5.2 A person under the age of 18
- 5.3 Discrimination law
  - 5.3.1 Common questions about discrimination law and renting
- 5.4 Presenting application forms to the lessor
  - 5.4a Head leases (affordable housing)
    - 5.4.1 Offer and acceptance – lessor or tenant withdraws offer
    - 5.4.2 Lessors right to receive applications
      - 5.4.2a Tenants right to receive applications
- 5.5 Pets and smoking
- 5.6 Business applications
- 5.7 Approving tenants
  - 5.7a If the tenant does not pay monies within the required time frame upon acceptance
    - 5.7.1 Approved and un approved occupants
- 5.8 Binding the tenant lawfully and acting in the lessor's best interest
  - 5.8.1 Holding deposits
  - 5.8.2 Setting up passwords for tenants to access information
- 5.9 Face to face appointments for tenancy sign up
- 5.10 Script for tenancy sign up in lieu of using the sign up Cd presentation

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



- 5.11 Tenants who cannot come into office for sign up appointment
- 5.12 Sign up script to send via email
- 5.13 Declined tenancy applications
- 5.14 Contracting outside the Act
- 5.15 Doubling up and inconsistency
- 5.16 Tenants who do not sign the lease in the office and witnessing signatures

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.  
[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Chapter Folder online/06

## Tenancy sign up, best practice, law and documents

- 6.1 Required forms for tenancy sign ups
- 6.2 Fixed term and periodic tenancy
  - 6.2a Tenancies of 6 weeks or lease
    - 6.2.1 Offer and acceptance – lessor withdraws offer of lease
- 6.3 Standard terms and special terms of the agreement
  - 6.3a Lessor name on the Form 18a
- 6.4 Entry condition report
  - 6.4a Tenant does not return the entry condition report
- 6.5 Providing the lessor with a copy of the entry condition report
- 6.6 Best practice procedures and the entry condition report
  - 6.6a Tenant identifies maintenance on the entry condition report
  - 6.6b Report returned to agency not agreed upon
- 6.7 Bonds and bond lodgement requirements
  - 6.7.1 RTA Form 2 – Bond lodgement form
  - 6.7.2 RTA Form 2 – Part payment of bond form
- 6.8 The importance of the tenant acknowledgement form
- 6.9 Carpet cleaning, Pest control and the RTRA Act

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Chapter Folder online/07

## Rent payment methods and rent matters generally

- 7.1 Approved rent payment methods and advising tenants of costs
  - 7.1a Changing rent payment methods during a tenancy agreement and or when taking over a management with existing tenancy agreement
- 7.2 Payment of rent by electronic transaction
  - 7.2a Receipting rent monies
- 7.3 Dishonour fees and tenants
- 7.4 Rent in advance
- 7.5 Rent payment can only be applied to rent

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide

## Chapter Folder online/08

## Rent arrears

- 8a Notice periods expiring on weekends and public holidays
- 8b How to calculate notice periods
- 8.1 Rent arrears procedures
  - 8.1.1 Day 8 of rent arrears – notice to remedy breach
- 8.2 Advising the lessor of the breach
  - 8.2.1 If a tenant fails to remedy a breach for rent arrears and the time frame for the next step
- 8.3 If a notice to leave for unremedied breach has been issued
- 8.3aa Withdrawing a notice to leave for unremedied breach
- 8.3a What tribunal will consider regarding a failure of the tenant to leave for unremedied breach (rent)
- 8.3b Following through on a notice to leave when the tenant pays the rent
- 8.4 Time frame for lodging Tribunal papers after a notice to leave expires
- 8.4a Warrant of possession information
- 8.5 Repeated breaches
  - 8.5.1 What tribunal will consider when an application for repeated breaches is made
- 8.6 Rent in advance
- 8.7 Rent accrues daily
- 8.8 The importance of lessors acting on arrears notices
- 8.9 When a notice is deemed served upon a tenant (and lessor/agent)
- 8.10 Claiming compensation from tenants for loss of rent via tribunal
- 8.11 Notice periods when posting
- 8.12 If a notice to leave has an error
- 8.13 Tenant remaining in possession after a termination order
- 8.14 Rent can only be applied to rent

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



- 8.15 Payment of rent by electronic transaction
- 8.16 Payment plans and rent arrears
- 8.17 Texting/sms tenants and rent arrears– contact, frequency and procedure

(c) Real Estate Excellence

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.  
[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Chapter Folder online/09

## Inspections and entry

- 9a Notice periods expiring on a weekend or public holiday
- 9aa How to calculate notice periods
- 9.1 Inspections, best practice and the law
  - 9.1a How often can an agent/lessor carry out a routine inspection?
  - 9.1aa System for completing routine inspections
- 9.2 Taking of photos
  - 9.2a Looking inside cupboards during inspection
- 9.3 Reporting to the lessor and system of reporting
  - 9.3a Tenant requests a copy of the inspection report
- 9.4 Follow up
- 9.5 Grounds (reasons) for entry under the Act
- 9.6 Significant breaches during the tenancy
- 9.7 If the tenant refuses entry
- 9.8 What property managers should do when carrying out a routine inspection
  - 9.8.1 Tenant not keeping the property clean
  - 9.8.2 Tenant caused damage to the property
  - 9.8.3 High risk situations
  - 9.8.4 Tips on how to complete routine inspections
  - 9.8.5 Times inspections can be carried out or entry can be gained
  - 9.8.6 RTA Fact sheet regarding entry to the rental property
- 9.9 When a notice is deemed served to a tenant (and lessor/agent)
  - 9.9.10 Lessor does not provide exclusive use of the property and wants access (such as a shed)
- 9.10 Entry without giving notice – emergencies and entry by Police

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide

9.11 When a minor (person under 18) is the only person at home during inspection

9.12 Entry tips from the RTA

## Chapter Folder online/10

## Tenant obligations in general

10.1 Tenant obligations and the Act

10.2 Tenants use of the premises

10.3 Tenant attaching fixtures or making structural changes

10.4 Tenant obligations to notify damage and maintenance

10.5 Tenants running a business from a rental property

10.6 Tenants using the premises for an illegal purpose

10.7 Enforcing rules of entry

10.8 Tribunal application to resolve disputes during the tenancy

10.9 Subletting

10.9a Charging tenant for subletting

10.9b Head leases (affordable housing)

10.9c Airbnb

10.10 Approved and unapproved occupants

10.11 Prostitution and rental property

10.12 Tenants and hoarding

10.13 When a property is broken into

10.14 When the tenant damages the property

10.15 When an invoice is owing due to tenant reporting maintenance and nothing is wrong

10.16 Yard and gardens

10.17 Pools and pool maintenance



The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide

10.18 Serious problems during a tenancy

10.19 Breach of agreement during the tenancy enforcement in tribunal

#### **Chapter Folder online/11**

#### **Rental property for sale**

11a Salespeople and rental property

11.1 Disclosure to tenants prior to commencing tenancy

11.1a When a Form 10 Notice of intention to sell should be given to tenants – the law

11.1.1 Entry requirements to access the rental property

11.1.2 Handing out of keys to salespeople

11.2 If a rental property goes on the market for sale in the first 2 months of a tenancy

11.3 If a tenant refuses entry to show buyers through

11.4 Notice periods for entry and how to calculate notice periods

11.4a Notice periods expiring on a weekend or public holiday

11.4aa Building and pest inspections and sales

11.4.1 Taking photos

11.4.2 Open homes and onsite auctions

11.5 Notice periods for vacant possession for a contract of sale

11.6 Transfer of the tenancy by the lessor – the attornment notice

11.8 Listing a property for rent that has not yet settled

11.9 The RTRA Act and contract of sale – the seller becomes the tenant

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Chapter Folder online/12

## General breaches of the tenancy by tenants

- 12a Notices expiring on weekends and public holidays
- 12aa How to calculate notice periods
- 12.1 The approved form – RTA Form 11
- 12.2 Breach notice period
  - 12.2.1 Notice period when posting
- 12.3 Examples of common breaches
  - 12.3a Noise
    - 12.3aa Tenancy agreement taken over from another agency or lessor during the tenancy
  - 12.3b Breaches and body corporate
  - 12.3c Approved and unapproved occupants
  - 12.3d Gardens, trees, yard maintenance
  - 12.3e Pools and pool maintenance
    - 12.3.1 If the tenant does not remedy the breach and the time frame to take the next step
      - 12.3.1a What tribunal will consider regarding a failure of the tenant to leave for unremedied breach
- 12.4 Reasons breaches can be given to tenants
  - 12.4.1 Significant breaches
- 12.5 Repeated breaches
  - 12.5.1 What tribunal will consider when an application for repeated breaches is made
- 12.6 Section 419 – time frame to enforce breaches
- 12.7 Tenant does not pay an invoice
  - 12.7a Rent can only be applied to rent
- 12.8 Tribunal and resolving disputes during a tenancy
- 12.9 Objectionable behaviour of a tenant

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.  
[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



12.9a Damage to the property and behaviour - QCAT

12.10 Claiming rent compensation from tenants who have breached the agreement which ended the tenancy

12.11 Unregistered cars and parking cars on the footpath

12.12 Electricity to the property is not separately metered

12.13 Solar Panels

12.13a Tenant does not pay invoice for solar panels

12.14 Breach of agreement during the agreement enforcement via tribunal

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide

## Chapter Folder online/13

## Maintenance

- 13.1 Maintenance – an overview
  - 13.1a Lessor and trust monies expenditure
    - 13.1aa How to calculate notice periods
- 13.2 Emergency maintenance
  - 13.2.1 Procedure for emergency maintenance
- 13.3 Routine maintenance
- 13.4 Lessor obligations and maintenance
  - 13.4a Minimum housing standards
- 13.5 Tenants' obligations and rights regarding maintenance
  - 13.5a If a tenant issues a Form 11 or Form 13 and is disputed by the lessor (maintenance)
- 13.6 Maintenance policy for agencies
- 13.7 Maintenance policy of the agency for lessors
- 13.8 Maintenance policy of the agency for tenants
- 13.9 Appointing contractors and tradespeople
- 13.10 Maintenance work orders
- 13.11 Lessor wishing to carry out their own maintenance
- 13.12 Lessor wishing to use their own contractors for maintenance
- 13.13 Lessor failing to carry out maintenance – a possible risk
- 13.14 Preventative maintenance
- 13.15 Tenant refusing entry to carry out maintenance
  - 13.15.1 Entry for renovations and or improvements to the property
- 13.16 Email/Letter scripts to communicate maintenance to lessor and tenant
- 13.17 Rent reductions and maintenance
- 13.18 Request for funds from the lessor to pay for maintenance, renovations, accounts

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



13.19 Contracting outside the Act

13.20 If a tenant issues a Form 11 that is not agreed upon or in dispute

13.21 What property managers need to know about notifiable plumbing and drainage work

13.22 If the lessor does not pay invoices due to contractors

13.23 What building works require a QBCC licence

(c) Real Estate Excellence

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.  
[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Chapter Folder online/14

## Break leases/Breach of Agreement

- 14.1 What is a break lease?
  - 14.1a Three types of 'break lease tenants' – tenants not giving a date to vacate
    - 14.1.1 Ending the tenancy via mutual agreement
- 14.2 Excessive hardship and the tenant
  - 14.2.1 Excessive hardship and the lessor
- 14.3 Break lease procedure
- 14.4 The legislation generally and more procedures
  - 14.4a Charging the lessor the letting fee before the tenant pays
    - 14.4.1 Compensation from a tenant due to break lease and or early ending of the tenancy - tribunal
      - 14.4.1a Advertising the property for a lower rent for a break lease
      - 14.4.1b Advertising the property for a higher rent for a break lease
- 14.5 If the tenant hands the keys in to the property for a break lease
- 14.6 Rent arrears and break lease
- 14.7 Tenant gives a form 13 (or notice) and vacates the property (break lease)
- 14.8 RTA and QCAT articles

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Chapter Folder online/15

## Change of shared tenancies

- 15.1 What is a change of shared tenancy?
  - 15.1.1 The legislation
- 15.2 One or more tenants moving out of the property (one or more tenants remaining)
- 15.3 One or more new tenants moving into the property (with existing tenant remaining)
- 15.4 Charging tenants for change of shared tenancy arrangements
- 15.5 Disputes between co-tenants and approved occupants
- 15.6 Change of shared tenancies and the RTA
- 15.6 Subletting
- 15.7 Named tenant vacates and does not give notice

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Chapter Folder online/16

## Water and tenancies

- 16.1 When can water charges be passed to a tenant?
  - 16.1a Water compliance certificates
  - 16.1b Reading of water meters
- 16.2 What are water efficient properties?
- 16.3 How can the lessor prove the property is water efficient?
  - 16.3.1 What tribunal considers in the event of dispute
- 16.4 Invoicing tenants for water plus when does the lessor must pass the water bill onto the tenant
  - 16.4a QCAT articles and water
  - 16.4b Property made water efficient during the term of tenancy
- 16.5 Water tanks
- 16.6 Septic Tanks
- 16.7 Water and vacates



The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## **Chapter Folder online/17    Lease renewals, rent and bond increases**

17a    Longer term tenancy leases

17.1    Lease renewal procedure

17.1.1 Factors to consider when carrying out a lease renewal

17.1.2 Fixed term lease extension agreement

17.2    Rent increases

17.2.1 Rent increase - Fixed term to another fixed term agreement

17.2.2 Rent increase – Periodic agreement

17.2.3 Rent increase – Periodic agreement to fixed term agreement

17.2.4 Rent increase – During a fixed term agreement

17.2.5 Tenants' rights in disputing a rent increase

17.3    Notice periods and rent increases

17.3a Notice periods expiring on a weekend or public holiday

17.4    Minimum period before rent can be increased

17.5    Significant changes from one fixed term agreement to another fixed term agreement

17.6    Bond increases

17.7    Rent decreases

17.8    Offer and acceptance – withdrawal of lease renewal offer

17.9    How to calculate notice periods

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide

## Chapter Folder online/18

## Lawfully ending a tenancy

- 18a Notices expiring on a weekend or public holiday
- 18aa How to calculate notice periods
- 18.1 Ending a tenancy lawfully
  - 18.1a Requesting a forwarding address from a tenant
- 18.2 Notice to leave – Form 12 - reasons a notice can be given to a tenant
  - 18.2a Notice of Intention to Leave - RTA Form 13 – reasons a tenant can give notice
    - 18.2.1 Requirements for a notice to leave without grounds
      - 18.2.1a Tenants' rights to dispute a notice to leave without grounds
      - 18.2.1b If a notice to leave has an error
    - 18.2.2 Withdrawing a notice to leave for unremedied breach
    - 18.2.3 Enforcing a notice to leave
      - 18.2.3a Following through on a notice to leave when the tenant pays the rent
      - 18.2.3b Warrant of possession information
- 18.3 Notice of intention to leave – Form 13
  - 18.3.1 Withdrawal of a notice of intention to leave by the tenant
  - 18.3.2 If the tenant fails to leave as per the Form 13
- 18.4 Death of a sole tenant
  - 18.4.1 Death of a co tenant
- 18.5 Order of Tribunal
  - 18.5.1 Lessor/Agent applications to Tribunal to terminate the tenancy
  - 18.5.2 Tenant remaining in possession after a termination order by tribunal
  - 18.5.3 Tenant applications to Tribunal
- 18.6 Mutual agreement- ending the tenancy

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## 18.7 Abandonment

### 18.7.1 Goods left at the property

### 18.7.2 Documents left at the property

### 18.7.3 Procedure for abandonment

### 18.7.4 Compensation and abandonment

### 18.7.5 RTA Fact sheet on abandonment

## 18.8 Mortgagee in possession

### 18.8.1 Procedure for mortgagee in possession

## 18.9 Notice periods

## 18.10 Domestic violence in rental property

## 18.11 Giving notice requirements

### 18.11.1 Giving notice and text messaging

## 18.12 Non Liveability – when is a property deemed unliveable?

### 18.12a Rent reduction instead of ending the tenancy – fire, flood or another event

## 18.13 If a tenant ends the tenancy due to Form 11 or Form 13 and is disputed by the lessor

## 18.14 If the tenant goes to jail during the tenancy

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Chapter Folder online/19

## Vacates and vacate procedures

- 19 The Vacate “pack”
- 19a Pre Vacate service
- 19.1 Exit condition report and when to carry out the final inspection
- 19.1a Handing over of the keys by the tenant at the end of tenancy
- 19.2 Inviting the tenant to the final inspection and tenant opportunity to attend to matters outstanding
- 19.3 Notice periods for termination (Lessor/Agent)
- 19.3a Notices expiring on a weekend or public holiday
- 19.4 Goods left at the property
- 19.4.1 If goods are under \$1500 in value
- 19.4.2 If goods are over \$1500 in value
- 19.5 Documents left at the property
- 19.6 What to look for when carrying out a final inspection
- 19.7 Charging tenants for loss of rent compensation
- 19.8 Vacates and public holidays
- 19.9 Rental references for past tenants
- 19.10 What is wear and tear?
- 19.11 Carpet cleaning, pest control and the RTRA Act
- 19.12 Break lease and or early ending of the tenancy
- 19.13 Water and vacates

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Chapter Folder online/20

## Bond refunds and dispute procedures

- 20 Meaning of rental bond
- 20.1 RTA bond refund procedure
- 20.2 When to claim the bond and if the vacate is disputed by the tenant
- 20.3 If dispute resolution is not successful
- 20.4 Non urgent application to Tribunal
- 20.5 If the tenant makes claim to the bond prior to agency claim
- 20.5a If the tenant is awarded the bond due to agency error or oversight
- 20.6 Monies owing over the bond
- 20.7 Request for lessors to pay maintenance, renovations, accounts
- 20.8 If the lessor does not pay invoices due to contractors
- 20.9 Bond audit recommendations
- 20.10 Disbursing bond monies paid by the RTA to the agency

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## **Chapter Folder online/21**

## **Dispute in general**

21.1 Self-resolution tips

21.2 Objectionable behaviour of tenants

## **Chapter Folder online/22**

## **Tenancy default databases**

22a Disclosure to tenant requirements about databases

22b Q & A – tenancy database laws as of July 1 2016

22.1 Reasons a tenant can be listed on a default tenancy database

22.2 What must occur prior to a tenant being listed on a defaulting database

22.3 Requirements to give tenants copies of database listings

22.3a Requirements about quality of listings

22.3b What happens if the circumstances about the listing change?

22.3c What database operators must do

22.3d Victims of domestic or family violence protections

22.4 Record keeping for listings

22.5 Common providers of database services

22.6 What are the penalties for breaching tenancy database laws?

22.7 QCAT and tenancy databases

22.8 Tenancy database legislation

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide

### **Chapter Folder online/23**

### **Time management**

- 23.1 Property Management Tasks
- 23.2 Planning task and ideal day, week and month
- 23.3 Time diary

### **Chapter Folder online/24**

### **Filing, record keeping, general procedures**

- 24.1 Filing procedures
- 24.2 Record keeping requirements and legislation
- 24.3 Electronic record keeping
- 24.4 Checking signatures for lessors and tenants
- 24.5 Authority for either party to sign – lessor
- 24.6 Lessor wants another name on the management agreement (maiden/married name)

### **Chapter Folder online/25**

### **Files notes and follow up**

- 25.1 File note procedures – computer and manual systems
- 25.2 Follow up procedures

### **Chapter Folder online/26**

### **Lost and terminated managements**

- 26.1 Lessor termination of the management agreement
- 26.2 Agency termination of the management agreement
- 26.3 Handing over the property to the lessor or another agent
- 26.4 Lost property reporting
- 26.5 Death of a lessor
- 26.6 Taking over a management from another agent or lessor
- 26.7 Representation of lessor when termination occurs

### **Chapter Folder online/ 27**

### **Trust accounting**

- 27.1 General trust account obligations

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.  
[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



- 27a Lessor monies and trust monies expenditure
  - 27.1a Receipting
    - 27.1.1 Printing of receipts
  - 27.2 Banking
  - 27.3 Mid-month and end of month
    - 27.3.1 Withholding trust monies
      - 27.3.1a Tenant overpays rent and is due a refund of monies paid
  - 27.4 What must be printed at end of month
  - 27.5 Electronic back ups
  - 27.6 Auditing requirements generally
  - 27.7 Bond monies
  - 27.8 Accounting to clients
    - 27.8.1 Disbursing clients funds from the trust account
  - 27.9 Unclaimed monies from the trust account
  - 27.10 Trust monies in dispute
  - 27.11 Changing lessor or other third party banking details
    - 27.11a Lessor wants another name on the management agreement (maiden/married name)
  - 27.12 Reconciliation of the trust account
  - 27.13 Reversing trust account receipts
  - 27.14 Providing tenants with receipts for rent payments
  - 27.15 Request for funds from the lessor to pay for maintenance, renovations, accounts
  - 27.16 If the lessor does not pay invoices due to contractors
  - 27.17 End of financial year statement
  - 27.18 Disbursing bond monies paid to the agency by the RTA
  - 27.19 Trust and non trust money



The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide

27.20 Refunding fees when management is terminated

27.21 Drawing lessor's money from the trust account – the law and best practice

**Chapter Folder online/28**

**RTA forms overview**

**Chapter Folder online/29**

**Keys and the key register**

29.1 Logging of keys

29.2 Key register

29.3 Providing keys to a third party

29.4 The law and keys

29.5 If the tenant loses keys for the property

**Chapter Folder online/30**

**QCAT – Tribunal**

30.1 An overview of Tribunal

30.1a Time frame for making QCAT applications

30.2 Tribunal forms

30.2.1 QCAT application process

30.3 What happens at tribunal and presenting in Tribunal

30.3.1 Representation of the lessor and the licensee

30.4 Urgent and Non-urgent applications

30.4a How to receive a notice of unresolved dispute (NURD) without RTA conciliation

30.4.1 Example best practice completed urgent and non-urgent applications

30.4.1a If there is no forwarding address for a tenant

30.4.2 QCAT Form 8 – Counter application and or submissions

30.4.3 Tenant claim for compensation outside of a six month time frame

30.5 Appeals

30.5a Request for written reasons

30.6 Reopening of applications

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



- 30.7 Enforcement of Tribunal decisions
  - 30.7a Renewal of decisions
- 30.8 Tribunal training at member online
- 30.9 Published decisions and appeals
- 30.10 If the tenant makes application to Tribunal and does not name the lessor as respondent
  - 30.10a If QCAT does not accept the Form 45 (join the lessor to a proceeding)
  - 30.10b If an order is made in the agency name (instead of lessor)
- 30.11 Compensation from the tenant for failing to meet their tenancy obligations
  - 30.11a Monies owing above the bond and when there is no bond
    - 30.11.1 If a tenant ends the tenancy due to Form 11 or Form 13 and is disputed by the lessor
- 30.12 Declining representation of the lessor at tribunal and or management no longer in place
- 30.13 Where hearings can take place
- 30.14 Tips for preparing and presenting in tribunal
  - 30.14a Electronic evidence and tribunal
- 30.15 Stay applications – what are they?
- 30.16 Why QCAT hearings are public
- 30.17 Withdrawing an application made to tribunal
- 30.18 If the tenant is awarded the bond due to agency error or oversight – no bond held
- 30.19 Correcting a tribunal error/mistake
- 30.20 Dictionary and definitions of words used in QCAT
- 30.21 The tenant owes money and there is no bond
- 30.22 When tribunal reserve their decision
- 30.23 QCAT and the RTA – the big difference

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide

## 30.24 Evidence and witnesses

### Chapter Folder online/31 – Property Occupations regulations

Property Occupations regulations – The Conduct standards and how they apply to property management

### Chapter Folder online/32

### Agency policies in general

- 32.1 Customer service communication policy
- 32.2 When staff are going on leave or are absent for more than one day
- 32.3 Privacy and confidentiality
- 32.4 Complaints policy
- 32.5 In the event of a claim or incident (at a property) being made against the agency
- 32.5a When a tenant advises of an injury or event at the rental property
- 32.6 Staff security and safety
  - 32.6.1 In the office
  - 32.6.2 Out of the office
  - 32.6.3 Driving and cars
  - 32.6.4 Mobile phones and vehicles
  - 32.6.5 Clothing for work
  - 32.6.6 Social media use and policy
  - 32.6.7 Job Description examples for Property Managers and Assistants
  - 32.6.8 Discrimination, Sexual Harassment and Bullying
- 32.7 Privacy and agency policies
- 32.8 Email etiquette tips
- 32.9 Electronic signatures
- 32.10 Other agency policies
- 32.11 When do staff need to be registered with the Office of Fair Trading
- 32.12 Professional Indemnity insurance and property management

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.  
[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



32.13 Cyber security and your business

32.14 Safety in the workplace

32.15 Setting up a property management department tips

### **Chapter Folder online/33**

### **Landlord listing booklet/guide**

The word document can be downloaded at member online folder landlord listing booklet. All that is needed is minor edits to personalise to suit your office, add agency logo and agency information and pdf the file ready for print and or electronic sending to landlords. Ensure the booklet is read thoroughly your agency to ensure best practice recommendations discussed are provided by your office. Download the booklet at folder 33 and or folder 02.

### **Chapter Folder online/34**

### **Natural disasters and rental property**

34.1 Disaster management best practice guide – the law and best practice

### **Chapter Folder online/35**

### **Tree and fencing laws**

35.1 An overview of tree and fencing laws for sales and rental property including scripts for clients as to why the agency cannot deal with private civil matters

### **Chapter Folder online/36**

### **Drugs in rental property**

36.1 Meth testing of rental property

36.2 Drugs labs suspected or found in rental property

36.3 Meth labs and clean ups

36.4 Property becomes unlivable due to contamination from meth

36.5 When drugs in rental property – the law and risk management

### **Chapter Folder online/ 37**

### **Pool safety laws**

The law and best practice

### **Chapter Folder online/38**

### **Relevant legislation for PM's – references**

### **Chapter Folder online/39**

### **Rural Properties**

39.1 Dams

39.2 Livestock, fences and weed control

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



- 39.3 Mowing and yard maintenance
- 39.4 Machinery
- 39.5 Rubbish and waste
- 39.6 Rain water tanks
- 39.7 Pumps, tanks and water treatment
- 39.8 Bores and bore pumps
- 39.9 Septic tanks
- 39.10 Wastewater treatment (grey water)

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Sales Excellence manual contents guide

Chapter 1	Residential sales overview
Chapter 2	Enquiries, databases and prospecting
Chapter 3	The listing appointment and listing the property
Chapter 4	Advertising and showing property
Chapter 5	Rental property for sale
Chapter 6	Disclosure and the law
Chapter 7	Beneficial interest and the law
Chapter 8	Auctions and the law
Chapter 9	Pricing, appraisals and the law
Chapter 10	Contracts
Chapter 11	Time management
Chapter 12	Filing and record keeping
Chapter 13	File notes and follow up
Chapter 14	Property Occupations regulations

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



Chapter 15	Agency policies in general
Chapter 16	Relevant legislation references
Chapter 17	Clearance certificates
Chapter 18	Trust accounting

The best practice forms and other information referenced throughout the PME manual can be found at member online in the corresponding folder number to the chapter.

[www.realestateexcellence.com.au](http://www.realestateexcellence.com.au).

Ensure you are using the latest PME chapter version by checking the version guide



## Disclaimer

The information provided by Real Estate Excellence is of a general nature only and is not intended to constitute legal advice under any circumstances. Individuals should consider their own circumstances before proceeding to rely upon any information provided by Real Estate Excellence. Whilst care has been taken in best practice advice provided, and the information contained in it has been obtained from sources that Real Estate Excellence believe to be reliable, Real Estate Excellence (including its directors, officers, employees and contractors) does not warrant, represent or guarantee the accuracy, completeness or fitness for purpose of that information. Real Estate Excellence (including its directors, officers, employees and contractors) accordingly does not accept any responsibility, liability, loss or damage whatsoever resulting from the use of the information provided. By using the services of Real Estate Excellence, Clients acknowledge that they have read, understood and accepted this disclaimer of liability.