

RENTING AND HOME MODIFICATIONS

If you are renting, you can do home modifications as long as you first get the permission from the Owner of your house either from them or through the Real Estate agent.

You need to get permission in writing before you start any work. Tell them what you want to do and explain that you will pay for the modification and its removal when you leave the house. You will need to 'make good' (fix up any damage to the house where you put in the home modification) when you leave the house.

You must wait until your landlord replies in writing giving you consent before starting any work.

In most cases, if the home modification is minor, such as the five home modifications outlined as part of this App, permission will be given to do the work.

A letter for your landlord is attached.

Your landlord should give consent for a change that is minor.

For more information, you could contact Fair Trading at:

www.fairtrading.nsw.gov.au

If a landlord disagrees with what you want to or refuses to give their permission, you may need to negotiate further with them through the real estate agent or with them directly or take it to the Tribunal to determine whether it counts as "minor". Interpretation can vary.

EMAIL TO SEEK PREMISSION FROM THE OWNER TO DO A HOME MODIFICATION

TO	
CC	
SUBJECT	Seeking permission to do a Home Modification at (put your house address)
<p>Dear (Owner of the Property)</p> <p>I am intending to install a (grab rail: threshold ramp: handrail: handheld shower: level access into the shower) in (STATE THE ROOM YOU ARE DOING THE HOME MODIFICATION IN – for example, the bathroom or bedroom or...) at (write in YOUR ADDRESS).</p> <p>I understand that if I do this home modification, it will be at my own cost, both for the home modification and any building work or damage that occurs.</p> <p>I also understand that when I vacate the premises, I will be required to remove the modification and make good any damage to the building's fabric.</p> <p>Please could you reply in writing for my records with your approval for me to do this home modification work.</p> <p>Regards,</p> <p>(your name printed and then signed and dated)</p>	

STRATA TITLE AND HOME MODIFICATIONS

To understand what can and cannot be done in strata titled housing, whether it is owned or rented, it is important to know about 'lot' and 'common property'.

LOT: is the unit, townhouse, parcel, garage, over which you have a right of ownership. It is the airspace formed by the inner surface of the boundary walls of the housing, the ceiling and floors.

COMMON PROPERTY: Common property is all the areas of the land and building which are not "Lot". The Common Property is jointly owned by all of the owners. There is an "Owners Corporation" responsible for the management of the Common Property. The Owners Corporation is made up of all the owners within the Strata Scheme. Each owner is a part of the Owners Corporation and has a right to be involved in the decision making of what happens at the scheme.

That means that if work is done on the Lot (such as installing a handheld shower in the bathroom which is part of the "Lot") permission is from the Owner of the Lot - or your landlord if you are renting.

If, however, work is done on Common Property, (for example, if you wanted to put in a handrail to a garden stair that all the people at the strata property might use) then permission will be needed from the Owners Corporation.

If you are renting a property within a strata property, you need to advise your landlord (or lady) in writing of what you intend to do and why.

It is the responsibility of the landlord to advise the Owner's Corporation and to get their approval.

The process on how Owners in a strata property go about organising home modifications in strata properties in NSW can be found at:

<https://cityfutures.be.unsw.edu.au/research/projects/the-accessibility-needs-and-challenges-of-strata-residents/>

NOTE: The Commonwealth Disability Discrimination Act 1992 and the NSW Anti-Discrimination Act 1977 has a broad definition on 'disability' and landlords are expected to consider any requests for home modifications in the light of this.

EMAIL TO SEEK PREMISSION TO DO A HOME MODIFICATION AT A HOUSE UNDER STRATA TITLE

TO	
CC	
SUBJECT	Seeking permission to do a Home Modification at (insert your house address)
<p>Dear (Owners Corporation)</p> <p>I am intending to install a (grab rail: threshold ramp: handrail: handheld shower: level access into the shower) in (STATE THE ROOM YOU ARE DOING THE HOME MODIFICATION IN – for example, the bathroom or bedroom or...) at (write in YOUR ADDRESS).</p> <p>I understand that if this home modification is done, it will be at my own cost, both for the home modification and any building work or damage that occurs.</p> <p>Please could you reply in writing for my records with your approval for me to do this home modification work.</p> <p>Regards,</p> <p>(your name printed and then signed and dated)</p>	