

Facts



Information

www.consumer.tas.gov.au

Hotline : 1300 65 44 99



Security Deposit Disputes

Disputes about security deposits are dealt with by the Residential Tenancy Commissioner. If the tenant disagrees with the amount of the security deposit that is returned by the owner, the tenant may lodge a written application with the Commissioner and request that the Commissioner make a decision about the matter.

An application to the Commissioner can be obtained from the Office of Consumer Affairs and Fair Trading, and from Service Tasmania, and must be accompanied by:

- a fee of \$15; and
- any information which supports the tenant's view about the security deposit.

Commissioner will notify owner of dispute

On receipt of an application from a tenant the Commissioner will write to the owner requiring that:

- the owner must send any of the security deposit which has not been paid to the tenant; and
- a copy of the condition report.

If the owner wishes to send information which supports their view about the security deposit they must also pay a fee of \$15.

If the owner fails to lodge the amount in dispute with the Commissioner within 7 days, the owner may be prosecuted for an offence under the Act.

Decision of the Commissioner

The Commissioner will decide how the security deposit should be distributed and notify the owner and the tenant. Any party may appeal to the Magistrates Court against the Commissioner's decision within 7 days of being notified of the decision. If there is no appeal, the security deposit will be distributed in accordance with the Commissioner's decision. If there is an appeal, the security deposit will be distributed in accordance with the decision of the Court.

Further information

Further information, and a copy of the application form can be found at:

www.consumer.tas.gov.au/tenancy_and_real_estates/renting_in_tasmania



Consumer Affairs and Fair Trading
Maintaining a fair, safe and equitable marketplace