

# Fact Sheet: Landlords and tenants: who pays?

This fact sheet outlines the rights and responsibilities of landlords and tenants, in relation to payment of water and sewerage charges. This information is applicable to leased residential and commercial properties.

## Service charges

Your Western Water account includes water and/or sewerage service charges and a water usage charge. The service charges cover access to and maintenance of the water and sewerage supply system for all residential and commercial properties which have access to water and/or sewerage reticulation. The usage charge is for water used at the property, as measured by a water meter.

The *Water Act 1989* provides that a property owner legally remains responsible for payment of any charges due on their property.

## Residential tenancies

### Landlords responsibility

As the owner of a residential property you must pay any service charges for water and sewerage and any charges for water usage (unless, as outlined below, a tenant is responsible for these charges).

The property owner is responsible for payment of the water and sewerage service charges where the property is separately metered. If the property is not separately metered, for example there may be one meter for a group of flats, the owner is responsible for all service and water usage charges. The water usage charges can not be issued to the tenant.

### Tenant's responsibility

In accordance with the *Residential Tenancies Act 1997*, when a tenant moves into a separately metered property, he/she is responsible for the water usage charges.

As a residential tenant or a caravan park resident, you must pay charges for water usage where your water has been separately metered, your landlord has informed Western Water that you are the tenant and we have read the meter.

## Are you moving?

Before moving in or out of a residential property, Western Water requires at least 48 hours prior notice to ensure we are able to read the meter and issue a final account to the vacating tenant.

Failure to notify us upon vacating a property can result in the vacating tenant being liable for the cost of all water supplied to the property until the next meter reading is conducted.

If you do not notify Western Water within 48 hours of occupying a property, this can result in the incoming tenant being liable for the cost of all water supplied to the property since the meter was last read.

## Rebates and concessions

Customers who hold a valid Health Care Card, Department of Veteran Affairs Gold Card or Pensioner Concession Card are entitled to receive a concessions on water usage.

Properties used by a not-for-profit organisation may also be eligible for a rebate, if service and usage charges are applicable to the property.

## Commercial tenancies

### Landlord's responsibility

As Western Water is not a party to any lease between a landlord and tenant, we have the authority to seek any outstanding charges on a property from the owner. It is the property owner's responsibility to ensure their water account is paid.

To protect landlord interests, Western Water generally forwards accounts for leased commercial premises, including any reminder and final notices, to the landlord, care of their real estate agent. If a real estate agent is not involved, then Western Water will address accounts to the property owner.

On a landlord's request, Western Water can address accounts directly to the tenant, on the clear understanding that the owner is ultimately responsible should their tenant fail to pay the account.

## Tenant's responsibility

When a tenant is leasing a commercial property and the conditions of the lease require the tenant to be responsible for water and sewerage charges on the property, the account will be directed to the nominated real estate agent to add the Goods and Services Tax (GST) component to the account, in accordance with Australian Tax Office requirements. The nominated agent will then forward the account to the tenant on the owner's behalf.

## Trade waste service

Trade waste is any liquid waste generated by industry, which is unacceptable for discharge to a sewer. Grease, oil and other industrial wastes may adversely impact upon our recycled water plants and the environment.

Western Water's permission is required before any trade waste is discharged into the sewerage system. A trade waste service charge applies to the occupier of any premises discharging trade waste; therefore the tenant of a commercial property would be responsible for this charge.

## Further information

For account enquiries, please call Western Water on **1300 650 422**.

For further information on Western Water's service charges or concessions and rebates please call **1300 650 422** or visit **[www.westernwater.com.au](http://www.westernwater.com.au)**

Rights and responsibilities of residential landlords and tenants:

Consumer Affairs Victoria

Telephone **1300 558 181** or visit **[www.consumer.vic.gov.au](http://www.consumer.vic.gov.au)**

Rights and responsibilities of commercial landlords and tenants (small business):

Victorian Business Line

Telephone **13 22 15** or visit **[www.businessaccess.vic.gov.au](http://www.businessaccess.vic.gov.au)**