

QCAT CASE NUMBER

Q1363-23

APPLICANTS

Angela Craven, Janet Craven, Gordon Craven

RESPONDENTS

Saurav Kataria, Ashleigh Kataria

AGENT


Coronis

Tenancy agreement renewal offer Details:

- 1 The current tenancy agreement is from 21/6/2022 – 19/6/2023. The owners had instructed Coronis to offer the tenants a further 12 month fixed term agreement from 20/6/23 – 17/6/24 at \$810 per week; this was issued to the tenants via email through our portal system initially on 16/3/23 at 10.18am.
- 2 The owners had then confirmed to amend the lease offer to include the terms that the second water tank that was decommissioned was not included in the lease renewal offer and that their camper trailer would still be stored at the property; the lease was updated with these two terms and re-issued to the tenants on 27/3/23 at 7.07pm.
- 3 The owners had then confirmed that the tenants hadn't signed the renewal offer for the 12 month term; and had confirmed for a six (6) month term to be issued in replace of the 12 month lease term (please see statement enclosed for the owners decision on this). This amended term was issued to the tenants on 4/4/23 at 5.09pm.
- 4 As outlined in the attached email copies the tenants were given seven (7) days to sign the lease; with two options including 'Request a Change' and 'Do Not Renew'.
- 5 The tenants were emailed through the portal system on 11/4/23 at 9.35am; reminder that they needed to sign and submit the lease renewal; still with another two options 'Request a Change' and 'Do Not Renew'.
- 6 The tenants were emailed through the portal system on 15/4/23 at 9.34am; reminder that they needed to sign and submit the lease renewal; still with another two options 'Request a Change' and 'Do Not Renew'.
- 7 The tenants were emailed through the portal system on 20/4/23 at 9.36am; reminder that they needed to sign and submit the lease renewal; still with another two options 'Request a Change' and 'Do Not Renew'.
- 8 Due to the tenants not signing the renewal offer issued on 4/4/23 for 6 month term within the requested seven (7) days the owners instructed Coronis to issue the Form 12 Notice to Leave for the tenants to vacate at the end of the current Tenancy Agreement with grounds 'End of Fixed Term Agreement'; email issued on 24/4/23 at 9.42am.

Water tank repair details:

Reported through the portal on 15/2/23 at 8.01am, by Gordon Craven with following comments/information:

The primary water tank has ruptured. It is about an 8 inch split at the very bottom of the tank under the outlet pipe,  Noticed it about 6.15am this morning. No way to stop it leaking, so we have lost all our tank water.

Coronis notified through portal on 15.2.23 at 1.35pm; that contractor 'The Pump Guru' will be in contact to investigate issue.

The contractor 'The Pump Guru' attended the property to investigate on 22.2.23; sent through quote to Coronis on 27.2.23 to disconnect water tank pump; connect rainwater tank to the other water tank that was still in working condition.

The owner agreed/instructed to appoint our plumbers to attend and decommissioned the rain water pump on the failed water tank; and installed on the other water tank that was in working order. Skipper arranged on 23.3.23, and job completed by Skipper Plumbing on 27.3.23.

Water usage charges

Legislation requirements for lessor to pass on water consumption charges are as follows:

- The rental premises are individually metered (or water is delivered by vehicle), and
- The rental premises are water efficient, and
- The tenancy agreement states the tenant must pay for water consumption

Legislation does not state that a water tank must be installed in the property; however this property had two water tanks fitted at the property which service external hose for gardens/lawns, laundry and toilets.

The failed water tank was decommissioned, and there is still a water tank on the property in working order.

The property has water compliance certificate; and marked on the lease that the tenants are responsible for the water usage charges as issued on Unity Water Account's.

The tenants have been in in place at this property 22/6/21 with 3 adults and 2 children residing in the property; and to do the following water usage charges have been issued:

Issued on 23.8.21; water usage 22.6.21 – 29.7.21 \$89.03 – paid by tenants on 1.9.21
Issued on 8.11.21; water usage 30.7.21 – 3.11.21 \$159.82 – paid by tenants on 9.12.21
Issued on 10.2.22; water usage 4.11.21 – 4.2.22 \$136.40 – paid by tenants on 14.3.22
Issued on 13.5.22; water usage 5.2.22 – 11.5.22 \$140.33 – paid by tenants on 13.6.22
Issued on 5.8.22; water usage 12.5.22 – 1.8.22 \$109.91 – paid by tenants on 31.8.22
Issued on 8.11.22; water usage 2.8.22 – 4.11.22 \$138.88 LESS \$55 Government rebate = \$83.88 – paid by tenants on 7.12.22
Issued on 8.2.23; water usage 5.11.22 – 7.2.23 \$150.79 – paid by tenants 8.3.23
Issued on 16.5.23; water usage 8.2.23 – 10.5.23 \$210.30 – amount owing by 15.6.23

The most recent Unity Water account with usage being, \$210.30, has seen an increase of approximately \$19.83 per month.