



# Bond administration

*A guide for property owners, real estate agents and operators of residential parks about lodging tenants' security bonds with the Department's Bond Administration Section.*

## How to lodge a bond

### Forms

To lodge a bond, you need to complete all the relevant sections of a *Lodgement of Security Bond Money* form. This form and all other bond related forms are available from:

- the Department of Commerce:  
[www.commerce.wa.gov.au/bondforms](http://www.commerce.wa.gov.au/bondforms)
- participating newsagencies; and
- State Law Publisher,  
10 William Street Perth,  
telephone 9426 0000.

### Amount for a residential tenancy bond

The bond **must not be more than four times the weekly rent**; and the pet bond must be no more than \$260 (if the tenant is permitted to keep a cat or dog on the premises) **unless** -

(i) the weekly rent is more than an amount set by regulation (this was \$1,200 per week as at 1 June 2011); or

(ii) the premises was the principal private residence of the owner for the first three months before the tenancy was entered into. In this case, owners should tick the box provided on the lodgement form.

### Amount for a residential parks long-stay tenancy bond

The security bond **must not be more than four times the weekly rent**.

A long-stay security access bond of no more than \$100 may be required for keys, remote control entry devices or other security devices.

A pet bond of no more than \$100 may be required if the tenant is permitted to keep a cat or dog on the premises.

### Collecting rent on a calendar month basis

If you collect rent on a calendar month basis, the amount of bond must not be more than four weeks' rent.

To determine four weeks' rent, first calculate the weekly figure; a month's rent multiplied by 12 and divided by 52. Then multiply the weekly rent by four to get the maximum amount that can be lodged as security bond.

**For example,  
if the rent is \$1,625 a month:**

$\$1,625 \times 12 \text{ months} = \$19,500 \text{ a year}$

$\$19,500 \div 52 \text{ weeks} = \$375 \text{ a week}$

$\$375 \times 4 \text{ weeks' rent} = \mathbf{\$1,500 \text{ bond}}$

The answer, \$1,500, is the maximum that can be collected in bond if the monthly rent is \$1,625.

**Do not collect** the equivalent of a calendar month's rent as a security bond. This would be greater than four weeks' rent and would be in breach of section 29 of the *Residential Tenancies Act 1987* (penalty \$1,000 for individuals, \$5,000 for companies) or section 21 of the *Residential Parks (Long-stay Tenants) Act 2006* (penalty \$5,000).

### **Department of Housing bond assistance**

If the tenant receives bond assistance from the Department of Housing please attach a copy of the agreement that gives the Department of Housing's file and application numbers, or write these numbers on the lodgement form.

### **When bonds must be lodged**

Private owners and park operators must lodge bonds within 14 days of receiving them. Real estate agents must lodge them as soon as possible, normally understood as the next working day.

### **Owner's name**

Section 51 of the *Residential Tenancies Act 1987* requires the full names of the owners to be given to tenants (maximum penalty \$1,000). This information cannot be omitted because the owner does not want to reveal his/her identity. However, an owner may give the real estate agent's address instead.

### **Who signs?**

The lodgement form must be signed by all the tenants and the owner(s), park operators or real estate agent.

Owners and park operators should retain a copy of the signed lodgement form for their records.

### **Submitting the forms**

Submit the completed form with payment by cheque, cash or direct debit. Cheques should be made out to the 'Bond Administrator'. You can submit the form with payment to the Department of Commerce:

- in person at 219 St Georges Terrace Perth. A limited counter service is also available at the regional offices of the Department; or
- by post if paying by cheque or direct debit to:

Bond Administration  
Department of Commerce  
Locked Bag 14  
Cloisters Square  
Perth WA 6850

### **Processing**

Bond Administration will process the application and will then send a *Record of Payment of Security Bond* to both the tenant and owner(s) or park operators.

### **Change of ownership/property management**

If there is a change of ownership or property management, the owner/s of the property or park operators must complete a *Notice of Variation of Security Bond* and submit it to the department. These forms can be completed online and are also available at the places listed on the front page.

## How to claim a bond

### Forms

You will need a *Joint Application for Disposal of Security Bond* (Form 4). These can be completed online and are also available at the places listed on the front page. To speed up the processing of your application, please write the **bond reference number** on the disposal form. This number can be found on the *Record of payment of Security Bond* sent to owners or park operators and tenants. The reference number helps quickly match the disposal forms with the original lodgement forms.

### Date on which the tenancy agreement ended

Please use the date of the tenant's last day in the property as the date on which the tenancy agreement ended.

### Signatures

The signatures on the disposal form must match all on the lodgement form. If any of the signatories have changed their name(s), they must use the same signature used at the start of the tenancy. Before submitting the form, check the signature(s) match all on the copy of the lodgement form that you have retained.

If three tenants signed the original lodgement form, then all three must sign the disposal form. If only one half of a domestic partnership signs the lodgement form as either the owner or the tenant, the same partner must sign at the end of the tenancy.

Not being able to match signatures on the disposal form with those on the lodgement form is the most common reason why an application for disposal is delayed or rejected and returned.

### Alterations and additions to the form

The names of parties who are to receive money back can be changed and the amounts to be paid to them can be altered, but these changes must be verified by the full signature of all the affected parties at the site of the change, or by way of a signed note that clearly states that they all agree to the precise details of the change.

### Example



Please pay tenant(s) ~~\$450~~ \$500

Please pay Department of Housing ~~\$450~~ \$200

Please pay owner(s) ~~\$150~~ \$100

In this example, the full signature(s) of the tenant(s), and the owner(s) (or the agent or park operator) are required at the site of the alteration to show that they agree to the change.

### Submitting the form

You should mail or deliver the form, signed by all parties after they have read the information on the back of the form, to the Bond Administrator at the Department of Commerce.

## Points to remember

### When lodging a bond:

1. Complete a *Lodgement of Security Bond Money* online or obtain one.
2. Read the information on the reverse side of the form.
3. Fill in all the relevant sections. The owner's or park operator's name must be filled in and the form must have the signatures of all the tenants and the owner(s), park operators or agent.
4. Make sure the bond taken is not more than four times the weekly rent, except as indicated on page 1 (see Amount), plus pet bond, and security access bond in the case of park operators.
5. Private landlords or park operators must lodge bonds within 14 days of receiving the bond. Real estate agents must lodge the bond as soon as possible, normally understood as the next working day.
6. Keep a copy of the signed lodgement form and the *Record of Payment of Security Bond* sent to you. Use the bond reference number when contacting the Bond Administrator.

### When claiming a bond:

1. Complete a *Joint Application for Disposal of Security Bond* (Form 4) online or obtain one from one of the places listed on the front page.
2. Read the information on the reverse side of the form.

3. Fill in the form and remember to include the bond reference number.
4. Full signatures of all parties are required beside any alterations.
5. Make sure the signatures on the disposal form match those on the lodgement form.

Do not sign the *Joint Application for Disposal of Security Bond* (Form 4) until all amounts on the form are complete.

### Further information

If you have any queries, phone the Consumer Protection Advice Line on 1300 30 40 54 for the cost of a local call, Monday to Friday 8.30am - 5.00pm.

The Department of Commerce produces other free publications which can be obtained by contacting the Consumer Protection Advice Line on 1300 30 40 54.

If you are an owner managing your own property, or an agent, *Renting out your property: an owner's guide* answers the most commonly asked questions about renting out residential properties.

Park operators can find further information on the laws regulating long-stay tenancies in park homes and caravan parks in the department's publication *Park living*.

National Relay Service: 13 36 77  
Quality of service feedback line: 1800 30 40 59

This publication is available in other formats on request to assist people with special needs.

#### Regional Offices

Goldfields/Esperance	(08) 9026 3250
Great Southern	(08) 9842 8366
Kimberley	(08) 9191 8400
Mid-West	(08) 9920 9800
North-West	(08) 9185 0900
South-West	(08) 9722 2888