



# Short Term Rental Accommodation

College Chronicle  
Newsletter

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Australian College  
of Professionals

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# Short Term Rental Accommodation

NSW Fair Trading has announced changes effective from the 10th April 2020 to allow an Owners Corporation to manage short term rental accommodation, (often referred to as holiday lettings) within their strata scheme.

Whilst this information is vitally important for Strata professionals, both sales agents and property managers need to know this information to execute their functions appropriately and be able to provide accurate information to prospective purchasers, landlords and tenants.

The changes allow an Owners Corporation to adopt by-laws that limit short-term rental accommodation in their strata scheme, by not allowing it in lots that are not the host's principal place of residence. This means that if someone lives in a strata property as their principal place of residence, they will still be able to rent out their home or rooms while they live there, or temporarily go on holidays.

Any such by-law will need to be adopted by special resolution, which means that there needs to be at least 75 per cent of votes supporting the proposal at a general meeting.

Before adopting a new by-law to limit short-term rental accommodation,



Owners Corporations will need to work with owners and residents to manage the transition for any pre-existing rental bookings or guests staying in the building at the time of making the by-law. If not, it is possible that when the by-law starts, a guest could be staying in a lot and the lot owner could be immediately in breach of the by-law.

The model by-laws, if adopted, already include options to help Owners Corporations better manage the impact of short-term rental accommodation in their strata scheme.

### **THE MODEL BY-LAWS REQUIRE:**

- » residents wishing to change the use of their lot to provide short-term rental accommodation must notify the Owners Corporation at least 21 days before the change takes place
- » owners or residents are not to park or stand any vehicle on common property, or permit a motor vehicle to be parked or stood on common property, except with the Owners Corporation's prior written approval or as permitted by an authorised sign

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- » owners and residents to remove garbage using the process set by the Owners Corporation
- » owners, residents and their visitors to be adequately clothed and not to behave in a way that is likely to cause offence or embarrassment to other residents or to any person lawfully using common property
- » an owner or resident not to obstruct people's use of common property.

Owners Corporations can also introduce an occupancy limit of two adults per bedroom using a by-law. This could help to manage any

overcrowding concerns residents may have because of short-term rental accommodation.

When providing advice to an Owners Corporation about adopting the model by-laws or extending upon the by-laws they may already have in place, it is important to ensure that the owners are aware they can seek legal advice at their own cost should the by-laws not suit their living arrangements.

**'Til next time, wishing you every success in your business ventures,**

**Rosy Sullivan**  
**Director | College Principal**

## UPCOMING CPD WEBINARS

### 3 HOUR COMPULSORY CPD

Sales & Leasing	TUE 12 <sup>TH</sup> MAY
Strata Management	TUE 26 <sup>TH</sup> MAY
Sales & Leasing	TUE 9 <sup>TH</sup> JUN
Strata Management	THU 23 <sup>RD</sup> JUN

### 3 HOUR ELECTIVE CPD

Property Sales	TUE 5 <sup>TH</sup> MAY
Residential Property Management	TUE 19 <sup>TH</sup> MAY
Strata Management	TUE 2 <sup>ND</sup> JUN
Residential Property Management	TUE 16 <sup>TH</sup> JUN



## There are government funding and subsidies for qualification training.

If you're looking to undertake your licence training or upgrade to the Diploma for a Class 1 licence, now is the time to commence this training online.

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## From the office

And it's been another fortnight in isolation with all of the ACOP team working from home. Zoom and GoToMeeting are now our best friends and our connection with the world.

We have team meetings morning and afternoon – and whilst some people don't turn on their camera, it is definitely a great point of connection for all of us. The twice daily connection has also meant that we talk more about what everyone is doing and the clients who they are dealing with – which is certainly a learning point for us in terms of talking more about how we deal with specific issues within our business. Whilst this isolation period is hard, it has been necessary and all we can do is look at what we have learned and how we will do business differently into the future. Bring on the brave new world is what we are saying.

During the past fortnight, we have been running interactive webinars for our students, from the Compulsory and Elective CPD sessions, to specific

information sessions on how to deal with tenancy issues during COVID-19 to sessions about dealing with the psychological effects of isolation and working from home. It's been a new and varied week for the ACOP team, but we are embracing our new normal.

We note that this week it is our one year anniversary since the launch of our series of nine (9) Consumer Guides, which have been received well by people wanting to know more about the property industry and work more effectively with their agents.

And most importantly, there has been three, yes three birthdays this past fortnight. And whilst that didn't mean sharing cakes, song and laughter – it did mean singing in our meetings. So all on the same day - Ryan turned 21 (and we are looking forward to huge celebrations when we are able), Tilly turned 19 and Linh – well, we think she'll admit to somewhere in mid to late 30s but it's rude to say. Some things will never change – and ACOP will always stick to celebrations with cake.

# 1 YEAR ANNIVERSARY

PROPERTY SERVICES

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