



Sale of Tenanted Premises

College Chronicle
Newsletter

November 27



Australian College
of Professionals

RTO 91513

A photograph of two men standing outdoors in a grassy area with trees in the background. The man on the left is wearing a dark suit jacket, a light-colored shirt, and glasses. He is smiling and gesturing with his right hand towards the other man. The man on the right is wearing a light blue button-down shirt and dark pants. He is seen from the back, with his arms crossed. The sky is blue with some white clouds.

Sale of Tenanted Premises

This year has been tough and many investors are having to sell their investment properties to get by. As such, it is a timely reminder for those of you in sales to be refreshed on tenancy legislation and the rights of a tenant when it comes to the marketing, inspections and sale of the premises they are leasing.

Here are eight interesting tenancy laws that must be abided by when selling a rented premises:

1. At the beginning of the sales process, it is important to understand that the sales person MUST inform the

property manager that they have an agency agreement for the sale of the premises, even if the sales person is of the belief that the vendor has already advised the property manager, it is your legal obligation to advise in writing.

2. Check the lease, it must be added to the Sales Contract and if it still is within its contracted period the property must be sold with the contract marked "Subject to existing tenancy" meaning the tenants and the lease stay and are effectively "sold" with the property.
3. Marketing – some agents may be surprised to know that you can NOT place a For Sale sign outside a tenanted premises without the tenant's written consent.



4. Taking photographs inside the premises of a tenanted property can only be done in the 28 days before marketing starts.
5. To take photos inside the premises and publish/use those photos which may have a tenant's property in those photos, the agent must obtain consent from the tenant in writing. Whilst the tenant is not allowed to reasonably refuse consent to use the photos, it is reasonable for tenants to withhold consent where they are in circumstances of domestic violence.
6. Showing the premises – the tenant must be given at least 14 days notice in writing before the first showing of the property. Whilst the tenant cannot unreasonably refuse to give access to the premises for the purposes of marketing, the salesperson must not request more than two inspections within a week and must provide at least 48 hours notice prior to an inspection.
7. Open Houses - a tenant can refuse open house viewings of the premises and request that inspections by appointment are done instead. Do not forget the tenant has the right to be in the premises when it is shown or to have someone there on their behalf.
8. On-Site Auctions - if the premises is a house (or an apartment and the auction is being held in the apartment and not on common

property) the agent cannot hold the auction on-site unless the tenant provides consent – get this in writing and keep on your file.

Sometimes it will be easier to get a property sold when there are no tenants within a lease and not still residing within the premises. If the landlord or their property manager has a good rapport with their tenant, there may be no issues at all, but if the tenants are not

happy about the sale of the premises or are being difficult with access, it may be wise for the vendor to hold off on the sale until the period agreement has expired and they are able to provide vacant possession of the property.

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

Rosy Sullivan
Director | College Principal

AS PART OF OUR
 17TH BIRTHDAY SPECIAL
 WE ARE OFFERING

10%
OFF

ALL COURSES
 UNTIL 30TH
 NOVEMBER

TERMS & CONDITIONS APPLY



ENROL NOW

UPCOMING WEBINARS

3 HOUR COMPULSORY CPD

Sales & Leasing	TUE 12 TH JAN
Strata Management	TUE 2 ND FEB
Sales & Leasing	TUE 16 TH FEB

3 HOUR ELECTIVE CPD

Property Sales	TUE 1 ST DEC
Residential Property Management	TUE 19 TH JAN
Strata Management	TUE 23 RD FEB

Please note: All Webinars will be held via Zoom and run from 9am - 12pm unless stated otherwise.

UPCOMING FACE TO FACE COURSES

COMPULSORY SALES & LEASING AND ELECTIVE CPD - NSW

Stock & Station Goulburn	MON 7TH DEC	Property Sales Newcastle	THUR 28TH JAN
Property Sales Goulburn	MON 7TH DEC	Residential Prop Mgmt Sydney CBD	FRI 5TH FEB
Property Sales Castle Hill	THUR 10TH DEC	Property Sales Parramatta	THUR 11TH FEB
Residential Prop Mgmt Sydney CBD	MON 14TH DEC	Property Sales Liverpool	TUE 16TH FEB
Property Sales Sydney CBD	FRI 15TH JAN	Property Sales Dee Why	THUR 18TH FEB
Property Sales Terrigal	WED 20TH JAN	Property Sales Sydney CBD	MON 22ND FEB
Property Sales Castle Hill	FRI 22ND JAN	Residential Prop Mgmt Terrigal	TUE 23RD FEB

Two 3-hour sessions. 9am - 12pm then 1pm - 4pm unless stated otherwise

COMPULSORY & ELECTIVE STRATA CPD - NSW

Strata Management Sydney CBD	FRI 11TH DEC	Strata Management Sydney CBD	FRI 19TH FEB
--	--------------------------------------	--	--------------------------------------

Two 3-hour sessions. 9am - 12pm then 1pm - 4pm unless stated otherwise

ASSISTANT AGENT - CERTIFICATE OF REGISTRATION

Real Estate and Stock & Station Sydney CBD	7TH - 10TH DECEMBER
Real Estate and Stock & Station Castle Hill	15TH - 18TH FEBRUARY

Units taken from nationally accredited training qualifications from the CPP41419 Certificate IV in Real Estate Practice.

Strata Management Sydney CBD	15TH - 18TH FEBRUARY
--	--

Units taken from nationally accredited training qualifications from the CPP40516 Certificate IV in Strata Community Management.

Please note: All face to face courses will be held at our Town Hall premises in the Sydney CBD with the exception of combined regional CPD



From the office

Another fortnight closer to Christmas and our training continues. During this our birthday month of November, we are having daily draws from students who have enrolled and paid this month for training courses.

Ranging from sets of the ACOP Consumer Education Guides, to Visa Gift Cards valued at \$50 for daily draws, \$1,000 for weekly draws and we are getting excited for the big \$4,000 draw for the end of the month, which in fact is our actual 17th anniversary of becoming a Registered Training Organisation.

Training continues to grow from a face-to-face perspective, with our trainers travelling in just the past fortnight to Wagga Wagga, Coffs Harbour, Orange, Wollongong and metropolitan venues of Sydney Olympic Park, Double Bay,

Penrith and of course daily training courses in our head office training rooms at Town Hall.

This fortnight has also marked major celebrations in the wedding of our Training Manager, Megan – who is no longer a Sullivan, and has returned to work as Megan Gravas. Whilst her wedding was smaller than originally planned, it was still beautiful with Megan beaming as a magnificent bride – Matt scrubbed up ok as well by the way. No other reasons for cake this fortnight, except that our trainer Kris turned up in the office with her mum’s cheesecake – we are all keen to know the recipe, but it is being kept secret, and we just love it when she makes one for the office. We are all pretty confident that there will be HUGE celebrations on Monday as we move into our 18th year of operation.

UPCOMING FACE TO FACE COURSES

PROPERTY LICENSING

Commercial Sales & Leasing SYDNEY CBD	11 TH - 12 TH MAR
Property Sales SYDNEY CBD	27 TH - 29 TH JAN
Stock & Station Agency Practices SYDNEY CBD	8 TH - 10 TH MAR
Strata Management Agency Practices SYDNEY CBD	23 RD - 25 TH FEB
Auctioneering SYDNEY CBD	15 TH - 16 TH APR
Property Mgmt Business Development & NCAT SYDNEY CBD	18 TH - 19 TH MAR

PROPERTY LICENSING

Financial Management (strata) SYDNEY CBD	11 TH - 12 TH MAR
Trust Accounting + Insurance SYDNEY CBD	FRI 26 TH FEB
Trust Accounting SYDNEY CBD	18 TH - 19 TH JAN
Property Management SYDNEY CBD	20 TH - 22 ND JAN
Business Broking Agency Practices SYDNEY CBD	15 TH - 16 TH MAR

Units taken from nationally accredited training qualifications from the CPP41419 Certificate IV Real Estate Practice and CPP40516 Certificate IV in Strata Community Management.

FINANCE & MORTGAGE BROKING COURSES

Certificate IV in Finance & Mortgage Broking SYDNEY CBD	8 TH - 10 TH FEB
---	---

Diploma of Finance & Mortgage Broking Management <i>(Upgrade Program - Must hold Certificate IV in Finance & Mortgage Broking)</i> SYDNEY CBD	11 TH - 12 TH FEB
--	--

Units taken from nationally accredited training qualifications from the FNS Financial Services Training Package.

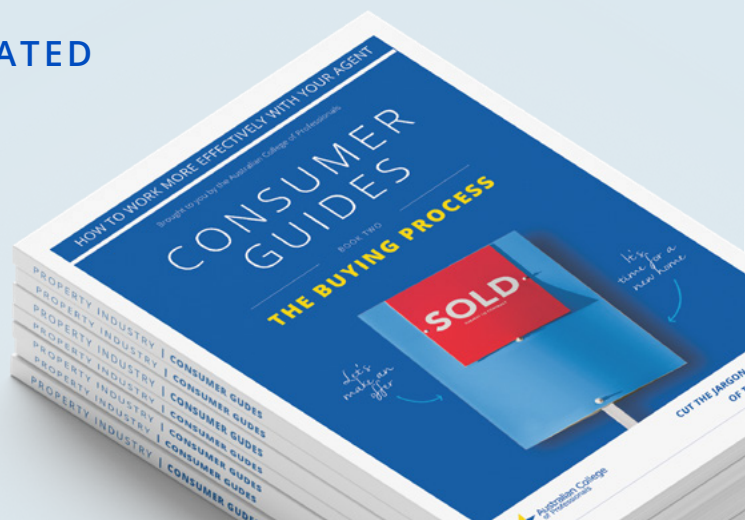
PROPERTY SERVICES

CONSUMER GUIDES

THESE 9 GUIDES WERE CREATED TO HELP AGENTS AND CONSUMERS WORK MORE EFFECTIVELY WITH EACH OTHER

Purchase the Consumer Guides at

acop.edu.au



**Premium Educators
Premium Training
Premium Outcomes**



Contact us

1300 88 48 10
(02) 9264 5505
enquiries@acop.edu.au

Visit us

Level 2, St Andrews House
464 Kent St, Sydney NSW 2000

Mail us

PO Box Q289
QVB Sydney NSW 1230

Connect with us

acop.edu.au



Australian College of Professionals Pty Ltd ABN 32 105 687 910
Registered Training Organisation Number 91513

Property Training

Finance Training

Strata Management Training

Management Training

Government Funded Training

Compliance Checks

Consumer Education

Value yourself
Value your future.

acop.edu.au