

OUR PEOPLE'S PRESS

A Regular Publication by Wollerman Shacklock
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our team works efficiently.



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you can get involved in. You can also stay up to date with the charity or
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WOLLERMAN SHACKLOCK LAWYERS

Your voice through our values of equality, respect and integrity.

Covid 19: Landlords and Tenants

We have been living in uncertain times, that is for sure. And, in the field of law we are not immune. We have been trying to navigate our way through the minefield of landlords and tenants for some time. Most of us were relying on the National Cabinet Mandatory Code of Conduct because that is all that we had. But, now we have the Omnibus (Emergency Measures) Act 2020 and the Regulations under that Act.

The Act and the Regulations now give us better guidance (albeit some of it is confusing). This legislation places obligations on both landlords and tenants and they are more prescriptive than the Code.

For tenants, there is a particular way to ask for rent relief. An email or letter is not enough and does not comply with the legislation. If the request is not in accord with the legislation the landlord does not need to consider it.

For landlords, the legislation sets out what you need to consider for granting rent relief. It does also state that you can consider your own financial ability to offer rent relief. So clearly the decision is a balancing act.

For both Landlords and tenants there is an obligation to negotiate in good faith. That is quite an open ended obligation, but basically it means that you must act honestly and with disclosure to each other.

The legislation also prescribes how leases are to be extended when there is an agreed deferral of rent. This is not so straight forward either, but we can assist with that.

And whilst not in the legislation, it is our recommendation that any agreement reached in respect of leases should be documented by way of Deed of Variation of Lease. Our position is supported by the opinion of other accredited specialists.

If you need guidance in navigating the legislation for either requesting rent relief or granting rent relief, please contact **Patricia Sheedy of our office on 9707 1155.**



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In 2000, Paul established and continues to operate Account Keeping Plus (AKP). He is a qualified Mind Your Own Business (MYB) and Reckon/QuickBooks Professional Partner. After completing University, and years in research at Monash University, Paul along with his wife Jeannie, in 1990 established J P Fine Foods Pty Ltd, a Hand-made Biscuit, Dessert Manufacturing and Catering business in Berwick. Paul studied in the 1980's, Science and completed honours in immunology and a Masters in Biotechnology at Monash University, Clayton, Victoria before working as a research assistant. To support himself through University he established and operated a window cleaning business.

Over 25 years in business, MYOB Consultant, Reckon/QuickBooks Professional Partner. Self-Managed Super Fund set up and administration. We have a team to serve you - admin, bookkeeping, compliance for Aust. Business. Call for free answer to your questions. No obligation.

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