

# Bonds

A bond is money you pay at the start of your tenancy, as a security in case there is a dispute with a landlord (legally called a rental provider) about things such as unpaid rent, cleaning or damage at the end of your lease, officially called the rental agreement.

Note that when you apply for a new rental, landlords and agents cannot ask you about past bond or renting disputes.

We recommend you pay the bond after signing the lease and reviewing the landlord's condition report.

If they have told you that you will be offered the lease, you can pay a small sum called a 'holding deposit' as a sign of good faith. This allows you time to review the lease before paying the bond and the rent in advance.

The landlord must deposit your bond with the Residential Tenancies Bond Authority (RTBA) within 10 business days of receiving it. It is illegal for them not to do this. Report offences to Consumer Affairs Victoria. You may also apply to VCAT, the Victorian Civil and Administrative Tribunal, to make the landlord deposit the bond.

## Condition reports

The condition report shows the condition of the property before you move in. When you move out, the landlord or agent must also complete an exit condition report. The reports are compared to indicate any issues relating to cleaning or damage.

At the beginning of your lease, you have 5 days to add your notes to the condition report and give it back to the landlord. You don't have to agree with the landlord's assessment. If you don't comment, it is assumed you agree with the landlord's comments.

Make sure you take lots of photos and videos when you move in and out. Keep them, in 'the cloud' if possible.

When you move out the landlord or agent must give you a reasonable opportunity to attend the inspection for the exit condition report.

At the end of your tenancy a detailed report and plenty of photos can help protect your bond against claims by the landlord.

## Getting your bond back

The bond is your money. The landlord cannot touch it without permission from you or VCAT. As soon as you have given back the keys at the end of the tenancy, you can claim directly to the RTBA to get your bond back.

If there are any issues such as repairs or cleaning that you acknowledge you are responsible for you can also request that the RTBA direct some of the bond to the landlord.

The RTBA will then notify the landlord and any other renters registered on the bond of your claim. All bond claims to the RTBA are free for renters. You can claim at any time after the lease ends.

If no-one makes an application to VCAT that disputes your claim within 14 days, the RTBA will repay your bond as you requested.

If the landlord or another renter on the lease does apply to VCAT within the 14 days, the bond stays with the RTBA until VCAT decides on the application.

Renter applications to VCAT for the bond are free.

## Landlord claims to VCAT

At the end of the lease, some landlords might try to claim all or part of your bond.

To do this, the landlord must apply to VCAT. VCAT will then list a hearing and tell you the date and time. You should attend the hearing to tell VCAT your side.

Unless you and the landlord first reach an agreement, VCAT will decide how much of your bond will be returned to you, and how much, if any, will be paid to the landlord.

For a landlord to be paid any of the bond, they must prove that they have suffered loss or damage, that it was your fault, and that the amount that they are claiming is reasonable. Otherwise, the bond will be returned to you.

## Common challenges to a landlord's claim

You can dispute the landlord's claim at VCAT. Here are common renter defences:

- Damage or lack of cleanliness was there before the renter moved in
- The damage was not the fault of the renter, such as vandalism or a natural event
- The damage the landlord is claiming is the result of 'fair wear and tear', which means it occurred through normal use of the property
- The renter agrees they caused damage but disagrees with the landlord's claimed amount. For example, over time, fittings like carpets lose value. Renters are not responsible for paying the entire cost of replacing old items. If a damaged 4-year-old carpet needs replacing at \$600, the renter is liable for half, or \$300
- The landlord must make reasonable efforts to limit their losses when they make a claim against a renter's bond. The renter may provide alternative lower quotes for repairs or replacements as another way of dealing with the issue. VCAT can take this into consideration when deciding the landlord's claim for bond money
- The landlord cannot prove their claim because they do not have any evidence
- If the renter is moving out because the landlord proposes renovations, they cannot claim for cleaning because they are not reletting

For more information see our website page on [defending bond and compensation claims](#).

## Family violence

In family violence situations a landlord might make a claim where unpaid rent or damage was caused by a renter who committed family violence against another renter on the lease. The rental laws have some protections for victim-survivors of family violence.

VCAT can make an order that protects the share of the bond of the victim-survivor. VCAT does not require an intervention order.

If the person committing violence is not on the lease and has caused loss or damage, VCAT might not hold the renter on the lease responsible if there is an intervention order against the perpetrator of the violence.

Seek legal advice from a community legal centre in such cases. Also see the [family violence](#) page on our website.

## Share houses

If you are joining or leaving a share house, make sure to update the bond. This is important because renters are usually 'jointly liable', meaning they're all responsible for each other's actions under the lease. You first need written permission from the landlord or permission from VCAT. Then use the tenant transfer form on the [RTBA website](#). For more information see the [share houses](#) and [lease transfers](#) pages on our website.

## Useful links

**Tenants Victoria:**  
[www.tenantsvic.org.au](http://www.tenantsvic.org.au)

**Federation of Community Legal Centres:**  
[www.fclc.org.au](http://www.fclc.org.au)

**Residential Tenancies Bond Authority:**  
[www.rentalbonds.vic.gov.au](http://www.rentalbonds.vic.gov.au)

**Victorian Civil and Administrative Tribunal (VCAT):**  
[www.vcat.vic.gov.au](http://www.vcat.vic.gov.au)

This information is a guide and should not be used as a substitute for professional legal advice.