

This factsheet is part of a series from Legal Aid NSW that aims to help answer your questions about COVID-19 and everyday law.

You may be worried or confused about how COVID-19 will affect you and your everyday life. Sometimes a crisis can make legal problems worse or new problems might develop. Legal Aid NSW understands that there will be a lot of questions about money worries, fines, police, housing, Centrelink, employment, guardianship and mental health. This series of fact sheets will give you helpful information and contacts to assist you to manage all the changes that are happening in our community.

Read this factsheet if you need general information during the COVID-19 crisis and you are living in a boarding house. If you're a private tenant and your landlord is evicting you for rent arrears, you can find more information on our eviction fact sheet [here](#).

Can I be evicted?

On 15 April 2020, the government made changes to the NSW residential tenancy laws because of COVID-19. The changes give more flexibility and protection to tenants with financial hardship caused by the pandemic. These protections apply to private tenants and people in boarding houses.

Before COVID-19, if a proprietor wanted to evict a resident in a boarding house, there was no need to apply to the Tribunal for an eviction order. All that was usually needed was that reasonable written notice be given to the resident. There were no specified notice periods.

Changes have been made because of COVID-19. If you have been affected by the pandemic and you are unable to pay the fees under your agreement (occupancy fees), the proprietor must give you 6 months' written notice of eviction. These changes will apply for 6 months from 15 April 2020.

You are eligible if:

- Your weekly income is reduced by 25% because of COVID-19.
- You participate in the formal rent negotiation process in good faith.

If you don't participate in that process your proprietor is able to give you a 60-day written notice of eviction. This only applies if you are being evicted solely on the ground that you have not paid residency fees and you are affected by COVID-19.

If you are not affected by COVID-19, the proprietor must give 90 days' written notice to evict you. The exceptions to this are when:

- Occupancy fee arrears are not caused by COVID-19.
- You have intentionally or recklessly caused or permitted serious damage to the premises.
- You are using the premises for illegal purposes.
- You have threatened, abused, intimidated or harassed other residents or the proprietor.

In these cases, the proprietor must give you a reasonable written notice. There is no set time for this notice period.

Where can I find more information?

If you are having problems with your housing you should get legal advice. Information is changing very quickly and there will probably be more changes for tenants throughout the health crisis. You can get help from these services:

Tenancy advice

- Find your local tenancy advice and advocacy service at the [Tenants' Union](#).
- The Tenant's Union NSW has up-to-date information and templates for tenancy matters in response to COVID-19 on their [Renting & Coronavirus page](#).
- Department of Communities and Justice's [renting in a private market page](#).

Legal advice - housing

- If the NSW Civil and Administrative Tribunal (NCAT) has made final orders for termination of your tenancy, you can call the Legal Aid NSW NCAT Appeals Hotline on (02) 9219 5800.
- If you need advice about the new laws and your rights and obligations, you can get free legal help on 1300 888 529 or [call your local Legal Aid NSW office](#).
- If you are experiencing or worried about domestic violence, call the Women's Domestic Violence Court Advocacy Program on 1800 938 227.

NSW Civil and Administrative Tribunal

- NSW Civil and Administrative Tribunal has up-to-date information that you can access on their [website](#).

How can I get help?

For free legal help call 1300 888 529 or [call your local Legal Aid NSW office](#).

There is also a series of [factsheets about COVID-19 and the law](#) available on the Legal Aid NSW website to assist you to manage all the changes that are happening in our community.

If you need an interpreter, call the Translating and Interpreting Service on 131 450 and ask for LawAccess NSW. If you find it hard to hear or speak, call the National Relay Service on 133 677 and ask for LawAccess NSW or visit www.relayservice.gov.au.

This factsheet is intended as a general guide to the law. Do not rely on this information as legal advice. We recommend you talk to a lawyer about your situation. This information is correct at the time of writing, however, it may change.