

Water charging

Lessors are allowed to pass on the full water consumption charges (including bulk water charges) to tenants provided all the minimum criteria have been met. What are the minimum criteria for water charging?

Lessors can pass on the full water consumption charges to tenants if:

- the rental premises are individually metered (or water is delivered by vehicle), and
- the rental premises are water efficient, and
- the tenancy agreement states the tenant must pay for water consumption.

Items a tenant can be charged

A breakdown of water charges is shown below.

| Charge as shown on water bill | Can tenant be charged? |
|---|---|
| State Bulk Water Charge | Yes, tenant can be charged* |
| Water Usage Charges | Yes, tenant can be charged* |
| Sewerage Usage Charge (may appear on the bill as fixed or variable) | No, tenant cannot be charged. Sewerage is not a service charge as defined by the Act and cannot be passed onto the tenant. |
| Fixed Access Charges (including Water Access Charge and Sewerage Access Charge) | No, tenant cannot be charged. The lessor must pay all fixed charges for water supply. |

*If the above criteria are met

What are water efficient rental premises?

A rental premises is considered water efficient if certain water fixtures meet the standards listed in the table below.

| Water efficient devices | Minimum water efficient standard required |
|---|---|
| Internal cold water taps and single mixer taps (excluding bathtub taps and taps for appliances) | A maximum flow rate of nine litres per minute. |
| Showerheads | A maximum flow rate of nine litres per minute. |
| Toilets | A dual flush function not exceeding six point five (6.5) litres on full flush and three point five (3.5) litres on half flush and a maximum average flush volume of four litres (based on the average of one full flush and four half flushes). |

The requirement for taps applies only to internal cold water taps that are installed over a hand basin, kitchen sink or laundry trough (including single mixer taps). The requirement does not apply to other taps in the premises such as bath tub taps, outside taps for the garden, or taps which supply washing machines or dishwashers. These taps are not required to be water efficient.

Are there circumstances in which a tenant/resident does not have to pay for a particular service at the rental property?

A tenant/resident is not required to pay for service charges if a property manager/owner fails to provide a copy of the document from the relevant service provider showing a water consumption charges within 4 weeks of receiving it to a tenant/resident. This applies to general tenancy, and rooming accommodation agreements and moveable dwellings. A water consumption charges document is a document given to a property owner by the water supplier and shows how much a property owner must pay for water used in the property.

This requirement applies to individually metered utilities for moveable dwellings including utilities services for rooming accommodations. It does not include service charges or utilities services that are included in the rent.

Partial billing

Partial billing refers to a billing for a period that includes only part, not all, of the time covered by the water usage charges document. For example, if a tenancy agreement starts on 1 February, but the water usage charges are specified from 1 January to 31 March, the partial billing period would be from 1 February to 31 March.

How does a tenant/resident pay for water charges during a partial billing period?

A tenant/resident pays for water during a partial billing period if the following conditions are met:

- the premises has its own water meter
- the premises meets water efficiency standards
- a meter reading is recorded in either the **entry or exit condition report**
- the partial billing period starts when the rental agreement begins
- the amount owed is calculated based on a reasonable estimate of a tenants/resident's water consumption using the meter reading from the entry or exit report
- the rate used for calculation is the current rate stated in the water consumption charges.

Who is responsible for recording the meter reading in the entry and exit condition reports?

To prevent disputes, the RTA strongly advises both parties ensure the meter reading is recorded in both entry and exit condition reports at the beginning and end of the tenancy.

The Act does not specify who is responsible for recording the meter reading in these reports. According to the Act, a tenant/resident may not be required to pay for water consumption charges for a partial billing period if the meter reading **is not recorded** in an entry or exit condition report if:

- the start of the agreement aligns with the beginning of the billing period, or
- the billing period ends when the tenant/resident hands over the premises.

How can the lessor/agent prove the premises are water efficient?

At the start of the tenancy agreement, the lessor/agent and tenant should negotiate arrangements for water charging and the frequency of charges. The presence of water efficient devices should be noted on the [Entry condition report \(Form 1a\)](#). Lessors/agents should be able to demonstrate the presence of water efficient devices where it may be unclear, such as by providing copies of:

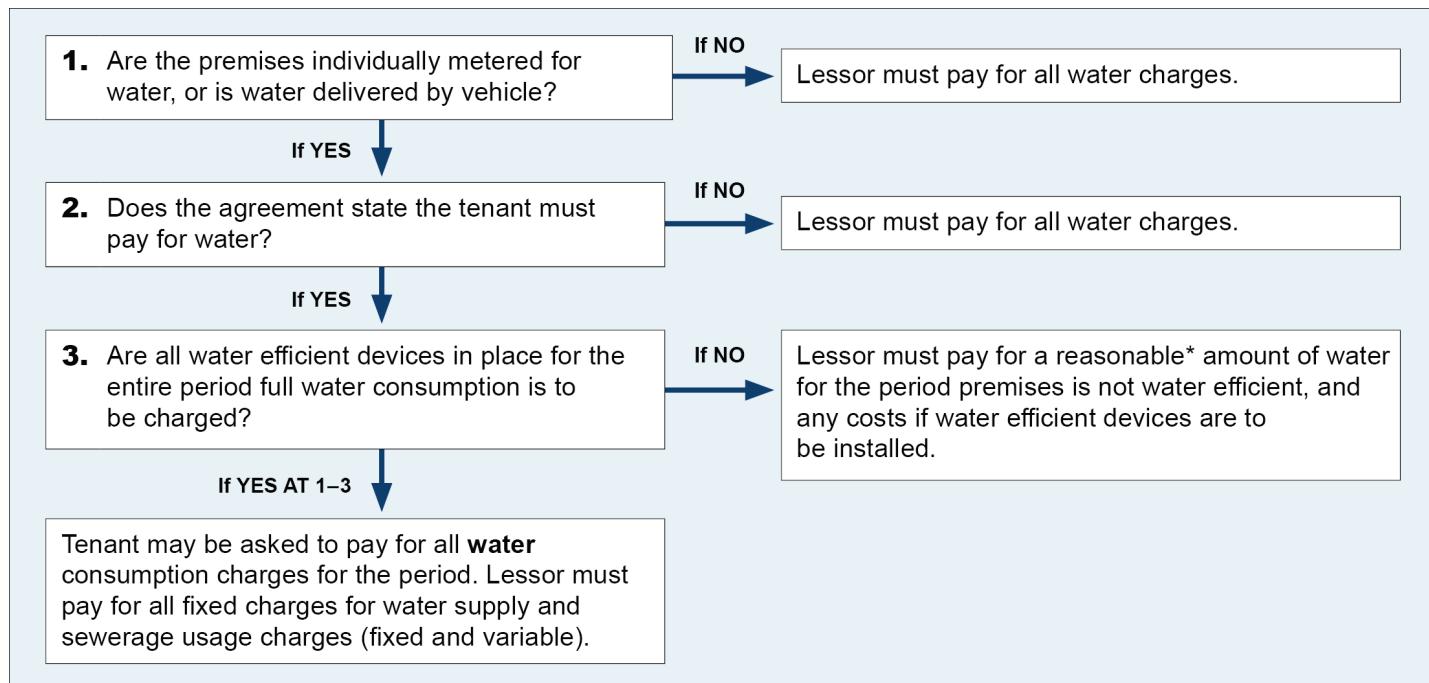
- plumbing reports
- receipts
- packaging
- warranties or instruction manuals for taps and showerheads, etc.

For any water fixtures produced from 2005 onwards, the easiest way to check if they meet the required efficiency standard is to look for products with a WELS rating of three stars or higher. WELS is Australia's water efficiency labelling scheme which rates fixtures including taps, showerheads, and toilets according to water efficiency – the more stars the better. To find out more about the scheme or search the registered product database, visit waterrating.gov.au.

Important points to note:

- tenants and lessors/agents should negotiate obligations at the start of the tenancy and put these in the tenancy agreement, for example, if the lessor is to contribute to water costs.
- it may be helpful to contact your local water provider about average local water consumption. You can find the correct contact details on your latest water bill.
- water billing periods are unlikely to align with tenancy agreements. It's important that both the tenant and the lessor/agent make note of the water meter readings on the condition reports at the start and end of the tenancy to calculate water consumption.
- Lessors will receive the water bill, pay the full amount, and provide their tenants with a copy of any water bills or evidence of water consumption to verify the amount to be charged. Tenants will not be billed directly by water supply authorities.
- tenants have one month to pay the agreed amount for water consumption after the lessor provides evidence of the costs to the tenant. The lessor/agent cannot require the tenant to pay more than the billable amount, or charge tenants late fees.
- if the tenant and lessor/agent cannot agree about water charges, the RTA's dispute resolution service may be able to assist.

Who pays for water in a rental premises?



* Reasonable amount of water:

The lessor and the tenant should agree upon what is a reasonable amount at the start of the tenancy and include the amount as a special term in the tenancy agreement. The tenant is liable for any consumption above the agreed amount.

Accessing RTA forms

The RTA's forms can be obtained electronically or in person via:

- rta.qld.gov.au • 1300 366 311 (Mon – Fri: 8:30am – 5:00pm) • Level 11, Midtown Centre, 150 Mary Street, Brisbane



Other languages: You can access a free interpreter service by calling the RTA on 1300 366 311 (Monday to Friday, 8:30am to 5:00pm).

Further information

For more information contact the Residential Tenancies Authority.



rta.qld.gov.au



1300 366 311



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Disclaimer:

This fact sheet is prepared for information only. The Residential Tenancies and Rooming Accommodation Act 2008 is the primary source on the law and takes precedence over this information should there be any inconsistency between the Act and this fact sheet.

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