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Information Sheet

Asbestos and rental properties



Asbestos and rental properties

Asbestos is a natural, fibrous mineral. Because of its durability, fire resistance and excellent insulating properties, it was used extensively in the Australian building industry between the 1940s and late 1980s.

In residential buildings, asbestos fibres can be found either firmly (bonded) or loosely bound (friable) in a number of products.

Bonded asbestos can be found in:

- Flat or corrugated sheeting (commonly called “fibro” or “AC sheeting”).
- Water or flue pipes.
- Roof shingles.
- Flexible building boards.
- Imitation brick cladding.
- Textured paint.
- Vinyl floor tiles.
- Backing of linoleum floor coverings.

Friable (loose) asbestos may be found in some older forms of insulation used in domestic heaters and stoves. In Victoria it is unlikely that ceiling insulation used in domestic buildings will contain asbestos. Bonded asbestos can become friable if it is weathered or deteriorated.

As a prospective tenant, you are entitled to enquire and obtain information about the existence of asbestos in a property before signing a rental agreement.

Please note that the landlord is not required by law to have this information.

As a general rule the presence of asbestos in the building material of a residential property poses minimal risk to your health, provided that it is in good condition and is not disturbed.

If you are currently renting a property and believe that you or your family are potentially being exposed to asbestos (as a result of deterioration of asbestos containing materials or due to unsafe repair/renovation work being undertaken), contact your agent or the landlord by telephone immediately and express your concerns in writing.

As the occupier of a property, where the removal of asbestos is scheduled to happen you should be notified prior to any work being undertaken.

If the landlord or a contractor (on the landlord’s behalf) is doing work on the property that you rent, and asbestos containing materials are identified, you should ensure that it will be removed properly.

If any repair/ renovation work is being done on the property you rent and the work is being done by a contractor (i.e. someone other than the owner) then site is deemed to be a workplace, and Section 4.3 (Asbestos) of Victoria's OHS Regulations apply. This regulation stipulates that any removal of asbestos containing materials must be undertaken

by a trained/qualified person, and, in most cases, by a licensed removalist.

If you are concerned about the practices of a contractor working at the property you rent, contact WorkSafe Victoria on 1800 136 089 or worksafe.vic.gov.au

If the repair/renovation works on the property you rent has already commenced, you should ask the workers to stop immediately and for them to not continue working until you have spoken to the owner/agent.

If the property you are renting is in a poor state of repair and is of an age that it could contain asbestos (built before the 1990s), it should be checked for asbestos and if asbestos is detected the matter should be treated as an urgent repair.

Landlords and owners have a responsibility to respond to all repair requests promptly as it is their duty to ensure the property is maintained in good repair.

In the first instance contact your landlord or agent. If you are experiencing a problem with either the owner or the agent, you should contact the Victorian Tenant's Union on 9416 2577 to seek advice or visit their website at www.tuv.org.au

For additional support you can contact Consumer Affairs Victoria on 1300 558 181 or consumer.vic.gov.au or the Department of Health and Human Services on 1300 650 172 or health.vic.gov.au

Please note that the above information is general and is intended to provide guidance about some of the issues that may arise in properties being leased. This document is not legal advice and should not be relied or acted upon as if it were.

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