



## RENTAL MAINTENANCE, NOT JUST LANDLORD'S RESPONSIBILITY

**Tenants often believe landlords are responsible for all maintenance on their rental properties, but this is not always the case.**

Tenants are also responsible for some aspects, says Natalie Muller, regional head of rentals at Jawitz Properties Western Cape. She says who is responsible for what is often the confusing issue.

"Some aspects fall on the landlord and some on the tenant. It isn't automatically all up to the landlord, and there is no obligation on the landlord to make cosmetic upgrades during the lease."

Landlords are responsible for aspects relating to the structural maintenance of properties, and this includes the painting and maintenance of the external walls and roofs. It also includes repairing roof leaks, damp and rising damp.

"They are also responsible for electrical wiring and plumbing as well as the stove, geyser, electric fence, alarm systems, automatic gate motors and pool pumps, if applicable."

If there is a pool, the landlord is responsible for leaks, as well as maintaining pool covers in light of water restrictions.

Furthermore, landlords must ensure their properties are compliant in terms of health and safety regulations at the time of occupation by the tenant.

"Should normal 'wear and tear' occur, repairs are required to be made by the landlord.

"Homeowners insurance is recommended to cover landlords in the event of burst geysers, for example, but this does not necessarily cover wear and tear, making it important for the property to be maintained regularly," Muller says.

Tenants are required to inform landlords of any issues, and they have some maintenance responsibilities. They are expected to maintain properties in terms of health and safety regulations, look after the internal aspects of properties, and keep the pool and garden tidy. Any damage to structures and fixtures as a result of negligence or not looking after premises will be for tenants to repair at their cost.

Tenants also need to keep gutters and pipes free from obstruction, so blocked drains and roof leaks due to gutters not being regularly cleaned will be for their account.

"This brings us to the essential legal requirement of inspections both at the beginning of a lease and upon renewal or exiting of the lease and premises, as well as any checks in between," Muller says.

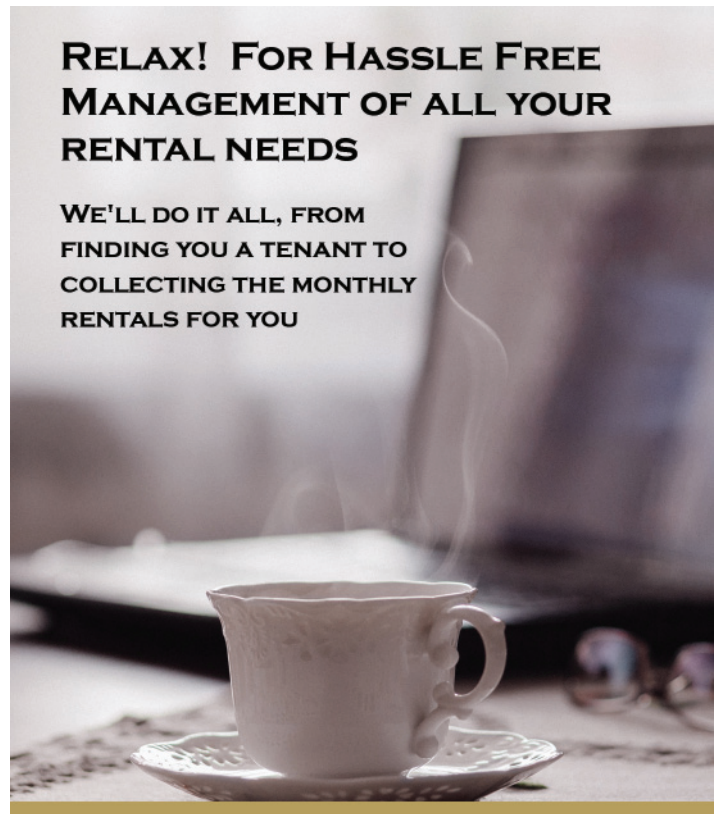
Inspections should be done by external contractors to ensure professional compliance and should include photos and printed documents signed by all parties on site at the inspection.

"This process protects the tenant's deposit and assists in resolving any potential disputes around new and previous maintenance issues, damage and liability determination."

*Weekend Argus*

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