



# Minimum energy efficiency standards for rental homes

## Information for renters

A regulation establishing a new minimum energy efficiency standard for ceiling insulation in rental homes will commence from 1 April 2023.

From 1 April 2023 all rental ads will need to state whether or not the property meets the minimum standard or has an exemption.

From 1 April 2023, where a new lease is signed, the rental property will have nine months to be compliant if their property does not already meet the standard or have a valid exemption.

### Benefits of better ceiling insulation

Better ceiling insulation will help improve the energy performance of your home, reducing energy costs and greenhouse gas emissions, and keep you cosier in winter and cooler in summer.

As up to 35% of heat is lost through the ceiling in properties without ceiling insulation, improving ceiling insulation is the most effective way to increase the energy efficiency of rental properties.

### Better ceiling insulation can:

- ✓ **improve thermal comfort**
- ✓ **reduce energy bills**
- ✓ **improve health and wellbeing**
- ✓ **reduce greenhouse gas emissions.**

### What is the new standard?

Rental properties with no insulation or existing ceiling insulation below an R-value of R2, will need to install or upgrade the ceiling insulation to a minimum R-value of R5 ceiling insulation. The higher the R-value the better the thermal performance of the insulation. R5 is what is typically installed in new homes.

The standard will be phased in over a four-year period, with most properties required to be compliant from 30 November 2026 (unless they have a valid exemption).

### Better information on energy efficiency for renters

The regulation also provides greater rights to renters. Rental providers must disclose the property's compliance with the new minimum standard in any rental ads and when entering the residential tenancy agreement.

Renters have the right to request and be provided with documentary evidence that the property meets the minimum standard or whether the property meets the requirements for a valid exemption. Evidence of compliance could include:

- > a receipt for insulation installation services that includes the R-value of the ceiling insulation
- > an inspection report from an insulation installer
- > an Energy Efficiency Rating report from a building assessor
- > if the property was built in 1997 (when R3 insulation became standard in new homes) or afterwards, a statutory declaration that the existing insulation has not been disturbed
- > a statutory declaration that ceiling insulation with an R-value of R2 or more has been installed.

## Key dates



### From 1 April 2023

Minimum energy efficiency standard comes into effect – all rental ads and new leases must indicate whether the property meets the standard.

### From 1 April 2023

Where a new lease is signed, the rental property will have nine months to be compliant.

### By 30 November 2026

Most properties will be required to be compliant with the standard.

### From 1 December 2026

All properties entering the rental property market from this date must comply within three months of signing a new lease agreement.

## Your rights as a renter

In addition to the requirements of the minimum energy efficiency standard regulation, under proposed future changes to the *Residential Tenancies Act 1997*, it will be an offence if property owners:

- > fail to disclose if their property complies with, or is exempt from, the minimum standard in a rental advertisement for the property
- > make a false or misleading statement in rental advertisements about a key aspect of the property's compliance with the minimum standard.

A penalty of up to \$800 for individuals or up to \$4050 for corporations may apply.

Under the proposed changes to the Act, renters will also be able to apply to the ACT Civil & Administrative Tribunal (ACAT) for dispute resolution in circumstances where:

- > a claim that the property meets the standard is not correct
- > an exemption is found to be based on a false or misleading statement
- > the property does not comply with the minimum standard within the designated period.

ACAT may make orders for rent reduction, financial compensation and/or to terminate the tenancy.

## Safety

To ensure the safety of renters and rental providers, the ACT Government requires that only insulation installers certified through the Energy Efficiency Council can install ceiling insulation. A licensed electrician must complete mandatory electrical safety checks before installation.

## What are my obligations?

You will generally not need to vacate for the electrical safety check or insulation installation, which will usually take less than half a day. Access to your property should be agreed between you and your rental provider or their property manager.

If you refuse access to the property in writing, the rental provider may claim a temporary exemption from compliance with the standard for the duration of the tenancy. However, proposed future changes to the *Residential Tenancies Act 1997* will give rental providers the right of access to meet the standard's requirements in the same way that applies to non-urgent repairs or maintenance.

## More help for renters

The Renters Home Energy Program offers free, tailored advice to help renters make better energy choices. Learn about the best actions you can take as a renter to make your home more comfortable, reduce energy use and save on bills.

You can also access an in-person home energy assessment or get advice over the phone or via email.

The Everyday Climate Choices website also includes a range of free advice, tools and resources to help Canberrans save energy and take small steps at home to reduce emissions.

For more information, visit [climatechoices.act.gov.au](https://climatechoices.act.gov.au)

## More information

**Web:** [justice.act.gov.au/renting-and-occupancy-laws](https://justice.act.gov.au/renting-and-occupancy-laws)

**Phone:** 13 22 81

**Email:** [Access Canberra contact form](#)

**For legal advice:**

**Tenants Advice Service (A division of Legal Aid ACT)**

The Tenancy Advice Service ACT (operated by Legal Aid ACT) is funded by the ACT Government to provide free and confidential legal advice to tenants. For more information, and a range of online resources for tenants, see: <https://www.legalaidact.org.au/tasact> or contact 1300 402 512 or [TAS@legalaidact.org.au](mailto:TAS@legalaidact.org.au).

**Canberra Community Law**

If you are a tenant in public housing (from Housing ACT), crisis accommodation or social housing (provided by a community housing provider), the Housing Law service at Canberra Community Law can provide you with free and confidential legal advice. For more information, and a range of online resources for public housing tenants, see: <https://www.canberracommunitylaw.org.au/>

You can contact them on (02) 6218 7900 or [info@canberrcommunitylaw.org.au](mailto:info@canberrcommunitylaw.org.au)