

Annex C – Determinations by a Rental Waiver Assessor

If a tenant and landlord are unable to reach a compromise on the rental waiver, they may make an application to an independent rental waiver assessor for a determination on the matters below. Assessors may also take into consideration any exceptional circumstances to determine if the landlord's rental waiver obligations should be reduced.

All applications for determination by a rental waiver assessor must be submitted **within 14 calendar days** of the landlord receiving the Notice of Rental Waiver and supporting documents from the tenant.

For landlords and tenants

Landlords or tenants can make an application for the rental waiver assessor to determine the amount of rent to be waived

For tenants only

Tenants whose leases were not stamped on or before 2 August 2021, but meet all other eligibility criteria and would like to receive the rental waiver, can apply for a determination by the rental waiver assessor

For landlords only

Landlords can make an application for the rental waiver assessor to determine:

- Whether the tenant-occupier is eligible for the rental waiver
- Whether the tenant-occupier or intermediary landlord served the Notice of Rental Waiver and supporting documents in accordance with the requirements under the Act and if not, whether this non-compliance was material
- Whether the landlord meets the eligibility criteria to be exempted from providing the rental waiver, on the grounds of financial hardship:
 - The applicant should be the property owner who is:
 - An individual or sole proprietor landlord; or
 - A company solely created to hold interest in the property ("holding company"), and the holding company is owned by one or more individuals and/or sole proprietors who each meet the other two criteria below;
 - The Annual Value of investment properties owned by the applicant, or each shareholder of the holding company (whether directly, or indirectly through companies) is less than \$60,000; and
 - The average monthly rental income derived from all properties owned by the applicant, or each shareholder of the holding company (whether

directly, or indirectly through companies) constitutes 75% or more of his/her average monthly gross income