

Purpose-Built Student Accommodation – when things go wrong

If you and your housing provider disagree at any point in your tenancy, it's important to keep calm and understand your rights.

For students living in Purpose-Built Student Accommodation (PBSA), rental and boarding laws in NSW may offer some protections and give you the right to take the matter to the [NSW Civil and Administrative Affairs Tribunal \(NCAT\)](#), if you're not able to negotiate a solution yourself.

However, if you live in a PBSA that is **not a registered boarding house**, you may not be able to access NCAT. In this situation, attempting to negotiate with your housing provider is even more important, because your only other option may be pursuing the matter through the Local Court. [Check if your PBSA is a registered boarding house.](#)

Resolving the dispute yourself

It's usually best to try to negotiate a solution between both parties. If your issue is taken to NCAT, the initial step will be conciliation (a negotiation facilitated by a professional mediator). Before your case ends up before a Tribunal Member, you will need to show you have made a 'good faith' effort to resolve things yourself.

This doesn't mean making a small concession (for example, offering to pay a minimal amount of money) and then immediately filing with NCAT when the housing provider doesn't agree. 'Good faith' means thinking about what happened, whether you bear any responsibility, and getting advice on the laws that cover your rental rights (usually the [Boarding House Act](#)). The offer you make should be reasonable.

For example, if you know you caused damage to your room and your housing provider wants \$700 to fix it, an offer of \$50 is unlikely to be accepted, and won't

help your case. Check online for repair prices yourself, get 3 quotes from legitimate businesses who do that type of work, and make an offer based on the best quote. Extremely cheap quotes from unqualified people on Airtasker or other such platforms won't help. Send the quotes to your landlord as evidence of the cost of the repairs.

Consider who's responsible for the damage or fault. For damage and repairs, check whether your issue is likely to be considered '[fair wear and tear](#)'. For arrears and debts, carefully check your contract and ask for a copy of your rental ledger. For contract termination clauses, get professional advice from a SUPRA caseworker. [Contact us for help](#).

All negotiation should be done in English and in writing, preferably by email. This makes it much easier to escalate the matter if you need to, and shows the housing provider that you are serious. If your housing agent keeps contacting you via a messaging app and in another language — respond both via the app and in email in English.

Do not agree to anything, or make offers, in a phone call or in person. If an offer is made in person, you should send an email immediately afterwards confirming what was agreed.

NSW Civil and Administrative Affairs Tribunal (NCAT)

If negotiation fails, you may need to file your matter with NCAT, if you're eligible to do so. [Find out more about NCAT](#). At this stage, **it's vital to get advice from a SUPRA caseworker**. [Contact us for help](#).

Early termination of your contract

If you think you might need to terminate your contract early, it's important to get professional advice before taking action. A SUPRA caseworker can give you that advice. [Contact us for help](#).

Getting advice

Be cautious when receiving advice from friends, fellow students, family members, or from online forums. NSW law is different to laws anywhere else in the world, and tenancies covered by the [Boarding Houses Act](#) are even more particular.

Professional advice is vital. If you get advice from a Tenancy Advice Service or community legal service, make sure they know that you're a boarder/lodger or marginal renter. [Find out more about what kind of tenant you are.](#)

SUPRA caseworkers can help you with your Purpose-Built Student Accommodation questions. [Contact us for help.](#)

Disclaimer

This information is current as of November 2024 and is intended as a guide to the law as it applies to people who live in or are affected by the law as it applies in NSW. It does not constitute legal advice.

Written by SUPRA Postgraduate Advocacy Service and Legal Service November 2024.