



**RENT RELIEF
COMPENDIUM:
INFORMATION
LANDLORDS CAN
REQUEST.**

16 June 2020

RENT RELIEF COMPENDIUM: WHAT INFORMATION CAN A LANDLORD REQUEST?.

Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia
<p>A tenant should provide:</p> <ul style="list-style-type: none">• calculation of current and projected GST turnover;• evidence of turnover reduction (an accountant letter simply asserting the turnover reduction is not likely to be enough) or if there has not been turnover reduction yet expenses have increased, this information should be presented;• proof of qualifying for JobKeeper. <p>For the purpose of demonstrating reductions in liabilities, a landlord should provide disclosure of:</p> <ul style="list-style-type: none">• benefits received from financial institutions;• reduced statutory charges or insurance.	<p>A tenant should provide:</p> <ul style="list-style-type: none">• evidence of eligibility for JobKeeper or evidence of at least a 30% decline in turnover if not receiving JobKeeper;• tax returns and/or Business Activity Statements. <p>A landlord must:</p> <ul style="list-style-type: none">• act reasonably and not place onerous requests on tenants for documentation;• treat information provided by tenants as confidential; and• only use the information for the purpose of complying the regulations.	<p>A tenant must:</p> <ul style="list-style-type: none">• demonstrate economic hardship. That is show they have turnover of less than \$50 million and a reduction in turnover of more than 30% and• request rent relief from their landlord.	<p>A tenant should provide:</p> <ul style="list-style-type: none">• a statement outlining why the lease is an 'affected lease';• financial information or statements about business turnover;• eligibility of JobKeeper;• evidence demonstrating that they are an SME entity;• information about any steps taken to mitigate the effects of COVID-19 on the business.	<p>A tenant should provide:</p> <ul style="list-style-type: none">• any information that the lease expressly requires;• turnover sales information;• eligibility of JobKeeper;• Business Activity Statements. <p>A landlord is not entitled to seek certain financial information from the tenant:</p> <ul style="list-style-type: none">• profit and loss;• bank statements and trust account information;• rent and outgoings paid as the landlord should know these already.	<p>A tenant must:</p> <ul style="list-style-type: none">• provide accurate information sufficient to enable negotiations;• proof of eligibility for JobKeeper and• evidence that they have a turnover of under \$50 million. <p>A landlord must:</p> <ul style="list-style-type: none">• treat information provided by tenants as confidential and• only use the information in accordance with negotiations.	<p>A landlord can request any turnover information:</p> <ul style="list-style-type: none">• extracted from an accounting system;• extracted from business activity statements; or• provided by the tenant to a financial institution. <p>A landlord should not request:</p> <ul style="list-style-type: none">• future cash flow projections;• balance sheets, profit and loss, or year to date financials; or• the tenant's bank balance.	<p>A tenant must provide sufficient and accurate evidence:</p> <ul style="list-style-type: none">• that they are an eligible tenant and their lease is a small commercial lease;• that they have had a reduction in business turnover during the emergency period. <p>This may include:</p> <ul style="list-style-type: none">• sales reports from an accounting system;• copies of business activity statements;• letter from an accountant or BAS agent. <p>It is not necessary to provide information such as a profit and loss statement or balance sheet.</p>

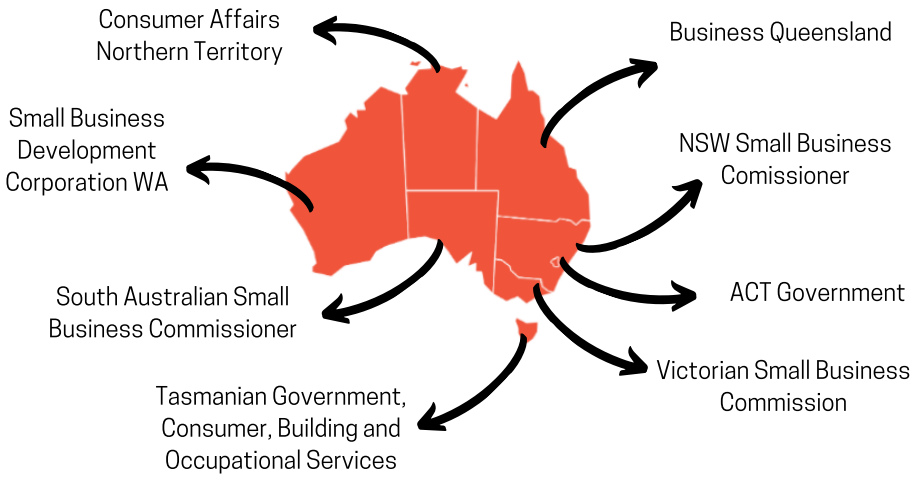
COMMERCIAL & RETAIL LEASING.

As we continue to feel the effects of COVID-19, we want you to know that we care and are here to help. At Bespoke, our industry expertise can cut through the uncertainty and help you achieve business goals during this challenging time.

COVID-19 presents many challenges for both landlords and tenants. We keep up to date on the changing leasing landscape as regulations are introduced so we can assist you to understand your rights, obligations and options in the context of any lease variations and negotiations. We can also assist you to understand your rights, obligations and options in the context of any lease variations and negotiations.

For more information, read our COVID-19 insights on the commercial and retail leasing industry [here](#).

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