

Appendix 2: Boarding House registration requirements

Under Part 2 of the BH Act, all registrable boarding houses must be registered with the NSW Fair Trading. The provisions relating to the registration of boarding houses commenced on 1 January 2013.

Proprietors must notify the Commissioner of the following details:

- the name, and the residential or business address, of each proprietor of the boarding house
- the name (if any) and the address of the registrable boarding house
- whether the boarding house is a general or assisted boarding house
- whether development consent or approval is required under the Environmental Planning and Assessment Act 1979 to use the boarding house as boarding premises and, if so, whether such consent or approval has been granted
- the number of residents of the registrable boarding house
- the number of residents who are under 18 years of age
- the name of the manager (if any) of the registrable boarding house
- the total number of bedrooms provided as sleeping accommodation for the residents
- any other particulars as may be approved by the Commissioner or prescribed by the regulations.

Proprietors of existing boarding houses need to provide the above information to the Commissioner within six months of the commencement of the BH Act, by 30 June 2013.

For new boarding houses, proprietors of new boarding houses must notify the Commissioner within 28 days of the premises becoming a registrable boarding house.

Registration is subject to a fee of \$100 (see section 9(3) of the BH Act). The Boarding House Registration Form is available on the NSW Fair Trading website. Proprietors who do not register a registrable boarding house or do not provide the above information to the Commissioner will be guilty of an offence. Proprietors may be charged up to 50 penalty units or \$5,500, or 100 penalty units or \$11,000 if they are a corporation, if they fail to comply (see section 9(5) of the BH Act).

A copy of the NSW Fair Trading Boarding House Registration Form is attached. This version is as at 1 July 2013; please refer to the NSW Fair Trading website for the latest version of this form as it may be subject to revision.

A list of registered boarding houses is also published on the NSW Fair Trading website. This and other information can be found at:

www.fairtrading.nsw.gov.au.