

# Rental Receipts: Are they required by law?

Daily News Tuesday July 17 2007

A RECEIPT is an important document and has legal significance especially when there is a disagreement.

It is proof of payment for the purchase of an item or services rendered or payment for usage of a thing. Take the case when you had to return an item to a store for an exchange or a refund.

A cash sale slip or receipt is proof of purchase. Similarly, a rental receipt is proof of rental paid and the date on which it was tendered.

When Reginald demanded receipts from his landlord, he refused to give them to him. In the past a landlord was obliged to provide a rental receipt only when his or her tenant requested one. The Rental Housing Act, No. 50 of 1999 changed this.

In fact, a landlord is required to provide receipts for all payments received in respect of the tenancy, which includes security deposit or repairs carried out in the dwelling.

Section 5(3) (a) (b) states a lease will be deemed to include terms, enforceable in a competent court, to the effect that – (a) the landlord must furnish the tenant with a written receipt for all payments received by the landlord from the tenant;

(b) such receipt must be dated and clearly indicate the address, including the street number and further description, if necessary, of a dwelling in respect of which payment is made, and whether payment has been made for rental, arrears,

deposit or otherwise, and specify the period for which payment is made;

What could Reginald have done? He could lodge a complaint with the provincial Rental Housing Tribunal for an unfair practice. He could inform his landlord in writing that he would not make further payments unless receipts are issued.

Section 5 of the Rental Housing Act also stipulates what information must be written on receipts, e.g., the name of the tenant, address of the dwelling, date, amount paid and what the payment is for.

The payment could include payment of deposit, lease fees, repairs carried out by the landlord /landlady for the tenant's account and installation of a geyser that was not part of the agreement.

What information should be included in a receipt?

- date
- the amount
- type of payment, e.g. for deposit or rental for July 2007
- tenant's name
- address of the dwelling for which deposit is paid,
- the type of dwelling (e.g. flat, room, garage, cottage)
- landlady's name

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