

HOUSING FOR STUDENTS

General do's, don't and FAQs for your attention & consideration

Dear colleague, this document is shared with you in order to offer you a first assistance, when moving to Vienna. It is made for general information purposes only. It shall not and cannot be considered as legal or advice of any kind.

Although we have provided the information with utmost diligence, no liability for the content can be assumed.

Within this document, we have shared with you third-party links, where some further information may be found, we are not affiliated with any of these parties and we do not assume any liabilities for any of the content available on third-party websites.

I. What to do before signing a rental contract

1. Understand what you are signing: obtain/ make an English version of the prospective rental contract and read it carefully;
2. Make sure that you are aware of rental contract details before signing a binding offer to the landlord;

(You read correctly - in Vienna, since there are many interested, potential tenants, in some cases you will be asked to " make a binding offer" to rent an apartment to the landlord. The landlord will then choose the most suitable tenant and inform you if this is you or not.)

3. Never make any payments before verifying all related information;
4. Negotiate real estate agent fees; if possible

5 If you feel uncertain about the binding offer or rental contract, consult an attorney at law or with the tenant's association [Mietervereinigung](#).

*Mietervereinigung is the Austrian tenant's association which offers various services concerning rental agreements. In order to use those services, a paid yearly membership must be concluded, special conditions for students are applicable. More details can be found at <https://www.mietervereinigung.at>.

II. What shall be included in a rental contract

1. Duration of lease, start and end dates;
2. Description and exact address of property;
3. Monthly rent and additional (e.g. house maintenance) costs;
4. Deposit; how much it is, when it has to be paid and in which form (see FAQ no. 10 for further information)
5. Termination clause, negotiate an early termination if this is important to you

III. What clauses are unlawful?

1. Obligation to repaint;
2. Compensatory payment for early termination;
3. Any sort of discriminatory clauses.

IV. **FAQ:**

1. **How can I make sure I'm not being scammed?**

The best possible way to ensure you're not scammed is by being present and thoughtful, visiting the apartment, meeting the landlord, reading the proposed rental contract and asking the relevant questions.

While scams are constantly changing and it's impossible to list all of the ways scammers may try to manipulate you into transferring money to them, there are a few things that are a generally good idea to look out for:

Asking for too much rent

Depending on the type of apartment you're renting, there might be a statutory cap on your rent. Exceeding amounts may be claimed back from the landlord for up to three years retroactively. If you feel your rent is excessive, we recommend you consult with the tenant's association or an attorney at law.

Asking for too much of your personal data

If your potential landlord is asking for your full name, current address, passport copy, and/or any additional data before you're at the rental contract signing stage, be alerted. Some "fake" landlords may collect your personal data, and then use it to steal your identity and subsequently, your money.

Asking for an abnormally large security deposit

It is not uncommon for your security deposit to be up to 2x- 3x monthly rent, this is indicated clearly in the rental contract. Please be alerted if the deposit is much higher than the average and if paying the deposit is demanded from you prior to signing a rental contract. Ideally, you will pay the deposit at the time of conclusion of the rental contract.

Asking for money in advance to "show" the apartment to you

To view an apartment is free of charge, and if the landlord or an agent is asking for money just to let you in, or for you to transfer a deposit in order to "send you the keys to the apartment from a remote location" you should walk away.

2. What does a partly furnished apartment include?

Usually, it would have a fully equipped kitchen with combined fridge/ freezer and electric or gas stove and oven. No other furniture should be expected; however, some landlords are willing to provide lamps, curtains and wall units.

3. What is included in a furnished apartment?

It can range from very basic furniture to a fully furnished dwelling, including crockery, cutlery and linen.

4. Are there standard heating systems?

The most common type of heating is gas central heating — (*Gasetagenheizung*) for individual use.

The costs of heating are usually part of the maintenance bill, subject to annual settlement of accounts.

Fernwärme is an alternative type of central heating, provided by the city, mostly available in new buildings.

However, there are also "all in rental agreements" where only a flat-fee to the landlord is paid. Please make sure to ask your landlord what is applicable in your case.

5. What are the typical rental costs for an apartment?

Costs at beginning of lease usually consist of the following:

- First month's rent in advance, and thereafter beginning of each month; usually with 6th of the month the rent is deducted from your bank account.
- Three months' rent deposit

6. How are utility costs handled?

In most cases, you need to register the energy supply in your name; see link section below for more information. Your gas/electricity bill is based on an estimate of consumption during the previous year. The accounts are settled each year, whereby any credit or amounts due are paid. Frequency of payment depends on whether you pay by direct debit or by installment. You can choose your method of payment on the website of an energy provider.

It is important to have the meters read at the beginning of the lease.

7. The month when the meters of your apartment will be read appears on the annual bill. Also, meter readings can be usually sent online to the energy provider via their web site. Most landlords are willing to assist in making these arrangements. **What is the typical commission paid to real estate agents?**

Two months' rent — basic rent and house maintenance costs if the lease period is more than three years;

One month's rent — basic rent and house maintenance costs if the lease period is three years or less;

20% VAT on top of the amount, added in all cases.

Please note: verbal commitments are binding and will entitle the agent to charge the commission that you agreed upon. We recommend not agreeing to or signing any documents that you don't understand. Have them checked by competent persons/ authorities (e.g. attorneys at law, tenant association).

8. What do house maintenance costs (*Betriebskosten*) include?

A catch-all charge including — where applicable — payment for:

- caretaker (*Hausmeister*) and facility management company
- cold water and maintenance of external water pipes
- building insurance (except for your private household insurance)
- garbage collection
- cleaning and lighting of common area
- house administration and lift
- chimney sweeping
- gardener for common green area
- applicable taxes.

House maintenance costs are revised at the end of each calendar year by the house administration (*Hausverwaltung*) and adjusted within the first six months of the following year. Your total rent will change accordingly, unless it was agreed that the rent would be paid as a lump sum, inclusive of charges.

9. What is Value Added Tax (VAT)?

10% on rent for accommodation for residential purpose, house maintenance costs;

20% on furniture, heating, garage, utilities (gas, electricity).

10. What is the deposit?

Two to three months' total rent at the beginning of the lease to be paid to the landlord or their representative.

However, the trend with commercial proprietors (e.g. banks, insurance companies) is to charge up to six months' rent.

How to pay the deposit:

Cash against receipt. The amount is refundable, usually including normal interest.

Bank transfer to the landlord's account.

Savings book. The amount is paid into a savings book at your bank and handed over to the landlord, together with the password.

Bank guarantee. The bank grants a credit up to the amount specified in the rental contract. The charges for the credit are approx. 2% per annum and a one-time fee for issuing the certificate.

Most landlords will accept a savings book from your bank, to be handed over upon signing the rental contract or taking possession of keys against receipt. The interest goes to you, the tenant. In case the landlord prefers cash or a bank transfer, it should be stated in the rental contract that the usual interest is granted to you, the tenant. Deposits are refundable at the end of the rental contract, either immediately or within four weeks, provided that all bills have been paid and the apartment is in good condition.

11. What is the cost of living index?

All rental contracts provide for a rental adjustment based on the change in the official Austrian cost-of-living index. The most common practice is to provide for an increase in rent whenever the index increases by 3.5% above the month of the beginning of the rental agreement.

12. What are typical conditions?

Lease period

Fixed term: a three-year minimum is mandatory according to the law. After the first year, you as the tenant have the right to terminate the rental contract with three months' notice at the end of a calendar month.

Prior termination by the owner is permitted only if legal grounds apply (e.g. non-payment of rent despite written reminder, improper use of property);

Indefinite: permanent duration, to be terminated by the tenant with three months' prior notice at the end of a calendar month.

Please note: the Austrian Tenancy Act (Mietrechtsgesetz) is not applicable to single- and two-family houses. The terms of the rental contract and the Austrian Civil Code (*Allgemeines Bürgerliches Gesetzbuch*) apply. In these instances, any lease period and notice option can be agreed.

Maintenance and repair

According to the law, you as the tenant are responsible for keeping the apartment and its specified inventory in good condition, including repair of appliances, if the damage is caused by you.

The owner is responsible for serious damages (*schwere Schäden*) involving the substance of the house (roof, facade, outside windows, lift, pipes inside the walls). All other items (e.g. yearly service of your gas boiler, if applicable) are the responsibility of you, as the tenant.

Advice: Before moving in, we recommend checking if the appliances (stove, fridge, dishwasher, washing machine, heating system) are in good condition and have been recently serviced.

13. What is Ablöse?

This is a one-time payment to the preceding tenant to compensate for permanent, non-removable improvements. According to Austrian Tenancy Act, an *Ablöse* can be exacted to compensate for substantive upgrades made to a rental property, such as the installation of a bathroom, toilet, heating system, or new electrical wiring. Where stipulated in the rental contract, it is also common practice for the preceding tenant to request an *Ablöse* in exchange for being allowed to pass on the terms of the existing rental contract to the successor, in particular with regard to the amount of monthly rent.

15. Can the landlord terminate my lease contract?

Your landlord must have serious reasons to terminate your rental contract.

Basically, the three main grounds to terminate would be:

- non-payment of rent (or at least part of it) despite a written reminder;
- inappropriate use of property — either the dwelling is being physically destroyed or neighbors complain of being severely and frequently disturbed.
- If a landlord urgently needs an apartment for himself or for close relatives, he/she can terminate the indefinite rental contract it due to his/her own needs.

The landlord will have to terminate the contract before a (tenant-friendly) court of law, hence the tenant enjoys a very high level of security as long as the rent is being paid.

14. What happens if I have to move out earlier than expected?

Please check the terms of the termination clause in your rental contract.

15. Do I need a separate insurance coverage for my apartment and for my personal belongings?

To conclude a household insurance policy that covers the apartment and includes theft, third party liability and damage caused by defective appliances such as fires from faulty electrical devices or water damage from washing machine or dish washer, is recommendable. It is also recommended to make sure that a clause is included specifically covering glass breakage of windows, stovetops, or fish aquariums.

A household insurance can be concluded offline and online. An online price comparison platform called www.durchblicker.at is a good starting point for comparing the insurance offers in Austria.

Useful links

Beyond finding accommodation, here are some links to websites for further information relevant to living in Vienna.

Bar Association, Lawyers

- <https://www.rechtsanwaelte.at/en/bar/regional-bars/vienna>

The Home Page of the City of Vienna

- <https://www.wien.gv.at/english>

Tenant's Association

- <https://mietervereinigung.at>

Electricity Supply

- One of the suppliers is <https://www.wienenergie.at>, however, many others exist, price comparison is possible via www.durchblicker.at as well

Public transport

Using public transport in Vienna is easy. This website, as well as Google Maps/ Apple Maps etc., will give you the details of getting from any area or address to another showing exactly the possible modes of transport:

- www.wienerlinien.at

Other useful websites for public transport are:

- www.oebb.at
- <https://www.cityairporttrain.com/de/home>
- <https://www.vib-wien.at/en/vib-busterminal>