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**From:** Robin Zakharov [REDACTED]  
**Sent:** Sunday, 11 July 2021 1:29 PM  
**To:** Community Support and Services Committee  
**Subject:** Submission to the Housing Legislation Amendment Bill 2021

Dear committee

I make this submission on the basis of my long experience in working in the Queensland housing environment and now working as a housing manager for a community housing provider in Victoria. I therefore have a good understanding of the Queensland housing market and current knowledge of recent changes to the Residential Tenancies Act in Victoria, which came into force on 29 March 2021.

I note that while the changes proposed to the RTRA in the Housing Legislation Amendment Bill are similar to areas of rental reform enacted in Victoria, the Queensland proposal is weaker in terms of protecting tenant's rights.

A home is fundamental to everyone but the safety and stability of residential tenants' homes are subject to a wide range of determinations by the property owner. Australia's rental industry is dominated by smaller investors which creates an environment where many owners are focused on short term issues and financial gain. The balancing of tenants' and lessors' rights needs to be viewed in the context of the huge power imbalance between these parties and the impact on tenants if their home is at risk for no good reason.

In Victoria we now have rental legislation which provides plenty of reasons for an owner to seek to end a tenancy, but a key difference to what is proposed in this Bill is that the tenancy cannot be ended without reason beyond the end of the first fixed term agreement. This has meant that all rental providers need to consider more carefully the term of that first agreement and know that there are plenty of other reasons for ending the tenancy beyond that term, should the need arise. This provides better security to tenants who know that, beyond that first agreement, they have a greater degree of security.

<https://www.consumer.vic.gov.au/housing/renting/moving-out-giving-notice-and-evictions/notice-to-vacate/giving-notice-to-a-renter>

Another area which diverges between what is proposed in Queensland and what we now have in Victoria is treatment of pets. While the changes to make it easier for a tenant to have a pet is in the Queensland bill, there are still too many caveats on how a tenant may keep a pet. I expect owners and agents will exploit every way in which they can challenge pets on the property or put unfair restrictions on the pet. Tenants are left with the burden of challenging those conditions - again the power imbalance will mean that tenants will be subjected to unreasonable decisions or conditions for keeping a pet, resulting in limited improvement on the current situation.

<https://www.consumer.vic.gov.au/housing/renting/repairs-alterations-safety-and-pets/pets>

Finally minimum standards are another critical area of change. What Queensland proposes to do in terms of the detail of minimum standards is not known until the regulations are prepared. But to observe the Victorian experience, I think the changes in Victoria with respect to specific minimum standards and declaration of non conformance to those standards (along with other mandatory disclosures when letting a property) provide the right focus on key health and safety aspects of a dwelling as well as requiring that premises must have the basics in operating order - a stove that works! A functional laundry! Queensland would do well to follow the approach in Victoria when specifying the approach to minimum standards.

<https://www.consumer.vic.gov.au/housing/renting/repairs-alterations-safety-and-pets/minimum-standards/minimum-standards-for-rental-properties>

It's early days for the rental reforms in Victoria. But as someone who works on the provider side of the system here, these reforms are workable and go some way in addressing the risks to tenants of poor housing conditions, rights to treat their premises as a home and have a degree of security and stability.

I urge the committee to revisit the key elements of the Bill which do not go far enough in supporting tenants rights to live safely and securely in their home and enjoy the companionship of pets.

regards

Robin Zakharov

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[Redacted contact information]