
From: Maria and Nino [REDACTED]
Sent: Monday, 12 July 2021 11:04 PM
To: Community Support and Services Committee
Cc: Algester Electorate Office; Aspley Electorate Office; Bancroft Electorate Office; Barron River Electorate Office; Bonney Electorate Office; Broadwater Electorate Office; Buderim Electorate Office; Bulimba Electorate Office; Bundaberg Electorate Office; Bundamba Electorate Office; Burdekin Electorate Office; Burleigh Electorate Office; Burnett Electorate Office; Cairns Electorate Office; Callide Electorate Office; Caloundra Electorate Office; Capalaba Electorate Office; Chatsworth Electorate Office; Clayfield Electorate Office; Condamine Electorate Office; Cook Electorate Office; Cook Electorate Office; Coomera Electorate Office; Cooper Electorate Office; Currumbin Electorate Office; Everton Electorate Office; Ferny Grove Electorate Office; Gaven Electorate Office; Gladstone Electorate Office; Glass House Electorate Office; Greenslopes Electorate Office; Gregory Electorate Office; Gregory Electorate Office; Gympie Electorate Office; Hervey Bay Electorate Office; Hill Electorate Office; Hinchinbrook Electorate Office; Inala Electorate Office; Ipswich Electorate Office; Ipswich West Electorate Office; Jordan Electorate Office; Kawana Electorate Office; Keppel Electorate Office; Kurwongbah Electorate Office; Lockyer Electorate Office; Logan Electorate Office; Lytton Electorate Office; Macalister Electorate Office; Mackay Electorate Office; Maiwar Electorate Office; Mansfield Electorate Office; Maroochydore Electorate Office; Maryborough Electorate Office; McConnel Electorate Office; Mermaid Beach Electorate Office; Miller Electorate Office; Mirani Electorate Office; Moggill Electorate Office; Morayfield Electorate Office; Mt Ommaney Electorate Office; Mudgeeraba Electorate Office; Mulgrave Electorate Office; Mundingburra Electorate Office; Murrumba Electorate Office; Nanango Electorate Office; Nicklin Electorate Office; Ninderry Electorate Office; Noosa Electorate Office; Nudgee Electorate Office; Oodgeroo Electorate Office; Pinerivers Electorate Office; Pumicestone Electorate Office; Redcliffe Electorate Office; Redlands Electorate Office; Rockhampton Electorate Office; Sandgate Electorate Office; Scenic Rim Electorate Office; South Brisbane Electorate Office; Southern Downs Electorate Office; Southport Electorate Office; Springwood Electorate Office; Stafford Electorate Office; Stretton Electorate Office; Surfers Paradise Electorate Office; Theodore Electorate Office; Thuringowa Electorate Office; Toohey Electorate Office; Toowoomba North Electorate Office; Toowoomba South Electorate Office; Townsville Electorate Office; Traeger Electorate Office; Traeger Electorate Office; Warrego Electorate Office; Warrego Electorate Office; Waterford Electorate Office; Whitsunday Electorate Office; Woodridge Electorate Office
Subject: Submission to the Residential Tenancies and Rooming Accommodation (Tenants' Rights) and Other Legislation Amendment Bill 2021

12 July 2021

Residential Tenancies and Rooming Accommodation (Tenants' Rights) and Other Legislation Amendment Bill 2021

As an investment property owner, I OBJECT to this Bill presented by Dr Amy MacMahon of The Greens Party who appear to have no knowledge of the rental industry.

The key proposed changes included in this bill

- Capping rent increases to once every two years and by no more than the CPI annually
- Scrapping “No grounds evictions” to prevent lessors from being entitled to end a fixed term tenancy at the end of its agreed term. Restricting lessors rights to end tenancies. The Bill also excludes the right for owners to issue notices to leave where they intend to sell the property.
- Banning rental bidding
- Allowing tenants to make alterations to the rental property without permission from the lessor. Examples include painting walls, inserting nails, adding shelves.
- The suggested abolishment of a lessor’s right to not renew a tenancy agreement at the end of its agreed term is ludicrous.
- Automatic right for tenants to keep pets. A landlord would have to apply to a tribunal to not allow pets in their property.

This would allow a tenant to remain in a tenancy indefinitely and for as long as they wish unless the lessor can establish one or two grounds under the Greens Proposal. Effectively a lessor could only issue a notice to leave if they or a family member intends to occupy the property or if major renovations are to be made to the property. The lessor must offer the tenant another tenancy agreement after the renovations are complete.

The Greens proposed rental reforms are essentially seeking for tenants to have the right to stay in a property until it suits them, to make modifications as they please and keep pets in the property without seeking consent, whilst lessors would not be able to request market rent.

The Greens proposal sends lessors to QCAT to seek permission to grant rights that they currently have under the RTRA Act 2008. The average waiting time for a case to be heard in QCAT is 36 weeks. This is unaffordable for lessors to go without rent or a problem resolved.

The majority of lessors are mum & dad investors or retirees. This group are being forced to become social housing providers. It is not the responsibility of the private sector to provide social housing.

Misleading statements in this bill

Without grounds - It was stated the objective of the Bill is to “*improve security by removing the ability for no grounds evictions*”. **This is a misleading statement.** Under a fixed term tenancy, lessors cannot lawfully evict tenants without grounds. They can only issue tenants with a notice to leave due for the end of the agreed term. The tenant shares the same right at the end of the agreed term; they may end the tenancy by providing a ‘without grounds’ notice.

This Bill does not seek to abolish “without grounds evictions”. Rather, it proposes to abolish a lessor’s right to choose not to renew the agreement. The lessor must renew the agreement. A lessor is compelled to offer a tenancy agreement in which there is no opportunity for them to not renew beyond any stated term, is, in effect, offering a perpetual lease that may only be ended by the tenant if and when they choose to do so.

Public Hearing - Misleading statement

It was noted that in the [public hearing](#) Dr Amy McMahon was asked whether stakeholders were involved in discussions about the proposals. She claimed that stakeholders were involved. It seems only Tenant representative stakeholders were involved. The stakeholders such as the Property Owners Association of Queensland, Caravanning QLD or ARAMA were not included or invited. They are stakeholders on the RTA website. This bill was created for the purposes of satisfying tenancy lobby groups.

There are many more proposed changes to the current Residential Tenancies and Rooming Accommodation (Tenant's Rights) and Other Legislation Amendment Bill 2021 that if passed by Parliament will result in Government having to supply more public housing.

Currently there is an acute shortage of available rental properties. Some suburbs have either zero, or maybe 2 properties available. This acute shortage isn't good for tenants – there's not the choice to live where they want, in the type of property they'd prefer, at a price that's reasonable. This Bill does NOTHING to address this shortage of rental properties!

In fact, this Bill will be an even greater detriment to tenants, as –

- Prospective investors will realise there's no real return on investing in the rental market, and that there's far better returns available in the share market (25% in the last year compared to less than CPI under the proposals of this Bill).
- Existing investors will realise there's no choice in protecting and managing their investment properties, with little control over what tenants can do with/to the property. They will exit the rental market at their earliest opportunity – leaving even less properties available for prospective tenants.

There is nothing in these proposed changes to attract investors into the rental market – and without investors there won't be more rental properties available to meet the growing rental demand.

In this proposed Bill – “Tenant's Rights “ play a big part. It has been forgotten by the Greens' Party that lessors have rights also.

We urge the Government not to agree to the proposed ludicrous changes as put forward by the Greens' Party.

Maria Caranese

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From: Maria and Nino [REDACTED]
Sent: Tuesday, 13 July 2021 12:04 AM
To: Community Support and Services Committee
Cc: Everton Electorate Office; Broadwater Electorate Office; Algester Electorate Office; Stafford Electorate Office
Subject: Submission for Housing Legislation Amendment Bill 2011 - Maria Caranese

12 January 2021

The Housing Legislation Amendment Bill 2011 will make a significant change to a property investors.

It erodes the fundamental rights and decision-making powers of lessors in respect of their properties, whilst introducing a series of requirements to further burden those same lessors.

Without Grounds

This bill falsely claims that it is "improving transparency around managing tenancies and ending tenancies fairly by: **removing without grounds** as an approved termination reason for lessors"

Under a fixed term tenancy, lessors cannot lawfully evict tenants without grounds. They can only issue tenants with a notice to leave due for the end of the agreed term. The tenant shares the same right at the end of the agreed term; they may end the tenancy by providing a 'without grounds' notice.

This Bill does not seek to abolish "without grounds evictions". Rather, it proposes to abolish a lessor's right to choose not to renew the agreement. The lessor must renew the agreement. A lessor is compelled to offer a tenancy agreement in which there is no opportunity for them to not renew beyond any stated term, is, in effect, offering a perpetual lease that may only be ended by the tenant if and when they choose to do so. It offers some conditions for Lessors to jump off the tenancy merry go round. These conditions are "allowable grounds"(repair or renovation needing to occur, sale of property, and owner occupation). There is no consideration as to other reasons Lessors might want to leave the rental market (eg. illness). There is no freedom to even have a break from renting.

Who adjudicates if the Lessor has been truthful in relation to the allowable grounds. There is no other asset where the owner has to provide reasons for the freedom to remove their asset off the market and the reason potentially subject to scrutiny by a tribunal.

Automatic rights for tenants to have pets:- Lessors have 14 days to provide reasonable grounds to refuse. Reasonable grounds include if the property is unsuitable, and if keeping the pet would breach laws or by-laws. Lessors can also place reasonable conditions on pet ownership, including that the pet is to be kept outside or that carpets are cleaned and the property is fumigated at the end of a lease. Any disputes on the reasonable grounds are dealt with by QCAT

This change forces Lessors into accepting pets into properties. There is no choice to say NO from the beginning. Lessors are relegated to having to apply to the mercy of QCAT to appeal their rights to say no. In addition the have to be "reasonable" grounds for declining pets. A tenancy agreement is a contract. Lessors should be able to state the conditions of that contract to include no pets if they wish. Furthermore QCAT has a 36 week wait time for cases at the moment. One can only imagine the damage caused by automatically accepting pets into a property that is no suited for them and having to endure 36 weeks of damage before

QCAT can determine that the Lessor was correct in the first place. You cannot undo damage. The bonds will not cover the extent of damage. This would further impact Landlord insurance prices.

A large proportion of property investors are mum and dads and retirees. They take great financial risks in taking out mortgages, paying rates, insurance for a rental property investment for their future. Yet are being treated as a social housing providers, which is the domain of government.

Currently there is an acute shortage of available rental properties. Some suburbs have either zero, or maybe 2 properties available. This acute shortage isn't good for tenants – there's not the choice to live where they want, in the type of property they'd prefer, at a price that's reasonable. This Bill does NOTHING to address this shortage of rental properties!

In fact, this Bill will be an even greater detriment to tenants, as –

- Prospective investors will realise there's no real return on investing in the rental market, and that there's far better returns available in the share market (25% in the last year compared to less than CPI under the proposals of this Bill).
- Existing investors will realise there's no choice in protecting and managing their investment properties, with reduced control over what tenants can do with/to the property. They will exit the rental market at their earliest opportunity – leaving even less properties available for prospective tenants.

These proposed changes are unattractive to investors going into the rental market – and without investors there won't be more rental properties available to meet the growing rental demand.

I ask you reject the above changes in the Housing Legislation Amendment Bill 2011.

Regards

Maria Caranese

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