
From: [REDACTED]
Sent: Tuesday, 13 July 2021 8:56 AM
To: Everton Electorate Office
Cc: Community Support and Services Committee; Minister for Communities and Housing
Subject: To Community Support and Services Committee (CC my local MP): Submission on the Housing Legislation Amendment Bill 2021 and the Residential Tenancies and Rooming Accommodation (Tenants' Rights) and Other Legislation Amendment Bill 2021

Dear Timothy Mander MP,

TO the Community Support and Services Committee, cc my local MP -

I'd like to comment on both the Housing Legislation Amendment Bill 2021 and the Residential Tenancies and Rooming Accommodation (Tenants' Rights) and Other Legislation Amendment Bill 2021.

My submission is informed by my experiences as a renter in Queensland for two decades, where I have seen firsthand or witnessed in others many of the abuses the proposed legislation aims to address. I will detail those experiences briefly that you may understand my motivations in advocating for rental reforms such as those proposed by the Amendment Bills.

I have experienced rent increases of fifty percent in a single dwelling, and seen asking rents for low-end rentals approximately triple to date. Correcting for inflation, rentals are now twice as expensive, while wages have increased in real terms by approx 30%. This torrent of cash for unstable, poorly-maintained tenancies constitutes an ever-increasing percentage of the pay packet, leaving ever less to pay for groceries, utilities, or family costs. You may wish to consider in this context that many of today's family-age workers are opting to NOT marry and start families citing stratospheric housing and cost of living expenses, exacerbating demographic imbalances now and for the next several generations. I know from personal discussions that rapidly increasing rental demands is tempting many long-term Brisbaneites to leave the region entirely.

I have experienced the common practice of a rent increase demand letter on lease renewal, packaged with a notice to leave to take effect if the increased rent 'offer' is not accepted, at multiple properties. I have also seen rent increase demands from a property grossly in breach of a key health requirement (no cigarette smoke exposure and no smokers at the same building, required in writing - turns out landlord was a heavy smoker and property routinely STUNK of cigarettes, which may be relevant to severe respiratory health issues experienced during that lease).

I have experienced retaliatory evictions when raising a legitimate dispute on multiple occasions, including one eviction deemed retaliatory and vacated by QCAT. In my experience, lessors simply love to address disputes by evicting tenants instead since the minimum timeframes (which are ALWAYS demanded, even in multiple-year tenancies) are stressfully and vengefully short, by far the lion's share of costs are borne by the tenant, who will often be forced to pay rent on two properties simultaneously (= real estate agents and landlords get paid twice! wheee!) for at least some duration so that a move can be completed, in addition to utility dis/reconnection, moving costs, cleaning, packing, time not working lost inspecting properties, etc while a property in basic repair in a tight market can often be re-let within a week, no doubt with a commission to the agent.

I have experienced poor or lacking maintenance from agents or lessors, ranging from a property with lakes of sewage backing up into downstairs apartments on multiple occasions through severe mould, dry rot in wood railings and windowsills, broken doorknobs trapping me inside a room underground, collapsed fence unrepaired for several months, unsecured premises with broken or missing locks, plentiful health-corroding cigarette smoke from adjoining residences, defective telephone lines preventing telework (for months) and even abusive neighbouring tenants. I have witnessed even more severe gross maintenance issues going uncorrected, or addressed by tenants themselves because tenants fear retaliation or eviction if they request action on the maintenance.

I have been lied to by lessors on many occasions, including an attempt to wind back an advertised feature of the property (electricity inclusion) and the known presence of smokers onsite in other units managed by same lessor (multiple leases). I've also experienced a lessor inappropriately garnishing a bond for a rent payment adjustment that had already been paid and receipted, as well as a lessor agent that tried to keep an inadvertent rent overpayment at end of lease (we kept well in credit) by claiming they had already sent the rent payment to the landlord and 'they could not recover it'. Same lessor also expected us to end lease early, simply for convenience of landlord.

I have also witnessed a family member forced to rent privately for SEVEN YEARS (until notice expiry) due to a malicious notice lodged by a caravan park lessor with TICA, back when they were allowed to charge five dollars per minute for calls to their dispute line.

Meanwhile, I have given several hundred thousand dollars to a succession of landlords and real estate agents in exchange for having a roof of some repair over my head. I have moved seven times and paid seven sets of moving costs, usually due to leasing agents terminating the tenancy for their own reasons or coinciding with a dispute, criss-crossing greater Brisbane due to limited rental supplies and high prices. At no time have I had a legitimate bond garnish or property condition dispute. Also, at no time has any agent or landlord seen more than inconvenience from any disputes or legal actions - even the retaliatory eviction that was set aside was simply re-submitted a month later.

Australia has some of the weakest rental tenancy protection laws protecting some of the most expensive tenancies on the face of the planet. I have witnessed first-hand and second-hand the abuses, legal and illegal practiced by the real estate industry and landlords where permitted or not effectively prosecuted, and I have experienced the heavy financial costs firsthand. Exorbitant rents, abusive lessors and poor-quality, unstable rental housing exacerbated by weak legislation blight the lives and pockets of one third of Queensland's households and barring significant legislative corrections or economic upheaval, will only get worse in the near future. While landlords and real estate agents will celebrate vast incomes for trivial amounts of work, the renters they relentlessly exploit will be forced to compromise on their economy-supporting expenditures, careers and family plans, and can be expected to vote accordingly - even if just with their feet - to the detriment of the long-term health of the state of Queensland.

Accordingly, both to improve the lot of renters and lend sanity to the future Queensland economy, I support measures such as those proposed in the Residential Tenancies and Rooming Accommodation (Tenants' Rights) and Other Legislation Amendment Bill 2021. By protecting and expanding tenants' rights and entitlements, limiting rent increases and reining in some abuses by lessors, the pain and suffering of renting may be limited. Other means do of course exist to the same end - for instance, contributing large amounts of competing inexpensive social housing to the Queensland or federal rental market, disincentivising rent-seeking by adjustments to tax rates and legislation, or just a good old-fashioned recession, depression or economic collapse - but they are out of scope of this submission.

In its current form, the Housing Legislation Amendment Bill 2021 will do little to improve my situation as one of the 1.8 million renters in Queensland. While this bill may be palatable to the real estate lobby, it largely disregards my experience as a renter.

While I'm pleased that the Housing Legislation Amendment Bill includes positive provisions for renters experiencing domestic and family violence, it contains little other reforms of substance for renters.

I urge the Queensland Government to take this opportunity to amend this bill and to implement real rental reforms that will make renting in Queensland affordable, secure and fair.

It's crucial that rental reforms in Queensland include:

- A genuine end to 'no grounds' evictions – providing tenants with long-term security in their homes without the risk of an unfair eviction at the end of their lease
- Allowing tenants to make minor modifications, like hanging picture frames or installing furniture safety anchors
- A real ban on rent bidding – banning agents and property owners from accepting amount above the advertised rent for a property
- Expanding minimum standards to include ventilation, cleanliness and insulation

- Stopping unreasonable rent increases by tying rent increases to general inflation (CPI)
- Ensuring prospective tenants have fair and honest information about the property
- Banning inappropriate or discriminatory questions by lessors
- Make it easier for tenants to have pets – by flipping the onus on property owners/agents to demonstrate why it's unreasonable for a tenant to have pet

These provisions are included in the Residential Tenancies and Rooming Accommodation (Tenants' Rights) and Other Legislation Amendment Bill 2021. I urge the government to either support the Tenants' Rights Bill, or amend its own bill to provide real protections for renters.

I would also like to request that the issue of smoking in tenancies be addressed if possible also. Careless smoking of tobacco or other problems is a huge problem and an extremely common cause for complaint for neighbours of smokers, because the smoke smells foul, is amazingly penetrating and lingering, and absurdly effective at corroding respiratory health (asthma attacks, cold/flu/pneumonia susceptibility, stagnant air issues eg mold caused by attempting to keep smoke out, ...) in tenants unfortunate enough to share the same building or downwind air. Meanwhile the smoker tenant/neighbour believes the smoke is perhaps 1/20th as offensive - literature is riddled with quitting smokers amazed how utterly disgusting their smokes smell now that their sense of smell has returned - is powerfully motivated by addiction to ignore comfort and health of neighbours, is powerfully motivated by addiction to FREQUENTLY cause a nuisance by smoke, generally considers personal freedom far more important than obtaining nicotine by other means that don't smell foul and ruin health, and is largely uncompelled by law or legislation even where health of neighbours is almost certainly directly impaired.

The issue of smoking nuisance to neighbours could be addressed by such measures as:

- banning smoking in residences in proximity to neighbours entirely,
- requiring a substantial rent discount on tenancies negatively affected by smoke drift or penetration from neighbouring smokers,
- legal requirement for smokers to not cause a nuisance to neighbours by smoking, BACKED WITH EFFECTIVE AND PUNITIVE ENFORCEMENT MEASURES,
- mandatory notice to prospective renters that a smoke nuisance affecting the property has occurred in the past,
- legally requiring smokers in residences with neighbours in reasonable proximity to reduce or eliminate their smoke drift as far as practical by installation of mitigation equipment eg extraction fans and carbon filters, enclosed smoking areas/curtains vented by stacks, laminar-flow 'fume hoods', or alternate, non-smoke non-aerosol nicotine delivery such as patches or gum,
- effectively holding smokers disregarding such regulations responsible - and liable - up to and including grounds for rapid eviction.

Smokers may always avoid such unpleasant consequences by simply taking the necessary steps to ensure their unpleasant habit does not negatively impact on innocent neighbours by their careless smoking practices.

Of course, a wider ban on smoking would also address these issues, while delivering a cornucopia of health wealth and longevity benefits for the former smoker.

Yours sincerely,



p.s I would appreciate if you could redact my name from any published submissions, in case of retaliation by the Qld real estate industry against critics.