
From: [REDACTED]
Sent: Tuesday, 13 July 2021 11:15 AM
To: Community Support and Services Committee
Subject: Submission to the Residential Tenancies and Rooming Accommodation (Tenants' Rights) and Other Legislation Amendment Bill 2021

Dear Committee

If I have read the proposed Bill correctly, my concerns are:

Page 10, clause 8, 57B - Owners/agents are not able to ask certain questions. I totally disagree with this clause as an agent as well as landlord:

1. This does not give owners/agents a chance to check the prospective tenant is the person they say they are
2. Whether they are a suitable person for the property without being able to check previous rental references
3. Whether they can afford the rent of that property

Page 13, rent increases. I disagree with this clause :

1. Many landlords do not increase the rent for a period of time particularly when times are hard and the landlord wishes to assist their tenant.
2. When times change and rental properties become scarce, then the landlord should be able to increase the rent to market value
3. All through the hard times owners have had to continue paying outgoings on their property, they should have the ability to increase the rent as they wish.
4. With existing tenants, they can increase the rent by negotiation

Page 18 Clause s93 – minimum 2 years for rent increases. I disagree with this clause:

For the reasons above as well as :

1. Two years is too long. The landlord would be considerably disadvantaged if there was a housing shortage with rents increasing and they are unable to increase their rent.
2. Once again, they are the people with the mortgage and outgoings. They deserve to be able to make decisions for themselves.
3. I believe One year between rent increases is appropriate.

Page 23 Clause 18 – 24 hours entry notice amended to 48 hours.

1. We live in a transient market. Prospective buyers or tenants may only be in the area for one or two days to inspect properties. Some tenants would be agreeable to shorter notice but if the law states 48 hours notice then there are some who would want the full 48 hours.

Page 24 Division 1 – 209A – “Minor” modifications – I do not agree.

It does state further on what minor modifications are, but how many, what type?

2. This is fraught with disaster. At the moment “fair wear and tear” is an anomaly. This clause would be the same.
3. Your idea of “fair wear and tear” and “minor” modifications is different to my idea of “minor” modifications and different to a tenants idea of “minor” modifications and different to an owners idea.
4. Who makes the decision when there are 20 picture hooks and a big wall mounted TV in each room. What happens to the wall when the tenant removes the stand, if they do?
5. I would agree if the clause read something like “by mutual agreement” as it basically is now. Most owners agree and either have it done professionally themselves or request tenants have them professional installed. This works and everyone is happy.

Page 29 Clause 27 – Notice to leave, section 292A – lessor unable to give notice to leave without grounds.

1. I do not agree. Owners should be able to give notice to leave to tenants to vacate for whatever reason the owners want to do with their property.

Page 30 clause 29 – Amendment to handover day for a sale – Omitting 29.2(f) which is currently 30 days.

1. If this clause is amending from 30 days for a sale to 2 months then that is too long and I do not agree. Often buyers have to wait until the expiry of the tenancy agreement before they can move into the house. 30 days is “fair,” 2 months is not.

On the whole, I do not agree with the new proposed laws.

Owners should be able to deal with their property and tenants to their satisfaction, not as a government dictates. While I understand laws have to be in place, they are to be “fair” to both parties. These amendments make it more difficult for owners and agents to deal with certain tenants, therefore as can be seen on the current market, many landlords are selling their rental properties and putting the money where they have control.

I believe the government needs to build much more housing as the rental property market dries up with property owners moving out of the rental market.

Kind regards

Wendi Stewart