

Inquiry into the provision and regulation of supported accommodation in Queensland

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Committee Secretary
Community Support and Services Committee
Parliament House
George Street
BRISBANE QLD 4000



Dear Committee Secretary

Re: Submission to the inquiry into the provision and regulation of supported accommodation in Queensland

On 13 December 2023, the RTA attended a public hearing of the Community Support and Services Committee's inquiry into the provision and regulation of supported accommodation in Queensland. I thank the committee for the opportunity for the RTA to attend the hearing as a witness. I wish to provide this submission to clarify the role of the RTA, and share further information on the rights and responsibilities of residents and providers in supported accommodation settings, for further consideration as part of this important inquiry.

The RTA is the Queensland Government statutory body that administers the *Residential Tenancies and Rooming Accommodation Act 2008* (the RTRA Act) and provides impartial tenancy and rooming accommodation information and education services, bond management, dispute resolution, compliance and enforcement for Queensland's residential rental sector. The RTA assists tenants, lessors, accommodation providers, managers and residents to understand their rights and responsibilities under the RTRA Act, including through collaboration with the Supported Accommodation Providers Association (SAPA).

The RTA is impartial, and does not set policy, however, works with the Department of Housing, Local Government, Planning and Public Works (DHLGPPW) who lead any legislative reform. Under the RTRA Act, the RTA's functions include to provide advice to the Minister about residential tenancy and rooming accommodation issues generally.

The RTRA Act applies to certain types of supported accommodation. Residents are generally covered under rooming accommodation agreements under the RTRA Act. All service providers (excluding those provided under the Supported Accommodation Assistance Program) must enter into a rooming accommodation agreement with a resident renting a room on their premises if they have occupied the residence for longer than 13 weeks.

Parties in rooming accommodation can 'opt in' to a residential tenancy agreement which generally includes longer notice periods and more rights and responsibilities. This might be useful when the provider rents out different styles of accommodation and wants a single set of rules to follow, or if the premises are better managed under a residential tenancy agreement.

As at 30 June 2023, the RTA held 1,121 bonds for supported accommodation, which represents 0.18% of all bonds held by the RTA. In the 2022-23 financial year, the RTA received 546 calls and conciliated 29 disputes related to supported accommodation. This represents 0.16% of total calls, and 0.13% of total disputes handled by the RTA. The most common topic for disputes and calls were bond related.

The RTA does not collect detailed demographic data for those living in supported accommodation, as it does not receive copies of individual tenancy agreements where this information may be captured. As a result, it can be difficult to identify trends and issues in supported accommodation using RTA data alone, due to the small cohort of residents and limited opportunities for the collection of data.

As Queensland's residential rental sector regulator, the RTA investigates offences under the RTRA Act, and residents raising concerns of offences under other residential services legislation would be referred to the relevant agencies for assistance. However, the RTA are required under the RTRA Act to report any contraventions of the *Residential Services (Accreditation) Act 2002* to DHLGPPW.

A resident can also commence an RTA investigation by submitting an *Investigations Request Kit*. If an offence is substantiated, the RTA may issue a notice of non-compliance or penalty infringement notice (monetary fine) or pursue prosecution depending on the severity of offence, public interest and community impact.

As part of Stage 1 rental law reforms, minimum housing standards came into effect for new and renewed tenancies from 1 September 2023 and will come into effect for all remaining tenancies from 1 September 2024. These standards apply to all types of tenancies, including rooming accommodation agreements, and focus on safety and security, and reasonable functionality. More information on minimum housing standards and how they apply to rooming accommodation agreements can be found on the RTA website www.rta.qld.gov.au/forms-resources/factsheets/minimum-housing-standards-fact-sheet-rooming-accommodation.

The inquiry was commenced in response to the Public Advocate's report, '*Safe, Secure and Affordable? The need for an inquiry into supported accommodation in Queensland*' (the report), released in September 2023. The report highlights the difficulties vulnerable residents experience in identifying the correct avenue to raise their concerns and complaints. The report recommends a "no wrong door" approach to complaint management, where residents are assisted to lodge complaints about service provision across a range of service sectors, including the accommodation, NDIS and aged care sectors.

The RTA supports the objective of providing greater clarity for our customers and welcomes the opportunity to streamline complaint processes and enhance interagency collaboration and education. A collaborative approach to complaint management, would facilitate the effective resolution of resident complaints and align with the RTA's commitment to upholding and enforcing compliance within Queensland's rental sector.

There is a range of educational material on the RTA website, www.rta.qld.gov.au, however, if additional information is required, please do not hesitate to contact

I look forward to the outcomes of the inquiry, and the opportunity to contribute to enhancing outcomes for those that require level 3 residential services, to ensure renting works for everyone.

Yours sincerely


Jennifer Smith
Chief Executive Officer
Residential Tenancies Authority