

Residential Tenancies and Rooming Accommodation (Rent Freeze) Amendment Bill 2022

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**PROPERTY OWNERS'
ASSOCIATION
OF QUEENSLAND Inc.**

Watchdog of Rental Property Owners since 1916

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14 September 2022

On behalf of all rental property investors in Queensland, we, the Property Owners' Association of Queensland **totally reject** the proposed **RESIDENTIAL TENANCIES AND ROOMING ACCOMMODATION(RENT FREEZE) AMENDMENT BILL 2022** tabled by Dr. Amy MacMahon.

If this proposed Bill is given approval by the Government, the entire rental industry will come to a stand still and thus putting more pressure on the Government to supply public housing.

Clause 1 – Short Title – Disagree

Clause 2 – Act amended – Disagree

Clause 3 - Amendment of S57 (premises must be offered for rent at a fixed amount) –Disagree

Clause 4 -

Division 1AA Maximum rent payable for residential tenancies. **Disagree**

82 A Meaning of 2-year rent freeze period. **Disagree**

82B Two year rent freeze **-Disagree**

If rents are to be frozen for a period of two years – one assumes that all charges will be frozen – eg Government charges, land tax if applicable, water charges, Council rates, electricity charges,

(3) Short term letting agreement for example Airbnb or holiday purposes - the rent freeze will not be applicable in those areas.

This will lead to further housing problems for the Government, investors will leave the permanent rental industry and put the property on short term accommodation resulting in higher rental returns for investors.

83C Maximum amount of rent for premises not let during period 1 August 2021 to 1 August 2022 **disagree**

This would be impossible to police as the amount of rent payable would be determined by fittings, contents and whether it be a house or a unit.

84(D) Maximum increase in amount of rent after 2 year rent freeze period.- **Disagree**

If this section of the proposed Act is enforced and Government and Councils charges have not been reduced then the onus will be put on the Government to supply more housing. Airbnb and holiday rentals will be more attractive as they are not under the Residential Tenancies and Rooming Accommodation Act and therefore the rental freeze will not be applicable in those areas..

Section 82E in the proposed Bill-states– Authority must keep register of rents for residential tenancies.-**Disagree**

This will increase the work load of the Residential Tenancies Authority

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1 (a) to keep an up- to-date register of the amount of rent payable under the current residential tenancy agreement - **Disagree**

1(b) the maximum rent payable for a residential tenancy of premises. -**Disagree**

2. In the current RTAct it states that the amount of Bond payable is four times the amount of rent being charged.-**The**

RTA would already know the weekly rent applicable. But lessors may not necessarily increase the bond every time the rent is increased, so the RTA indicative rent may be lower than actual as they would not know all increases in rent.

3. The Residential Tenancies does show on their website the Median Weekly Rents for 2 bedroom flats/units for areas of Queensland.

Again the rent charged would depend on what is offered to rent. This could also include water charges as some properties such as older unit blocks are not individually metered so the cost of water charges would be the responsibility of the lessor.

4. **Agreed**

82F Authority may be require lessors to give information about rent payable. -**Disagree**

(1)(a)(b) This is up to the RTA to investigate and prove property is rented - **Disagree**

(2) Again this is up to the RTA to investigate and prove – **Disagree**

(3)Again it is up to the lessors to decide on the amount of rent payable on the property not the decision of the Residential Tenancies Authority –**Disagree**

82G Application to tribunal for determination of amount of rent for residential premises.

(1) It is not up to the tenant or another person to make the decision on the amount of rent payable under the residential tenancy for the premises. The prospective tenant or another would have no knowledge of rent paid for other properties or charges imposed on the lessor to maintain the property.**Disagree**

(2) The tenant or other to apply to the tribunal for a declaration amount the maximum rent payable for the tenancy. **Disagree**

Again the amount of rent payable is between the prospective tenant and the lessor.**Disagree**

(3) Waiting times for QCAT hearing are long now. It is impossible for the tribunal to make a decision on the rent payable unless they visit every property. Impossible task. **Disagree**

(4) Again this is decision is beyond the tribunal -**Disagree**

Clause 5 -Amendment of s91 (Rent increases)

Insert (6A) **Disagree**

Clause 6 - Omission of s92 (Tenant's application to tribunal about rent increase) – **Disagree**

Clause 7 – amendment of s468 (fa) (Authority's functions) **Disagree** beyond the functions of the Residential Tenancies Authority.

Clause 8 - Insertion of new Ch. 14 pt 7-Transitional provisions for Residential Tenancies and Rooming Accommodation (Rent Freeze) Amendment Act 2022 – **Disagree**

In the Residential and Tenancies and Rooming Accommodation Act 2008

Division 7 – Existing Agreements 543- Existing Agreements continue under this Act- **Agreed**

This section finishes at 568 – Existing applications to tribunal.

575 Existing notices to increase rent – new section **Disagreed**

576 Existing applications to tribunal about rent increases.-**Disagreed**

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The Property Owners' Association of Queensland believe that the proposed Residential Tenancies and Rooming Accommodation (Rent Freeze) Amendment Bill 2022 be totally disregarded.

If this Bill is agreed and passes through Parliament then there will be further exit from the rental market.

Due to recent changes to Government legislation due to commence on the 1 October 2022 and the rights of lessors being eroded, it is obvious that investors have sold their property and have made investment in other areas in which they have more control.

Whilst we do have sympathy for tenants in finding properties to rent it is obvious that the Government should take responsibility for the current situation.

**H. ROSLYN WALLACE
SECRETARY
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A handwritten signature in black ink, appearing to read 'H. Roslyn Wallace', written in a cursive style.

**H. ROSLYN WALLACE
SECRETARY
PROPERTY OWNERS' ASSOCIATION OF QUEENSLAND.**