

Community Support and Services Committee

From: Macalister Electorate Office
Sent: Thursday, 1 July 2021 4:16 PM
To: Community Support and Services Committee
Subject: Fw: Objection to proposed legislation

Hi,

Please see below an email from Macalister constituents regarding the Residential Tenancies and Rooming Accommodation (Tenants Rights) and Other Legislation Bill 2021.

I have also instructed the constituents to consider making a submission to the committee.

Kind regards,

Portia Allison

Assistant Electorate Officer

Office of Melissa McMahon MP

State Member for Macalister

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From: John & Ros Neill [REDACTED]
Sent: 29 June 2021 19:31
To: Macalister Electorate Office <macalister@parliament.qld.gov.au>
Subject: Objection to proposed legislation

Attention, Melissa McMahon, Member for Macalister,

Dear Melissa,

We draw your attention the introduction to Parliament on 26th May2021, the "Residential Tenancies and Rooming Accommodation (Tenants' Rights) and Other Legislation Amendment Bill 2021.

We have studied the Bill and read the overview of the proposed amendments.

We realise that it is important to review matters from time to time and to ensure equitable arrangements are in place for renting.

As landowners and also as managing agents for a **continuous period of 46 years** with unblemished success, we believe that we have the practical experience and knowledge to present reasonable, sensible contributions to you about the proposed changes to the existing legislation.

There is room for some amendments and we concur with those proposed changes, however **we are vehemently opposed** to other proposed changes as detailed below:-

- We object to the proposed variation of "minimum notice periods for a notice to leave" i.e., notice to leave for failure to pay rent is currently 2 days where as the proposal is **7 days**. This is totally unrealistic and unfair on the person who is committing capital to earn a rental income, and with little obligation or respect by renters for accommodation providers. Also, when a notice to leave for an un-remedied breach (other than for rent) is currently 5 days, where as the proposal is **14 days**. Absolutely unrealistic, in-equitable and unworkable proposal – e.g., where a tenant is causing a breach of peace, comfort & safety for other residents (maybe wielding a knife; loud music late at night; or affected by hard drugs, etc) how is it expected that other law abiding tenants are going to be prepared to continue to live under the same roof with a person like that for **14 days????**
- We object to lessors being prevented from asking for background information about prospective tenants. Again, commonsense is lacking in the practical application of this proposed legislation. Why would you **not** want to know something about the character and the past history of someone if you were going to invite them to live with you under your roof with you????
- We object to the proposed restrictions that lessors/agents are prevented from accepting rent bids from prospective tenants. **Assuming we live in a free world**, please don't interfere with free market forces to determine rents at any time. Can commonsense be allowed to prevail and so let tenants & lessors determine the market value of rents????
- We object to the proposal that a rent increase will be limited to **ONCE EVERY 24 MONTHS**, and possibly limited to CPI. This is an atrocious proposal by a free market government to start controlling the prices of goods & services. During the Covid crisis in early 2020, we lowered rents by 50% for a few months to assist tenants who all faced financial hardships in various ways. That WASN'T a government decision. Gradually we increased rents in consultation with the tenants and as market conditions improved. It is called financial commonsense for which laws are not needed to manage that. Again, why can't the government allow free market forces determine rent values????
- We object to the proposal to give dominating rights to tenants over property owners as to what tenants can do when renting a residential property. What can and what can't be acceptable or condoned in a rental property must remain totally within the sole powers of the property owner. If a rented room is so small that it is only suitable for a single person, then that property owner should have the right to refuse a family of four people to apply for this room. It must **not** be a decision of the Tribunal as the tribunal does not own the property. If the owners of a rental property have rules that it is a non smoking residence; or that candles are not allowed on the property; or that cooking is not allowed in bedrooms; or mechanical repairs are not permitted to be conducted within the property, we see no difference to the rule that no pets are permitted on the property. The proposed legislation removes the right of a landlord to have a rule "no pets are allowed" as this rule is not accepted by the Tribunal as a valid ground for refusal of an applicant who has a pet. Furthermore, in the future, further erosion of ownership rights could mean that the smoking could be permitted in the property, cooking could be allowed in a bedroom, candles can be used in a property. You may think this is outrageous prediction but it has already happened with this proposed legislation by removing the rights of a landlord to determine what is best for their rental property. Why should a Tribunal have **any** involvement in the selection of tenants either with or without pets????
- We object to the proposal to allow tenants to make minor modifications to a property without the prior approval of the landlord. We have no objections to the concept of allowing tenants to make minor modifications to a property provided that approval is first granted by the landlord. The extent of "minor modifications" is very subjective and there is no reason for the government to interfere with current legislation. If minor modifications were carried out by the tenant without landlord

approval and then the landlord later found those modifications created a situation that was not conducive to future reletting of the property, who is responsible for the costs of that reinstatement? This proposal is totally unnecessary and is only adding to complications and opening up areas for more arguments. Why interfere with a tenant/landlord mutual arrangement system that functions and works fine for decades????

- We object to the proposal where a landlord loses the right to remove a tenant due to breaches under a rooming accommodation agreement without first obtaining a Tribunal decision. This proposal is ridiculous, cumbersome, time consuming, costly due to loss of rent, more public money spent of tribunal hearings and is non productive. Why would a government want to compound issues, add to "red tape" (which the government is supposing to be reducing?) and interfere with a sound, functional system by introducing another layer of complexity for a landlord????

We thank you for studying the above points.

As we have stated before, we have had 46 years of experience in the landlord/tenant arena and, we are not adverse to changes, **IF** those changes are firstly based on **COMMONSENSE, PRACTICAL APPLICATION, FINANCIAL APPRECIATION OF A LANDLORD'S INVESTMENT, and MINIMISATION OF RED TAPE.**

The above objections are sincerely presented because we resent the government interfering with free market forces and trending towards socialism. If landlords do not look after tenants, there is a loss of rental income – that is called free market forces, so please **DONT INTERFERE!!!!!!**

WE REQUEST THAT YOU ARRANGE FOR OUR OBJECTIONS TO BE HEARD AND AMENDMENTS MADE TO THE PROPOSED LEGISLATION TO REFLECT OUR SERIOUS CONCERNS.

Yours sincerely,

John & Ros Neill

Tuesday 29th June 2021