
From: George Michaelson [REDACTED]
Sent: Wednesday, 7 July 2021 10:10 AM
To: Community Support and Services Committee
Subject: Submission to the Housing Legislation Amendment Bill 2021

My name is George Michaelson. My email address is ggm@pobox.com, and I can be reached on +61 408 592 164.

I wish to make a submission to the housing legislation amendment bill 2021, on my own behalf and not on behalf of anyone else, or any organisation.

I wish to declare in advance that I am a homeowner, in joint tenancy with my partner, in an apartment complex in West End, which includes both owner-occupiers and renters.

Please can the committee consider inclusion of mandated representation of tenants on Body-Corporate (BC) as is done in other states. I believe there is a fundamental lack of equity for renters alongside both owner-occupiers, and own-to-rent in this respect. The BC has many roles, including the upkeep of the property, but also defines behaviours and limits to enjoyment of the private and public/shared spaces of the complex, and Tenants are directly affected by the decisions but formally excluded from any participation in their framing. I believe this is contrary to the spirit of how we organise our lives, and the intent of self-managed property of this nature.

Some BC include voluntary rules to allow passive participation of individuals on their own terms, but this is badly communicated, does not allow direct mandated inclusion in the discussion or participation in voted decisions of the BC.

I wish to point out that the application of breach processes (when behaviour diverges from the documented norms) is completely different for tenants and owner. Owners suffer only minor risk of significant consequence because the enactment of the more stringent requirements of the BC process incurs significant costs. Tenants on the other hand, are simply refused renewal of their lease or told of the risk of being evicted for breach, and suffer almost immediate direct consequence.

This is fundamentally unequal and I do not believe appropriate: it encourages a distinction between owner and tenant, when the vast majority of issues are really of equal concern to both types of resident.

I realise that public housing is not the primary focus of this current process, but I believe a reconsideration of the availability of state owned, state co-owned, cooperative and other social housing needs to be considered alongside the regulation of private rental and tenancy.

I do not understand why there is no visible active acquisition of property by the state or by state funded cooperative ventures to solve the housing crisis, in the context of the current building process. I believe there should be far more overt engagement in this building cycle by the state. I do not think the state needs to build property directly if that poses problems, I see no reason for the state not to purchase off-the-plan or require DA processes to include a component of property designed to be suitable for state sponsored co-ownership or acquisition by the state for rent to the homeless. I do think that the model used in London which permitted diverging rights of access to shared spaces, green space, pools and the like is highly divisive and incorrect and I believe rental laws should prohibit any kind of social distancing by rental type like this.

Finally, I wish to ask the committee to formally seek to define goals such as long term tenancy right, and assumed rights of continuance of occupation. I understand that this raises concerns for owners seeking to realise the value of their property, but I think the nature of the housing crisis in Queensland demands that we re-consider the balance between fiscal and individual outcomes: Tenants deserve certainty and the ability to construct their lives around long term presence in a given location for good outcomes in Schooling, Health, Employment, Mental and Physical wellbeing. The economic consequences of forced relocation are almost completely negative. The effect of short term leases on cost of living is almost completely negative. Only the owner benefits from the flexibility to dispose of tenants and re-strike prices in the market. We have favoured the income of owners, over the lives of tenants. This is fundamentally a-social and wrong.

I believe Queensland law should treat the priority of tenancy for tenants over the property holder. It is for the wider benefit of the state we regulate housing, and it should be for the wider benefit to tenants that we promote sensible long-term housing policy. Other economies have 5 and 10 year models of tenancy and rent control models which encourage stability of presence. We do not do this and I think it is to our detriment. If this causes short term instability in the rental market as investors adjust to the new risk profile, that obviously has to be understood but I believe the short term economic downside of an adjustment is outweighed by the long term upside of improved rental market outcome, as a function of CPI. There would be a place for stable income from secured rent and tenancy in the investment profile of many people, including superannuation funds and I believe we should encourage this kind of investment as dual-purpose, low risk, low-return components which we encourage, for the social housing outcome.

Thank you for consideration of my input. I am happy to discuss this at any time with the committee if that is useful.

-George Michaelson