

## Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Bill 2024

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# DVCONNECT

*Be heard. Be safe.*



## SUBMISSION

**Residential Tenancies and Rooming Accommodation and  
Other Legislation Amendment Bill 2024**

Submission due 10 April 2024



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*DVConnect receives funding from the Queensland Government*

***DVConnect respectfully acknowledges and celebrates the Traditional Owners/Custodians throughout Australia and pays its respects to Elders, children and young people of past, current and future generations. We are committed to helping anyone experiencing domestic, family and/or sexual violence. This includes the LGBTIQ+ community, people of all ethnicities, religions, ages, abilities and pets.***

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## About DVConnect

DVConnect provides several national and state responses to people who have experienced violence and offer support and pathways to safety and healing.

Queensland wide:

Domestic, family and sexual violence response services:

- DVConnect Womensline
- DVConnect Mensline
- Sexual Assault Helpline
- Forensic Support Line
- Pets in Crisis
- Bella's Sanctuary

Victims of crime service:

- Victim Connect
- Victims of Crime Community Response Pilot

Nationally:

- National Sexual Assault, Domestic & Family Violence Counselling Service, 1800RESPECT.

DVConnect's driving ethos is respect and safety, the right of people to live without violence, in the home or in the community. We are a not-for-profit organisation, with primary funding streams from Department of Justice and Attorney General, Office for Women and Violence Prevention (Queensland); Department of Justice and Attorney General, Victim Assist Queensland (Queensland) and Department of Social Services (Australia).

DVConnect was established in 1980 and is Queensland's state-wide crisis response service for domestic, family and sexual violence. DVConnect helps Queenslanders find pathways to safety 24 hours a day, 7 days per week. Annually, DVConnect takes in excess of 100,000 calls across all lines and provides crisis intervention across a number of key services. Womensline receives one call for help every five minutes (across a 24 hour period). Crisis support is provided in the form of emergency telephone support, emergency crisis accommodation placement and transport for families affected by abusive relationship, counselling for men, women and victims of sexual assault, education and support for men, community education, and care for pets of families experiencing domestic and family violence. DVConnect also operates Bella's Sanctuary a 5-unit medium-term accommodation residence that exists to provide women and children with a safe housing option after leaving a shelter/refuge.

DVConnect provides Australia's national sexual assault, domestic and family violence support service, 1800RESPECT. This service provides information, referral and counselling 24 hours a day, 7 days per week. DVConnect are subcontracted by Telstra Health to provide specialist counselling across the country.



Victim Connect is the state-wide response for victims of crime that fall under the *Victim Of Crime Assistance Act 2019* (Queensland). VictimConnect provides a state-wide 24/7 helpline and multi-session counselling and case management support service. Delivering this service expands DVConnect's experience with those who experience domestic, family and sexual violence (DHSV) to now include those who experience violent and personal crime across Queensland.

DVConnect operates from an intersectional feminist framework, acknowledging that DHSV is gender-based violence. This gendered analysis is supported by research, evidence and data, and indicates that DHSV is most often perpetrated by men against women, and that perpetrators of this violence are fully responsible for their actions. This framework acknowledges and responds to the intersectional experience of DHSV.

While the experience of those impacted by violent and personal crime is more broad reaching than DHSV, we build upon our intersectional, trauma-informed expertise to offer recovery-based counselling and case management.

The clinical services provided by DVConnect are inclusive and trauma-informed. We are guided by the diverse voices of survivors and recognise our clients as the expert in their own lives. The abilities, strengths, goals and needs of people living with disability are respected, as are individuals from culturally and linguistically diverse backgrounds. DVConnect acknowledge that Aboriginal and Torres Strait Islander people know best what their communities need and want. Importantly, the intersectional approach of DVConnect considers and responds to how overlapping forms of discrimination may impact a client's experience of DHSV and other violent and personal crime.

Through operating multiple state-wide services DVConnect has unique insight into the experience of both violence and relevant services systems across Queensland. This combines with our national program which furthers our appreciation and practice-based evidence about geographic diversity and its impact on how DHSV and ability to access safer and supports.



## Opening Statement

Women and children impacted by Domestic and Family Violence (DFV) are amongst a cohort of the population at highest risk of experiencing homelessness.<sup>1</sup>

Therefore, any amendments to tenancy legislation, which aim to support safety and accessibility to housing, must include mechanisms that are designed to respond to the nuance of women's experiences of DFV in relation to how tenancy law and real estate practices can act as an additional barrier to safety.

## Safety And Stability

*Tenancy legislation can either be conducive to the safety, welfare and wellbeing of women and children impacted by DFV or it can hinder it.*

Drawing upon the recommendations put forth by the NSW Tenancy Union in collaboration with the NSW DFV and community service sector<sup>2</sup>, DVConnect supports the following measures specific to Domestic, and Family Violence:

- Defined pathways for real estate agencies to respond to women impacted by DFV that enable a victim-survivor to 1. stay in their home 2. support immediate cease of a lease with no lease breaking fees or mark to a victim-survivors lease record 3. support victim-survivors to secure another property.
- In instances of DFV, victim-survivors be afforded a legislated right to request removal of personal and sensitive information from real estate data bases.
- Clear limits as to what personal information is gained as part of the rental application or tenancy agreement process.
- Clear eligibility and legislation that cannot preclude single income families/parents on benefits from securing private rental-either overtly or covertly.
- Processes in place whereby if property is damaged in context of DFV, repercussions do not fall onto the victim-survivor namely, that victim-survivors cannot be blacklisted from the rental market due to damage incurred as a result of another person using violence against them.
- Greater collaboration and partnerships between real estate agencies and the community sector i.e., DFV support services and youth services to embed partnership programs that support subsidised lease agreements and specialist support where DFV is concerned.

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<sup>1</sup> Australian Bureau of Statistics 2023, Personal Safety, Australia, [www.abs.gov.au](http://www.abs.gov.au), Australian Bureau of Statistics.

<sup>2</sup> Tenants' Union OF New South Wales 2022, Domestic violence provisions in the Residential Tenancies Act, accessed April 1 2024 via <[2212 DV rental laws TUNSW submission.docx](#) ([tenants.org.au](http://tenants.org.au))>



- Defined processes addressing when a property agent or landlord can enter a property, and that this needs to be agreed upon in collaboration with the lease holder. In addition, property agents and landlords are required to demonstrate active steps to ensuring this process was undertaken.
- Training to ensure that real estate agencies have a demonstrated awareness of DFV and how to respond in the context of their work. This is particularly important when it comes to maintaining privacy and confidentiality of victim-survivor information.

## Need For Better Partnerships Between The Community Service Sector And Real-estate Agencies.

DVConnect would also like to highlight the benefits of working relationships between social housing providers, youth services, the DFV sector and real estate bodies/agencies.

We firmly believe that there is capacity to create change through partnerships that foster social housing programs that leverage the private rental market and pathways if we as a State are to promote safe, affordable housing options to women and children impacted by violence.

## Privacy And Confidentiality

Our experience working alongside women and children impacted by DFV, is that men who perpetrate violence against them will attempt to seek, access and weaponize their information to gain control and enact further forms of violence. It is of utmost importance to the safety of women and children that personal and sensitive information pertaining to the victim-survivor remain private and confidential.



## Conclusion

### DVConnect Supports The Following Recommendations Put Forward By The Amendment Bill 2024:

- CPD for real estate agencies that specifically supports upskilling and increased knowledge around Privacy and Confidentiality, in addition to inclusive practices when engaging with women and children living with a disability, people from culturally diverse backgrounds and women impacted by Domestic and Family Violence.
- A code of conduct that applies to licenced real estate agents as well as property owners giving favour to renter rights over financial gain. There is an uneven power imbalance between real estate agencies, property owners and renters impacted by DFV. Women and children impacted by DFV are at increased risk of homeless and DVConnect considers lack of renter rights as a contributing factor.
- Inclusive to the code of conduct, DVConnect supports measures that hold property owners and real estate agencies accountable to renters' rights and through tenancy legislation mitigate incursions on renter privacy (*either through handling of information; including what information is obtained during the application and lease process*) as well as measures to prevent ad hoc property visit practices that to date, have typically been dictated by owners or real estate.
- In tandem to the above point, transparent processes, and time frames in relation to attending a property under lease agreement.
- Transferable bond to another property.
- Payment mechanisms that are inclusive and don't incur additional expenses for renters.
- An end to rent bidding practices which exclude socially oppressed and vulnerable cohorts of the community from the private rental market.
- A cap on rental increases i.e., rent remain fixed for a 12-month period.