

Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Bill 2024

Submission No: 85
Submitted by: Wide Bay Advocacy Inc
Publication:
Attachments:
Submitter Comments:



**WIDE BAY
ADVOCACY**

PO Box 4110 Bundaberg South Q 4670

www.widebayadvocacy.com.au

Committee Secretary
Housing, Big Build and Manufacturing Committee
Parliament House
George Street
Brisbane Qld 4001

Via email: hbbmc@parliament.qld.gov.au

Dear Colleagues

**SUBMISSION: RESIDENTIAL TENANCIES AND ROOMING ACCOMMODATION
AND OTHER LEGISLATION AMENDMENT BILL 2024**

1. About Wide Bay Advocacy

Wide Bay Advocacy Inc is a not-for-profit registered charity operating in Bundaberg. As an advocacy organisation, we are motivated to use our platform to voice the concerns and challenges faced by our clients. The purpose of the Association is:

- To promote, protect and/or defend the human rights, welfare of and justice for, vulnerable and/or disadvantaged participants or groups; and
- To contribute to the relief of poverty, sickness and other misfortune and to the promotion of the well-being of participants or groups who are vulnerable and/or disadvantaged.

What we do

Wide Bay Advocacy provides pro-bono advocacy services to the most vulnerable and disadvantaged across the region of Wide Bay, Queensland.

Our vision is to promote, protect and contribute to human rights and equality before the law. We do this in furtherance of Sustainable Development Goal 16.3: To promote the rule of law and ensure equal access to justice by 2030.

2. Our Submission

Wide Bay Advocacy appreciates the work that has gone into the Bill and the associated consultation process.

Our submission is informed by our expertise in law and advocacy and by the direct experiences of our clients.

3. Policy Objectives:

We submit the purpose and objectives of this law reform support a good balance between:

- strengthening the rights of renters;
- supporting private investments; and
- providing better pathways for resolving tenancy issues.

We submit these purposes and objectives may be beneficial in stabilising the private rental market and easing the cost of living pressures for renters in Queensland through the following recommendations.

We further submit the purposes and objectives of this law reform supports the introduction of mandatory CPD for property agents who are not only in a position of significant trust in relation to their clients, but also power. Property agents have a significant level of control and responsibility in the protection of human rights for some of our clients who are homeless or on the verge of homelessness. A system linked with QCAT that tracked complaints and added targeted CPD may better account for this significant responsibility.

4. Recommendations

While we support all recommendations, we draw particular attention to the following:

Strengthening the rules and making the expectation of all parties in the rental sector clearer

We support the recommendation to establish a head of power to allow a new Rental Sector Code of Conduct (Code) to be developed in consultation with the sector and prescribed by regulation.

Improving the process for negotiating changes to a rental property between the tenants and property owners

We support the recommendations to establish a framework for parties to negotiate modifications to a rental property that are necessary for a renter's safety, security or accessibility.

Better balancing renter's right to privacy against the owner's right to access and information to inform decision making about their investigations

We support all these recommendations, in particularly:

- Extending the notice of entry period from 24 to 48 hours for an entry other than for general inspections, safety checks in an emergency, or when in agreement.
- Increasing the security of personal information by: 1) limiting the request of documentation and personal information for rental applications from

prospective tenants; 2) allowing prospective tenants to provide identity documents for sighting rather than retaining copies on file; and 3) requiring tenant's personal information is securely stored and disposed of within three months after an unsuccessful rental application or three years from the end of tenancy. These reform recommendations are essential in protecting tenants who may be experiencing or escaping domestic violence.

Improving the rental bond process

We support these recommendations for:

- Requiring a property owner to substantiate any bond claims by supplying the renter with supporting evidence for the claim as the power imbalance and resulting economic and emotional cost to our clients cannot be overstated.
- Requiring rooming accommodation bonds to be lodged with the RTA.
- Allowing the RTA to refund rental bonds after QCAT has dismissed a bond dispute application.
- We particularly support establishing a head of power for a portable bond scheme to be prescribed in regulation.

Helping to stabilise the private rental market

We support the recommendations for:

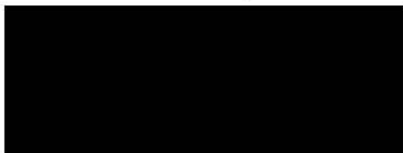
- Banning all forms of rent bidding.
- Limiting the frequency of rent increases to a 12-month limit on the rental property rather than the tenancy.
- Allowing a property owner to apply to QCAT for a rental increase within the 12-month limit where financial hardship would result from compliance.
- Introducing new penalty infringement notices for offences associated with rent bidding, rent increased within 12-month period, and failure to provide evidence of the last rent increase upon request.

Making other improvements

We support the recommendations for renters experiencing domestic and family violence. Specifically, we support clarifying that renters experiencing domestic and family violence can apply to QCAT for an order to be recognised as the sole renter if a co-renter has perpetrated domestic and family violence, and for prohibiting property owners and managers from disclosing any personal information about vacating renters experiencing domestic violence.

Thank you for the opportunity to make this submission.

Yours sincerely



Jo Leveritt
President
Wide Bay Advocacy Inc
10 / 04 / 2024