

Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Bill 2024

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10th April 2024

Committee Secretary
Housing, Big Build and Manufacturing Committee
Parliament House
George Street
Brisbane Qld 4000

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

Dear Committee Secretary,

Re: Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Bill 2024

Thank you for the opportunity to provide comments in relation to the Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Bill 2024 (Bill) which proposes to amend the *Residential Tenancies and Rooming Accommodation Act 2008* (Act) including, notably, to strengthen the rights of renters and stabilise rents in the private rental market. After undertaking a review, we are happy to provide our support of the Bill and welcome the numerous positive amendments that will be introduced.

Preliminary consideration: Our background to comment

The Aboriginal and Torres Strait Islander Legal Service (Qld) Limited (ATSILS), is a community-based public benevolent organisation, established to provide professional and culturally competent legal services for Aboriginal and Torres Strait Islander peoples across Queensland. The founding organisation was established in 1973. We now have 25 offices strategically located across the State. Our Vision is to be the leader of innovative and professional legal services. Our Mission is to deliver quality legal assistance services, community legal education, and early intervention and prevention initiatives which uphold and advance the legal and human rights of Aboriginal and Torres Strait Islander peoples.

ATSILS provides legal services to Aboriginal and Torres Strait Islander peoples throughout Queensland. Whilst our primary role is to provide criminal, civil and family law representation, we are also funded by the Commonwealth to perform a State-wide role in the key areas of Community Legal Education, and Early Intervention and Prevention initiatives (which include related law reform activities and monitoring Indigenous Australian deaths in custody). Our submission is informed by over five decades of legal practise at the coalface of the justice arena and we, therefore, believe we are well placed to provide meaningful comment, not from a theoretical or purely academic perspective, but rather from a platform based upon actual experiences.

Comments on the proposals

We broadly support the Bill which, in our view, makes a number of positive improvements for renters and which will improve transparency and fairness in the rental process. In particular, we welcome the following proposed amendments:

- the establishment of heads of power which will allow a new Rental Sector Code of Conduct to be developed and a framework to be established for parties to negotiate modifications to the rental property that are necessary for a renter's safety, security or accessibility;
- extension of the entry notice period from 24 to 48 hours for entry other than for general inspections, safety checks, in an emergency or with agreement;
- prescribing of a rental application form and categories of supporting documentation with the purpose of limiting the information that can be requested of prospective renters;
- allowing a rental applicant to choose how they wish to submit their rental application (i.e., not requiring an applicant to use a third-party platform);
- requiring that renters' personal information is only collected and used by a relevant person to assess suitability during the rental application process or to manage the property and amendments that regulate the storage and disposal of the renters' personal information;
- improvements to the rental bond process, including requiring that a property owner substantiate bond claims and providing that the maximum bond is no more than 4 weeks of rent for all residential tenancy and rooming accommodation agreements;
- improvements to the regime of fees and charges (in consideration of cost-of-living pressures); and
- the banning rent bidding, applying a 12-month limit on rent increase frequency to a rental property, requiring that a tenancy agreement must state the date of the last rent increase and allowing a renter to request evidence of the same.

We thank you for the opportunity to provide feedback on the Bill.

Yours faithfully,



Shane Duffy
Chief Executive Officer