

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

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**To:** [Housing, Big Build and Manufacturing Committee](#)  
**Subject:** Student Accommodation Association (SAA) response to the Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Bill 2024  
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10 April 2024  
Committee Secretary  
Housing, Big Build and Manufacturing Committee  
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To Whom It May Concern

**Re: Student Accommodation Association (SAA) response to the *Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Bill 2024 (the 'Bill')***

The Student Accommodation Association (SAA) appreciates the opportunity to respond to the Bill that was introduced on 21 March 2024 as an attempt to resolve issues in tenancies and stabilise rents in the private rental market.

SAA is the representative body for quality student accommodation providers in Australia. Our members currently account for over 12,000 accommodation beds in Queensland alone and these beds are allocated exclusively to enrolled students. The provision of these beds, along with our membership's ongoing pipeline of new stock, ensures that people choosing to study in Queensland have access to accommodation designed and operated specifically with the needs of students in mind. In addition, our members that offer accommodation for the exclusive use of students, such as Purpose Built Student Accommodation (PBSA), removes the need for students to compete with the general public in the tight broader rental market.

SAA members act responsibly with regard to the requirements of the *Residential Tenancies and Rooming Accommodation Act 2008* (the 'Act') and in addition a number have committed to the SAA's National Property Accreditation Scheme (NPAS), which was developed by the association and the student accommodation industry to set minimum benchmarks in student accommodation. This further strengthens our membership's already rigorous approach to delivering services to a standard that fulfills the unique tenancy requirements of students. Several buildings in Queensland have already achieved NPAS certification.

In recognition of the unique circumstances that relate specifically to students as tenants, the SAA provides the following feedback with regard to certain proposed reforms:

**Applying the 12-month limit on rent increase frequency to the rental property rather than the tenancy**

Clause 15 and 19 of the Bill proposes amendments to s 93 and s 105B of the Act. Of particular concern to SAA is the proposal to change the 12 month limit on rent increases from the tenancy agreement to the tenancy. SAA does not support this reform due to the impracticalities it presents in the student accommodation context.

The rental cycle of a student is often linked to periods of study, as short as specific terms or semesters through to academic years and multiple calendar years in duration. This creates a rolling leasing profile that is unique to student accommodation and specifically caters to the needs of our cohort of residents. The demand for shorter lease terms results in a variable pricing structure that reflects the additional expense of higher turnover costs related to shorter leases versus the lower costs to building owners related to students who elect to take a longer term lease. The effect of the Bill would be to remove the ability for owners to maintain the level of flexibility that students require in lease terms.

It is the view of SAA that the current arrangements that limit rental increases to the tenancy agreement (rather than the tenancy) are already sufficient and balanced in protecting the interests of student tenants. As such, we do not support the proposed change and at the very least suggest that accommodation that fulfills the definition of NPAS accredited Purpose Built Student Accommodation be exempted from this change in the Act, if introduced.

**New framework for parties involved in a tenancy to agree on installation of minor modifications.**

Noting that property owner permission for modifications cannot be unreasonably withheld, within Purpose Built Student Accommodation there are unique features of the tenancy that SAA believes negates the need for further changes to the Act with regard to fixtures or structural changes:

- Unlike general residential real estate, the average term of a tenancy in student accommodation is approximately 12 months and modifications for shorter term tenancies are often impractical
- The design of student accommodation buildings already take into account the specific needs of the student cohort it is intended for, including those with disabilities (PBSA offers accessible rooms as standard). Hence, limiting the need for minor modifications. In addition SAA's NPAS requirements mandate a minimum standard of in-room provisions that meet the needs of students.
- Student accommodation has several security features, including controlled swipe card access; CCTV cameras; 24/7 staffing, which may also include security personnel. In some cases, student accommodation contains emergency accommodation options for those that require it.

- Students who have families will tend to obtain suitable accommodation in the general residential rental market.
- With regard to the modification needs of seniors, whilst there are students who study in their later years of life, it is a very small percentage of those that reside in student accommodation (<1%).
- Allowable changes and the process to undertake them are generally covered in detailed handbooks produced by the operator of the building for its residents.

SAA is committed to high quality rental accommodation for students in Queensland and this extends to continuously providing feedback regarding the aspects of the Act (or any changes proposed to it) that will impact on the experience of student renters and building developers and owners. To attract much needed investment in student accommodation in Queensland and provide a destination for students who choose to study at our esteemed tertiary institutions, it is important to maintain a balanced approach to changes to legislation and we trust our feedback is received positively in this regard.

For and on behalf of the Student Accommodation Association,  
Matt Row  
Vice President