



Speech by

DESLEY SCOTT

MEMBER FOR WOODRIDGE

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RESIDENTIAL SERVICES [ACCOMMODATION] BILL

Mrs DESLEY SCOTT (Woodridge—ALP) (3.37 p.m.): This Residential Services (Accommodation) Bill is yet another protective mechanism to ensure that residents in boarding houses, supported accommodation and aged pension rental facilities are not exploited and that the conditions of their tenancy are fair and equitable. It aims to protect the interests of both the resident and the operator of the facility and is complementary to the recently passed residential services bill.

This end of our accommodation sector is a very important one. If it were not for these boarding houses and supported accommodation complexes there would be many more people living on our streets homeless. In these boarding houses people find a room. They may share a kitchen and bathroom facilities. Some are supplied with meals and personal care. This may be their only support network and social outlet. Here we may find people with disabilities, both mental and physical, people who may be battling drug or alcohol addiction or people on low incomes whose housing may be in transition. In other words, this sector supplies low-cost accommodation and offers additional support services as required.

In more recent years complexes have been built to allow older people to live in independent units with various levels of care available such as meals, cleaning and personal care. Many of these facilities are well run, with operators clearly having a high duty of care towards their elderly residents. However, everyone is aware that from time to time we hear of sad cases of neglect and exploitation. This legislation is designed to ensure that whatever level of accommodation we seek, a set of rules and guidelines will provide protection. The operator has an obligation to provide their residents with a clean, safe room and whatever level of care is agreed upon in a written contract which clearly establishes the house rules, including right of entry and termination of tenancy agreement. On the part of the resident, there is an obligation to pay the rent, keep to the house rules and keep the peace.

There is one aspect of this legislation that I am particularly pleased to see, and that is the right of the tenant to have a voice and to seek conciliation in the case of a dispute arising. Unfortunately, people in this sector of the residential market have for too long suffered in silence. Many have feared that if they express a negative comment or, worse still, an actual complaint, they will then be immediately tossed out—no negotiations entered into. They have become used to being the underdog and not having a voice. While some matters may not be suitable for mediation, I am certain that this provision will indeed give the message that we as a government believe people in whatever situation are important and deserve safeguards to protect their basic rights—in this case, to safe, affordable accommodation and to be free from intimidation and exploitation.

To access the conciliation process, an application must be made on the appropriate form with the required fee to the RTA. However, in certain circumstances there is the provision to waive the fee. The conciliation process may take place by telephone conferencing, joint sessions or interviewing the parties separately. Should it prove necessary, the matters may be referred to the Small Claims Tribunal, which offers similar protection to all parties as if it were being heard in the Supreme Court. The tribunal has been given the powers to order remedy of a breach and may require restraining orders to be given, payment of money, performance of work, compensation, payment of rent and other appropriate actions as required. Hearings may relate to a resident's notice, provider's notice, entry to a resident's room, removal of a resident, or indeed a general dispute or dispute between co-residents. I am very happy to see such a comprehensive set of guidelines to allow disputes to be settled.

I believe many difficulties arise when rules are made up on the run. This legislation gives a clear set of guidelines and will make a considerable difference to give security of tenancy and bring this sector closer to the rights which every other tenant enjoys. An eviction is never easy to handle. However, this bill goes a long way towards fairness, allowing immediate eviction should the behaviour warrant such urgent measures. Nevertheless, a member of the police should be in attendance and the least possible force used to effect the removal of the tenant.

These two bills—that is, the Residential Services (Accreditation) Bill and the Residential Services (Accommodation) Bill—are all about improving the lot of those in our communities who require very low cost accommodation in either a boarding house or supported accommodation facility and the section of aged rental housing, which to date has escaped any type of regulation. All of these facilities, left unregulated, would retain the potential for abuse and deprivation of the most vulnerable in society. Unfortunately, there will always be someone willing to prey on others. I am very proud of my government for tackling this very difficult issue with empathy and understanding.

I pay tribute to people like my immediate predecessor, Mike Kaiser, who raised this issue in the House and had a strong commitment to see this legislation enacted. I recognise also Lorraine Bakon in Logan City, who for so many years has been an untiring advocate for the housing needs of this sector in society. Lorraine has a big heart and has helped countless people in need. Other groups who have also added their voice to improve the lot of those who seek out low cost housing are InterLink Housing and Kingston East Neighbourhood Centre. Our volunteers such as Jean Succi and her team from the Logan and Neighbouring Areas Regional Tenants Association, LANARTA, work tirelessly. Sunnybank Family Support and Southside Caring Group, where I first worked as a volunteer supporting families in emergency housing, also assist many people. I must also acknowledge the valuable work done by Sister Catherine Hefferan of Anawim, who has devoted many years to offer accommodation and support to women with severe mental disorders.

I am pleased I have a caring community and wish to commend our minister, the Hon. Robert Swarten, for his real commitment to providing suitable and affordable housing to people in this state and to this regulation of the private sector. I am also aware that his interest in regulating this sector of the accommodation market is more than simply a matter of tidying up and filling in the gaps. I am glad to serve on his caucus committee and do so knowing that he has a real burden for those we seek to protect by these two bills. I thank the minister's staff for their assistance and all those who contributed to this legislation.
