




Speech By  
**Mark Ryan**

**MEMBER FOR MORAYFIELD**

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Record of Proceedings, 17 March 2016

### **PLUMBING AND DRAINAGE AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr RYAN** (Morayfield—ALP) (4.37 pm): I rise in support of the Plumbing and Drainage and Other Legislation Amendment Bill. I note the policy objectives of the bill are to establish a dedicated plumbing industry regulatory body, to be called the Service Trades Council, within the Queensland Building and Construction Commission; to implement uniform national law provisions on tenancy databases; to allow approved housing providers to give tenancy guarantees to private lessors; and to introduce a provision which deems that any development work for properties approved or used as public housing has been or will be lawfully carried out in accordance with the relevant legislation applying at the time. I would like to touch on each of those particular objectives. The first one I would like to talk about is the issue of tenancy databases and the reforms that will be enacted by this legislation.

Before I do so, I want to acknowledge some amazing organisations in the Morayfield state electorate that served the Morayfield state electorate in the housing space. Not only should I acknowledge Housing Services, within the Department of Housing and Public Works, at Caboolture and its area manager Matt Hogan for the outstanding work that they do helping vulnerable people in the Morayfield state electorate; I would also like to acknowledge Caboolture Community Action, who have been around for five years doing great outreach work helping people transition into secure housing; Morayfield Wellness Specialist Centres, who have a great commitment to providing support to disadvantaged people; RiSE Qld; and Enhanced Care.

I note that Enhanced Care made a submission when consultation was being undertaken in respect of this bill by the committee. Enhanced Care, which used to be called Near North Housing Tenancy Advice Service, is a phenomenal organisation which has been providing services for almost 20 years to people on the north side of Brisbane all the way up to Caboolture. One reason they had to change their name is not only because of the expansion of their outreach work and the wonderful services they provide to disadvantaged people but also because they had to move beyond just providing tenancy advice services because of the actions of the previous government. We will never forget the cruel action taken by the former government to cut all funding to tenancy advice service agencies like Near North Housing Tenancy Advice Service—agencies which help the most vulnerable people who are disenfranchised and disengaged and who need assistance to navigate what is quite a complex area of law when it comes to tenancy law. It was quite cruel of the previous government to cut funding to tenancy advice services such as Enhanced Care.

As a sign of Enhanced Care's commitment to the Caboolture region, it continued to provide tenancy advice services with no funding to ensure vulnerable people continued to receive support. I am so pleased that Enhanced Care was not only able to ride out that terrible time of the previous government where no support was provided for tenancy advice services but also now able to continue to do more work helping vulnerable people in our community.

The Morayfield state electorate has an overrepresentation of the number of people who live in rental accommodation. One of the local councillors told me that in the Morayfield-Caboolture south area almost one in two houses is a rental property. This bill and the reforms that it introduces, particularly in the area of tenancy databases, has particular relevance to my electorate and the people within it.

One thing we should never forget is that secure housing is one of the most basic needs that members of our community require. It is connected to so many other things. It is a basic need that not only provides a safe place for people and families but also allows people the time and space to be able to advance themselves and to address other needs in their lives. By providing a thorough and robust tenancy database regime, we are able to ensure that people's basic needs are addressed and that we keep the most marginalised and most disadvantaged in their houses wherever possible.

I note that tenancy database legislation was introduced into the Queensland parliament in 2003. The residential rental sector welcomed the legislation because it clearly set out the rules to follow when using tenancy databases. The amendments contained in this bill which will be debated in the parliament today will bring Queensland tenancy database legislation into line with national standards. They will ensure a fair go for everyone involved in the residential rental sector.

The private rental market represents a substantial part of our housing system. Around one in three private dwellings in Queensland is rented. As I mentioned earlier, that number is higher in the Morayfield state electorate where about one in two private dwellings in the Morayfield-Caboolture south area are rented, according to information provided to me by one of the local councillors.

Residential tenancy databases play a legitimate role in the rental process. When used appropriately, they are a useful tool for property managers and owners to mitigate rental investment risk. Tenancy databases allow property managers and owners to make informed decisions about prospective tenants while providing them with information about prospective tenants' rental histories.

The existing legislation makes clear that information can only be listed after tenancies have ended and when there remains a serious and unremedied breach such as property damage or rent arrears greater than the amount of the bond. Also, only tenants whose names appear on the tenancy agreement can be listed. The new provisions introduced in this amendment bill will improve the quality of information held in tenancy databases. Most notably, a time limit of three years will be imposed on tenancy database listings. This time frame ensures the database information remains relevant and useful.

The time frame was established as part of a national minimum standard and is considered a fair period that balances the wishes of different sector groups. The three-year time limit will be phased in with a transition period of six months during which old listings can be removed. Being electronic, tenancy databases are easily amended. I also understand from the minister that an amendment to the Residential Tenancies and Rooming Accommodation Regulation 2009 is proposed to be moved in the consideration in detail stage shortly to impose a minimum threshold amount that must be owed before a person can be listed on a database.

This amendment will require that, where there is no bond paid or no tenancy guarantee given, information cannot be listed on a database unless the amount owed is more than one week's rent. I must commend Enhanced Care for its wonderful submission in respect of that amendment which will be moved. Enhanced Care, from what I recall from its submission, suggested that the amount be \$300, which is more or less around the average of one week's rent in the Caboolture-Morayfield area. That will be a welcome amendment not only by Enhanced Care but also by vulnerable people all over Queensland who may be adversely affected by small amounts triggering listings on a tenancy database.

Property managers and owners must let prospective tenants know which databases they use during the rental application process. During the rental application process, when property managers or owners find an applicant listed in a tenancy database they must let them know and tell them how they can get a copy of the listing by directing them to either the owner-agent who listed them or to the tenancy database operator. Managers or owners must also provide information to listed prospective tenants about how they could challenge a listing, which they can do by directing tenants to information on the RTA website.

I note the other proposals and policy objectives of the bill. They are as admirable as the ones in respect of the tenancy databases. I commend the minister and the former minister on bringing this bill to the House. It is an outstanding bill, and I commend it to the House.