




Speech By
Sandy Bolton

MEMBER FOR NOOSA

Record of Proceedings, 14 October 2021

HOUSING LEGISLATION AMENDMENT BILL

 **Ms BOLTON** (Noosa—Ind) (11.53 am): Housing instability, affordability and resulting homelessness, as we have been experiencing in my community and as is now being experienced in other electorates across Queensland, is more than a headline. It has become a human crisis—one that has been identified by many MPs, including myself, for four years. For the record, neither I nor my partner have any investment properties.

For those who are renting privately, 20 per cent are leaving their rental homes involuntarily, with the median tenancy lasting only 13.1 months for units and 17.9 months for houses. This does not equate to stable households or communities. Just think how you would feel if you had to move every year. Of renting households, 43 per cent include children for whom housing stability, connection to community and access to schools is essential for their physical and mental wellbeing. Disruptions through constant housing moves risk more than their education. It undermines everything we as a society are trying to achieve in stability, livability and sustainability.

The Housing and the Other Legislation Amendment Bill 2021 endeavours to address a number of factors including safety. However, it does little in terms of what is a much larger issue. The submissions to the committee by tenants indicate a market that is unfair, unstable and exploitative. Since the pandemic, in Noosa we have had hundreds of examples of this through a 49 per cent increase in people from other states in the last year alone purchasing through offering above the asking price, rent bidding and moving into their own investment properties. We have also had end of lease scenarios where owners have utilised legal frameworks to re-let at more than 50 per cent of the previous rent.

None of what has happened is illegal and nor in a free market of supply and demand can this be addressed by this bill. Whilst the bill is trying to balance property owner rights and the social responsibility with respect to tenants' rights, it should be remembered that without tenants there can be no rental income for the investor. Importantly, if there are no investors there may not be available properties to rent unless a whole different realm of homeownership is instigated by our governments and the private sector around schemes such as rent to buy.

Establishing minimum housing standards for rental accommodation to ensure risks to occupant health and safety are minimised may strengthen existing obligations around repairs and maintenance and achieve the greater safety sought. However, we need to remember what that will do to some of the rental prices. Within my community, for some 30 years our sheds and little old cottages have provided our workers with affordable accommodation. These minimum standards may see these become unaffordable as many may need substantial renovation.

Pets are one of the greatest gifts to our lives, as well as the source of conflicts between landlords and tenants. This bill supports parties to reach agreement on renting with pets. On paper it looks like a positive. However, as someone who is a pet owner and has borne both the good and bad from tenants with pets in an investment property, this is not a panacea. I hope though that it will encourage a better discussion around expectations and responsibilities.

This bill also amends the Retirement Villages Act 1999 to provide certainty, security and peace of mind to residents of freehold resident operated retirement villages and creates a framework to exempt freehold resident operated retirement villages from the 18-month mandatory buyback requirements. This is a definite positive and very welcomed. The Property Council of Australia, the Queensland Law Society, the Council on the Ageing and others are in broad support. The department has undertaken to contact individual eligible villages after the bill is passed to ensure they navigate the exemption process effectively and to do further education within the broader community about retirement living options.

The large number of submitters—almost 900 written and 1,400 proforma submissions—detailed, understandably, opposing experiences from both the renter and owner viewpoints, reiterating why this bill, even with its good intentions, will not resolve all of the issues. The Queensland Human Rights Commission in its 2020 RIS submission stated that Queensland renters must have access to a healthy, safe and secure environment in which to call home. Lessors, equally, must be able to build a healthy investment and a long-term capital gain to incentivise investing. The REIQ was supportive of the key objectives of the bill, though had concerns that it could erode the fundamental rights of lessors that are taking the financial risks with an investment rental property which could ultimately lead to a reduced housing supply.

Equally, Tenants Queensland believe that the provisions around 'just cause' evictions which include the end of a fixed term as a reason to end a tenancy means that any good that comes out of this bill will be undermined by taking away the stability of housing for those renters who are doing the right thing.

The amendments that intend to strengthen rental laws to better protect those experiencing and attempting to escape domestic and family violence are very welcome, though again do little when there are no houses available for them. In addition, support must be given to Tenants Queensland's recommendation to allow DFV victims to install security measures without prior lessor agreement, which was a previous government recommendation, as the time leading up to and immediately after leaving a violent relationship is the most dangerous.

The greatest assistance government could give during this housing crisis is for those who are under AVO orders to be provided accommodation in order for their families to remain in their current homes if possible. We have families who cannot, or do not, wish to remove their children from their schools and leave secure networks and stability. Currently in my community this is the crisis and we need community housing options urgently.

The committee recommended that the bill be passed. However, it made additional recommendations to ensure that the Department of Communities, Housing and Digital Economy develop a framework for data collection on the management and ending of residential tenancies; work with community housing providers to ensure headleasing contractual practices align with the bill; and oversee work with relevant stakeholders on the minimum housing standard reforms.

In closing, this bill before us falls short of what is needed. Given the humanitarian crisis we have been living through in my community and elsewhere, I will support it, as we need the improvements. However, I ask again that we address the ongoing failures of our systems over many years at all levels of government that have led to this and on which I have spoken previously.

Thank you to the minister and departmental staff, the committee and secretariat, and all submitters and hearing attendees for your hard work. May we all work that much harder to create the housing security desperately needed across Queensland.