



Speech By
Patrick Weir


MEMBER FOR CONDAMINE

Record of Proceedings, 23 May 2024

RESIDENTIAL TENANCIES AND ROOMING ACCOMMODATION AND OTHER LEGISLATION AMENDMENT BILL; MANUFACTURED HOMES (RESIDENTIAL PARKS) AMENDMENT BILL

Resumed from 22 May (see p. 1811), on motion of Ms Scanlon—

That the bills be now read a second time.

 **Mr WEIR** (Condamine—LNP) (11.55 am), continuing: Regarding changes to common areas where body corporate approval may be required, the department noted that provisions requiring property owners to give a decision to most requests within 28 days, or a longer time if agreed by the parties. The amendments also provide that QCAT may make an order.

The bill introduces several measures to protect privacy for renters, including: extending the notice period from 24 to 48 hours for entry other than for general inspections, safety checks, in an emergency, or with agreement; prescribing a rental application form and categories of supporting documentation to limit the information that can be requested of prospective renters; and requiring that renters' personal information is securely stored and disposed of within three months of an unsuccessful rental application or three years after a tenancy ends.

REIQ recommended that the limitations on information that can be requested under new section 57C(2) be removed, and suggested that: a rental property owner or property manager should not be prohibited from asking a former rental property owner or property manager if the tenant previously breached the tenancy agreement; and a rental property owner or property manager should be able to obtain financial statements from a tenant to verify that they have the financial capacity to meet their obligations under the tenancy.

For a property owner to be prohibited from asking about a renter's past history does not encourage anyone to invest in the property market for rental purposes. This is one of the issues we have. The challenge is that when you get a bad tenant, it is very difficult to remove that tenant and, as we know today, there is nowhere for them to go in any case.

Currently, there is no restriction on a rental property owner or their agent accepting an offer of a higher rent amount or payment of more rent in advance than an owner or their agent can require under the RTRA Act. The bill includes new provisions to prohibit a person from soliciting, inviting or accepting an offer of an amount of rent that is more than the fixed amount stated in an advertisement, including for rooming accommodation. The bill also amends current provisions within the RTRA Act to require that a person must not accept more than a specified maximum amount of rent in advance. The maximum amount is two weeks rent for a periodic agreement, rooming accommodation agreement or movable dwelling agreement or four weeks rent for a general tenancy agreement which was previously one calendar month. This also applies to the term of the tenancy. In 2023, the RTRA Act was amended to limit the frequency of rent increases to once every 12 months from 1 July 2023 for all tenancy agreements. Several submitters were of the view that the bill did not go far enough. For example,

Tenants Queensland, QCOSS, Q Shelter and LawRight suggested tying rent increases to the consumer price index. They noted that the best way to address rental affordability is by increasing housing supply. I think we all know of that.

As a result of the housing crisis we are also suffering a rental crisis across the state, and it is no different in the electorate of Condamine. Many of my constituents live in the City of Toowoomba as the electorate of Condamine takes in the western suburbs of Toowoomba. My daughter is looking for a rental property in Toowoomba. When she goes to inspect properties, she is one of about 50 who turn up. There is nothing available. Until more development happens in Toowoomba and other areas of the state, no housing will be available. To achieve that development, you need to encourage investors to invest in rentals.

I was talking to a cousin of mine who lives at The Gap. She told me that recently her daughter had her second child so she is taking time off work. Her husband, who works in the hospitality industry, is the family's sole provider. The house they were staying in was just sold so they have to move. They have not been able to find another rental property. Part of the problem is that, on his wage, he does not reach the percentage that the agents are asking for before they will give you a lease. Suddenly, my cousin's daughter, her husband and two children are moving back home. My cousin and her husband are semiretired or virtually retired and will now have another four people living in their house. If it were not for them, they would have nowhere else to go.

This crisis is affecting every sector of our society. There is only one way you will fix it and that is by giving the private sector the confidence to build, buy and own rentals. They want to know that they will have some control over that dwelling, whether that relates to bad tenants or different additions and constructions added to a house. This bill addresses some of the issues we have in the state, but the problem is that you must give investors a reason to invest.