

Question on Notice
No. 531
Asked on 19 May 2004

MR HAYWARD asked the Minister for Public Works, Housing and Racing (MR SCHWARTEN) –

QUESTION:

Does he intend conducting a review of the *Residential Services (Accommodation) Act 2002* to assess its effectiveness since its introduction?

ANSWER:

I was proud to introduce the *Residential Services (Accommodation) Act 2002* to this House in May 2002 as I believed it was an important step in ensuring the residential services sector became more accountable and in protecting the rights of residents to secure appropriate housing. At the time of introducing the legislation, I gave an undertaking that the Accommodation Act would be reviewed after its first two years of operation.

It remains this government's intention to review the Accommodation Act in late 2004 and the Residential Tenancies Authority, which has carriage of that legislation, will be working with the residential services sector to develop an effective review and evaluation method.

The Accommodation Act provides a legislative framework in terms of obligations of residents and service providers, requiring accountability in transactions such as written accommodation agreements and provides for dispute resolution mechanisms.

It is administered by the Residential Tenancies Authority which provides the sector with information and advice, community education, dispute resolution services, a bond custodial service, forms and a legal and investigations service – all at no cost to the clients.

The Accommodation Act is a companion piece of legislation to the *Residential Services (Accreditation) Act 2002* (Accreditation Act) which protects the rights of some of the most vulnerable people in society. The Accommodation Act established long-overdue tenancy rights and responsibilities for a previously unregulated sector while the Accreditation Act monitors the standard and quality of premises and services provided.

As part of the Government's overall residential services response, which includes the Accreditation Act and *Building and Other Legislation Amendments Act 2001*, the various departments and statutory authorities involved have reported regularly to the Government on the success of the reforms.

Overall the indications are that the Accommodation Act appears to be meeting its intended objectives of providing balanced accommodation rights and responsibilities for both residents and service providers in the residential services sector. The Government receives regular reports from these agencies on the effectiveness of the legislation and identifies any emerging issues within the sector.

While we are committed to reviewing the Accommodation Act later this year, it should be noted the Accreditation Act will not be fully implemented across the sector until August 2006. It is expected that as services are required to register and gain accreditation under the Accreditation Act, compliance with other requirements including the Accommodation Act will also improve.

The Residential Tenancies Authority has undertaken considerable community education activities to ensure the sector is aware of the impact and provisions of the Accommodation Act. However, introducing new legislation to a previously unregulated sector is a long-term commitment and we will continue to work to ensure all parties are aware of their obligations and that the legislation remains effective in a constantly changing industry.