



Brief Overview of the *Housing Legislation Amendment Bill 2021*

NEEDS URGENT CHANGE

1. Just Cause Evictions removed.

The inclusion of 'end of a fixed term' as a reason to end a tenancy significantly waters down the previous recommendations for 'Just Cause' evictions. We are strongly opposed to this. It is the key issue requiring change before the Bill is legislated and it undermines positive aspects of the Bill. Renters need stability. We need a real commitment to ensure that just and fair reasons apply before ending a tenancy.

2. Minor Modifications not included.

Minor mods have been entirely removed from this round of changes. It's important for our physical and mental health to be able to personalise and make safe our physical space. We want the ability to undertake minor mods back in this Bill.

NOT TOO BAD but needs improvement

1. Domestic and Family Violence

We support the government's proposals around DFV. However, the ability to install security measures without prior agreement from the lessor is a vital safety protection which should be included in proposed changes. This was included in the government's previous recommendations, and we want it re-instated.

2. Pets

The government have taken some steps to make it easier to keep pets but more needs to be done. People with pets may be vetted out at application time; and we don't want to see conditions that mean your average dog or cat must live outside.

The Bill should be emended to start with an assumption that renters can keep pets if they choose; require the landlord to seek orders to restrict pets if there is a dispute and declare any previous pet conditions upfront.

SUPPORTED

1. Changes which allow a Repair order to attach to the property, not just the tenancy. We would like to see a public record of Repairs Orders which were not complied with.
2. Extension of time for renters to return the Entry Condition Report from three days to seven.
3. Extending the amount a tenant can spend on emergency repairs, in specific circumstances, from the equivalent of two weeks rent to four weeks.
4. Requiring (not just encouraging) a current contact for a nominated repair for emergency repairs.
5. Allowing agents to carry out emergency repairs to the equivalent of four weeks' rent, then deduct the amount from rent paid, and inform the lessor as soon as possible.
6. Allowing tenants and residents to end an agreement within seven days if it is not fit to live in or it does not comply with minimum standards.
7. Allowing tenants and residents to end an agreement if a Repair order is not complied with.
8. Allowing tenants and residents to end an agreement within three months of occupying if they were given misleading information which impacts or affects them significantly.

Key Messages

NO UNFAIR EVICTIONS

Everyone agrees that a family works best when there is stability and security. Improving our tenancy law so that renters can't be pushed out of their homes without a good reason will support more people and their families to build a stable life. The government says their changes will stop tenancies ending without grounds. That's not correct. Their current proposals allow tenants to be evicted because of the 'end of a fixed term' - effectively the same as the current 'without grounds' notice where renters can still be evicted for **no** good reason. Including 'end of a fixed term' as a ground to end a tenancy was not previously recommended by government. It's late include significantly waters down proposed protections for renters, almost rendering them pointless. As they are, they provide more reasons for agents to evict renters at no fault.

Whilst good reasons for the ending of tenancies should be included in legislation, the government must remove the grounds for 'end of a fixed term' as a matter of priority.

ALLOW MINOR MODIFICATIONS TO MAKE LIFE EASIER

Being able to personalise and make safe our physical space is a significant contributor to psychological wellbeing. With long-term renting the housing reality for many, being allowed to undertake reasonable minor modifications is an important reform for people who rent their home. The government's original proposal to allow tenants to undertake minor health, safety, accessibility and security modifications without prior approval, has been completely removed from the proposed legislation, along with the minor mods for amenity and personalisation. It's not a lot to ask to hang

a picture of their family or last holiday! These changes are now pushed back to an indeterminate 'second stage'. This could be years away.

We need the government to reinstate proposals which will allow renters to make minor modifications to their home.

MAKE IT EASIER FOR PEOPLE AFFECTED BY DOMESTIC & FAMILY VIOLENCE

Everyone has the right to feel safe and live their life free of violence, abuse or intimidation. It is important that tenancy laws support people who experience domestic and family violence.

We support the government's proposals around DFV. However, **the ability to install security measures and devices without prior agreement from the lessor is a vital safety protection which should be included in proposed changes.** This was in the government's original proposal from 2019 and we want it re-instated.

KEEP PEOPLE AND THEIR PETS TOGETHER

Studies show that having pets increases people's health, happiness and resilience, yet many people who rent their home are not allowed to keep them. Whilst the government have taken some steps to make it easier for us to keep pets, more needs to be done. The proposed legislation means that people with pets may be vetted out at application time; and we don't want to see conditions that mean your average dog or cat must live outside.

The government must improve tenancy laws so they start with an assumption that renters can keep pets if they choose; require the landlord to seek orders to restrict pets if there is a dispute and declare any previous pet conditions upfront.