

# TQ News

Tenants Queensland Member Newsletter



## Message from the CEO

Well what an eventful time it has been since the last Tenants Queensland Member Newsletter!

The Queensland State Government has officially recommenced the rental reforms process, but there are a number of issues with their draft legislation, not the least being their proposal to allow unfair evictions to continue.

Even though there are some good reforms around issues such as keeping of pets and domestic & family violence provisions, the changes don't go far enough. You can read more about this inside and find out how to help us improve the conditions for Queensland renters.

You can be assured that we are working very hard to ensure that our voice, and those of our members and the people we represent, continue to be heard throughout this process.

If you haven't already, you may wish to sign up as a Make Renting Fair in Qld [supporter](#). You can also follow the campaign on [Facebook](#) and [Twitter](#).

Of course, along with many other parts of the country, we now find ourselves in the midst of some significant COVID-19 resurgences. The associated hotspot lockdowns directly affect renters and we have fielded many calls on this. Please get in touch if you have any questions related to your specific situation.

Until next time.

Warm regards

*Penny*



# Make Renting Fair in Queensland

Help us by sending your MP an email about improving the tenancy law bill. [Use our pre-filled form](#) and send to your MP - it takes less than 60 seconds.

In June, the Minister for Housing, the Hon Leeanne Enoch introduced proposed [legislation](#) that would continue to see Queensland renters subjected to unfair and arbitrary eviction. The government's previous consultation regulatory impact statement was well supported and would have supported Queensland renters now and into the future. In particular, by introducing 'just cause' evictions, which means requiring that a reasonable ground, set out in law, apply before a tenancy can be ended.

Unfortunately, in the proposed legislation itself, a new ground was added to those in the RIS which included 'end of a fixed term', effectively taking the proposals back to where we are, no improvement, and in fact, leading to more grounds to end tenancies where the tenant is not at fault.

The Government's proposed legislation came only weeks after the Queensland Greens', Dr Amy MacMahon, tabled a private members bill to reform tenancy laws. We'll come to this later.

After two and a half years of waiting, the Government's proposed legislation does contain many welcome improvements to our tenancy laws. Unfortunately, it does not go far enough to provide adequate protection for renters, given increasing numbers of renters, many long term, within all age groups.

TQ has maintained a strong campaign presence through the Make Renting Fair in Queensland alliance, and has met with the Minister and her advisors on a number of occasions in order to ensure that our point of view on the proposed legislation has been heard.

The Make Renting Fair in Queensland Alliance relaunched the campaign with a very well-attended media event on July 7, which gained television coverage on Channels 9, 10 and ABC, along with many newspapers and online coverage.

## Our responses to the key elements of the proposed legislation

### **NO UNFAIR EVICTIONS**

The government says their changes will stop tenancies ending without grounds. That's not really 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' notices. Tenants will still be subjected to evictions for no good reason. Including 'end of a fixed term' as a ground to end a tenancy was not previously recommended by government. Its inclusion now significantly waters down their proposed protections, almost rendering them pointless by providing more reasons for real estate agents to evict renters at no fault.

We support good reasons for the ending of tenancies being included in new legislation but the government must remove the grounds for 'end of a fixed term' as a matter of priority.

### **ALLOW MINOR MODIFICATIONS**

The government's original recommendation 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 modifications for amenity and personalisation.

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

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## INCREASE SAFETY MEASURES FOR PEOPLE AFFECTED BY DFV

Everyone has the right to feel safe and live their life free of violence, abuse or intimidation.

We support the government's proposals around domestic and family violence. However the ability to install security measures without prior agreement from the lessor is a vital safety protection which should be included. This was in the government's original recommendations and we want it reinstated.

## KEEP PEOPLE AND THEIR PETS TOGETHER

While the government has taken some steps to make it easier for renters to keep pets, more needs to be done.

The proposed legislation means that renters 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 changes to tenancy laws must 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 for the property upfront.

## The Greens Bill

The Greens Bill had many strong and supportable inclusions, though without the numbers in parliament, is unlikely to get much of a look in. In particular we liked the 'just cause' evictions, which were clear and simple, requirements to send water bills on promptly, support for pets and limits to the ability of landlords to ask inappropriate rental application questions of prospective tenants.

## The Parliamentary Committee

On Monday 16 August, the Community Support and Services Committee released its report on the two tenancy law bills. TQ is very disappointed that the Committee has not made any recommendations to alter the key proposed laws, in line with the feedback from ourselves and many other community organisations. You can view our full submission to the committee [here](#).

Renting is the reality for more than one in three Queenslanders. With interstate migration this number is growing fast, and more than any other, we are becoming a state of renters. We need modern, fit-for-purpose laws that reflect this. Laws that support renters to create a stable home which they can make their own and feel safe in. Unfortunately, it seems a well-funded campaign by the real estate lobby, with their own vested interests, has held the ear of government. Changes to previously well received government rental proposals have been changed to virtually maintain the status quo.

The fight is not over until the legislations has passed. We will keep pushing for the much-needed changes to support our members and Queensland renters more broadly. You can help by sending a letter to the Premier - just go to [www.makerentingfairqld.org.au](http://www.makerentingfairqld.org.au)



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# Issues with RTA Online Form Lodgement

Our ongoing concerns over inequity of access to bond claims, accentuated by the RTA online process, recently came to a head.

A resident student with no Qld driver's license, Australian passport or Medicare card found that she could not utilise the online bond claim process, despite receiving advice from Tenants Queensland to immediately claim her bond.

She made the right decision and personally lodged a Form 4 bond claim at the RTA office on the Friday and received a timed and dated receipt. On the following Monday, the real estate agent made a claim online and was given priority as the first applicant.

With the assistance of Tenants Queensland, the tenant took the matter up with the RTA office, and was told her claim was treated as if it was posted and had not been processed, and that there was nothing that could be done despite this putting her at a disadvantage.

The tenant was told she would need to challenge the claim on her bond through the RTA, and potentially QCAT processes. Tenants Queensland raised concerns directly with the RTA about the process being potentially discriminatory against some tenants, and was invited to lodge a formal complaint by the RTA at that point.

Tenants Queensland assisted the tenant with a complaint under Section 65 of the Human Rights act 2019, referencing in particular Section 58.

The RTA investigated the claims, and in a letter from their CEO to Tenants Queensland and the tenant, agreed that there were restrictions to access for some tenants around the use of the RTA electronic procedures. They agreed to implement a number of actions in response to the complaint, including internal reviews, and added resources to ensure same day processing of bond applications from all tenants.

TQ continues to seek to address the concerns raised through consideration of alternatives to the current online processes for tenants and importantly, further exploration of legislative change to improve the bond refund process.

## Parliamentary Inquiry to put social isolation under the spotlight

The Palaszczuk Government has announced a Parliamentary Inquiry on the issue of social isolation and loneliness in the wake of the COVID-19 pandemic.

Minister for Communities Leeanne Enoch said COVID-19 had a big impact on Queenslanders, particularly vulnerable people who are at the biggest risk of social isolation and loneliness.

"In 2020, the Australian Bureau of Statistics reported that the personal stressor most experienced by Australians during the COVID-19 pandemic was loneliness," Minister Enoch said.

"In fact, one in five Australians reported feelings of loneliness and social isolation as a result of the pandemic. That's why during the 2020 election campaign we committed to undertaking a Parliamentary Inquiry on social isolation and loneliness during the first 12 months of Government."

The Parliamentary Inquiry will consider the drivers and impacts of, and effective responses to, social isolation and loneliness in Queensland communities.

The Parliamentary Inquiry into social isolation and loneliness is expected to report its findings by 6 December.

# Historic First Nations peak housing body launched in Queensland

Penny attended the launch event at Parliament House for the new peak body, Aboriginal and Torres Strait Islander Housing Queensland. As a peak body, Aboriginal and Torres Strait Islander Housing Queensland will advocate for the sector and work with government to improve outcomes for First Nations people's housing.

The new peak body will represent the Indigenous housing sector's interests, providing advocacy and connection to government. Go to <http://housingqueensland.com.au/>



Penny with  
Neil Willmetts  
CEO of ATSIHQ



Penny with  
Minister Enoch

## Choose to Challenge Tenancy Database Listings

During Women's Week 2021, Tenants Queensland launched Choose To Challenge Tenancy Database Listings resources and training.

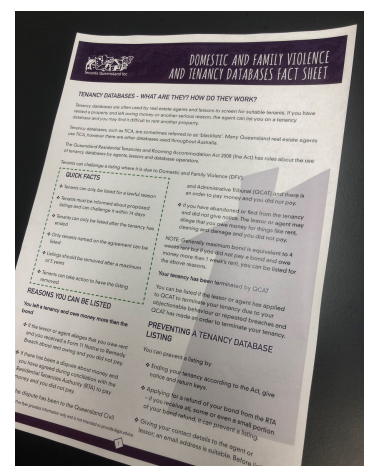
TQ recognises that people who experience DFV are at significant risk of homelessness, something disproportionately impacting on women. Many women who have experienced DFV and are homeless are listed on a tenancy database. Many more are fearful of being listed as they know it will be much more difficult to secure a place to live in the private rental market.

No one who is listed on a tenancy database should remain on that list where the listing is due to domestic family violence perpetrated against them.

Queensland tenancy law recognises that a listing arising from DFV where the person experiences adverse consequences, can be challenged as an unjust listing.

TQ's DFV Sector Capacity Building Project can assist workers supporting women experiencing DFV to challenge a tenancy database listing.

A new fact sheet '[Domestic and Family Violence and Tenancy Databases](#)' has been added to TQ's website.



# QGov digital ID update

The Qld Govt has updated its QGov digital ID verification system to accept Australian visas and citizenship certificates as primary documents for customers. The RTA requires customers to verify their ID through QGov to access RTA Web Services.

Previously, RTA customers accessing Web Services needed to have at least one of the following: Australian birth certificate, passport or driving licence, plus secondary documents to make up 100 points of ID.

As a result of the QGov update, customers can now choose to use an Australian visa and/or citizenship certificate as their primary document.

According to the RTA their service users can also use the RTA's paper-based forms to lodge a bond, request a bond refund, update their details, change bond contributors and request tenancy dispute resolution. Bond return forms can also be lodged by clients by emailing or handing them to us for emailing to the RTA.

## RTA on the move

After more than a decade at 179 Turbot Street in Brisbane city, the Residential Tenancies Authority (RTA) has moved house to Midtown Centre at 150 Mary Street in Brisbane's CBD.

RTA customers wanting to access in-person services support can now visit the new front counter at Midtown Centre. It's located just an eight-minute walk from Central Station and is close to key public and active transport hubs.

RTA still has numerous options available to support their customers including:

- RTA Contact Centre and Dispute Resolution service – 1300 366 311, Monday to Friday, 8.30am to 5pm (excluding public holidays)
- RTA Web Services and eServices – 24/7 via the RTA website
- RTA postal address – GPO Box 390, Brisbane, Qld, 4001.

## QDN Targeted Outreach Program

The Targeted Outreach Program assists vulnerable Queenslanders with disability to assess the range of supports offered through the National Disability Insurance Scheme.

The Targeted Outreach Project is currently being delivered across multiple local government areas. This is a Queensland-wide project until June 2022.

QDN and their project partners QCOSS and ADA Australia are assisting people with disability, especially marginalised people to:

- understand what the NDIS can do for them and how the scheme can provide access to the supports they need; and
- provide a direct link to the Department's dedicated regional Assessment and Referral (ART) teams re assessments; and
- if not eligible for the NDIS, wherever possible, link people with other relevant support provided through other mainstream and community organisations.

For more information on the program, go to the [QDN website](#).

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# New community services directory

Oneplace is an easily accessible directory of community support services to help Queensland families to get to the right service at the right time. From parenting groups and classes to domestic and family violence support services, oneplace is the go-to resource for children, families, community members and professionals looking to find local support in Queensland. You can find TQ in there! Go to [www.oneplace.org.au](http://www.oneplace.org.au)

## Good News Stories

### Gone to the dogs

We were recently successful in advising and empowering a tenant to successfully negotiate with their agent to get approval for a pet. This is a notoriously difficult and challenging issue for tenants, and we continue to lobby for law reform in this area.

The young couple wanted to get a dog so they moved from an apartment into a fenced house that was advertised as pet friendly – pets on application. However, only after they moved in did they seek formal permission from the lessor/agent for pet approval. They were told the lessor was an investor and did not want any pets in the property.

Understandably, the tenants felt badly misled and aggrieved as the rental had been advertised as pet friendly. The tenants had already arranged to get a Portuguese Water Dog, and they were worried that if the agent did not agree to let them have a pet in the rental property, they would have to break the lease and move out.

After advice from TQ they wrote to the agent to express their concern at being misled during the application process. They again sought approval for a pet, and also offered to pay an extra \$10 a week.

Looks like money talks as this time the lessor agreed to allow them to have a pet!



#### Tips for tenants

- If you want approval for a pet in a rental property make sure this is agreed and noted on your tenancy agreement before you move in.
- Get any agreements about pets in writing. Keep copies of advertising that shows a rental property is promoted as pet friendly, or pets on approval. This will help tenants challenge any subsequent unreasonable refusals.

### A pizza the action

One of our advice workers recently advised a tenant who was part of a long term 'share house'. The occupants of the house had changed several times during the course of the tenancy, with only one co-tenant remaining for the entire duration of the tenancy.

A pizza oven was already located at the premises at the commencement of the tenancy, and the tenants proceeded to use it regularly during the tenancy. When the tenants vacated the premises at the end of the tenancy, they left the pizza oven there as it did not belong to them. Subsequently, the estate agent conducting the exit inspection believed that the pizza oven belonged to the tenants, and required them to remove it. The tenants informed the agent that the oven did not belong to them, and that it was at the premises at the commencement of the tenancy. They also suggested that the agent check with the lessor.

The agent was insistent that the tenants were required to remove it. The tenants happily did so and are now the proud owners of a fully functional pizza oven, courtesy of their previous lessor!



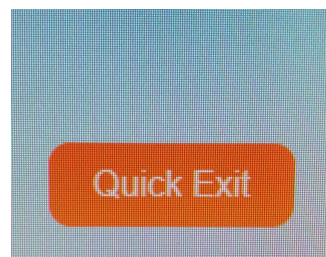
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# Quick Bites

## A Quick Exit

We have now added a quick exit button to the TQ website to help increase safety for people at risk of or experiencing violence.

Quick exit buttons are usually seen on websites with sensitive content, so that someone can close the site quickly without raising suspicion. Look for this button at the bottom of our website.



## QCAT Going Digital

The Qld Civil and Administrative Tribunal (QCAT) has commenced the process of moving towards providing digital service offerings, but have told us that paper-based and in-person options will still be available.

TQ will continue to work with QCAT to ensure that no renters are disadvantaged by their expected roll-out of digital services. They have also launched a new website that aims to better inform the public about the guardianship and administration application and hearing process.



## Electricity Update

Electricity costs in Queensland are lowering, largely due to reductions in the cost of generating energy. What does this mean for you? Well, it depends on where you live. Regional customers will benefit automatically, with Ergon Retail having adopted reduced prices across its customer base from 1 July.

However, customers in South East Queensland are urged to take action to make sure they benefit from these price reductions. SEQ customers should use [Energy Made Easy](#) to compare electricity offers.



## International Tenants' Day

International Tenants' Day (ITD) is celebrated on the first Monday of October each year. As part of our celebrations this year, TQ is inviting schools and renters to participate in our 2021 Art Competition.

The 2021 Tenants Queensland ITD Art Competition event aims to celebrate International Tenants' Day and provide schools and students the opportunity to participate in the day. Creating a group art piece that includes a picture, drawing, poem, photograph and or short story that is representative of the selected student's homes and families and what is special to them about where they live and who they live with. This hands-on project promotes the importance of shelter and the family unit.



TQ invites all renters across Queensland to participate in our photo, video or drawing competition. Share with us and tell us in a brief caption "Renting matters because..." [Click here for more details on the competition.](#)