SUPPORTING RENTERS IN QUEENSLAND
40 YEARS
1986–2026

RENTERS, RIGHTS and REFORMS

Tenants Queensland 1986–2026

WHAT LANDLORDS DO TO YOU

New Tenants Union hits renters rip-offs

Rental squeeze causing chaos in market boom

State tenancy laws give 'least protection'

Rental crisis grows

$155 rent to live in shed

Rent hikes hit aged

Landlords put squeeze on struggle street

City heading for housing crisis

Call for overhaul of housing rental rights

Derelict housing shame

- **Unscrupulous landlords and a shortage of houses are turning Queensland into a nightmare for renters.**
- **While tenants in other States are protected by the law, Queensland offers little legal shelter to the rent payer.**
- **The newly-formed Tenants Union of Queensland has received many complaints — tales of unfair evictions, rent hikes, bond rip-offs and landlords refusing to do repairs. Sun writer VIRGINIA WESTBURY reports.**

CASE 1

FRANK, a divorced father of two young sons, searches for months for a house to rent and finally finds one in Enoggera.

The landlady doesn't [illegible] about a lease [illegible] like many ren[illegible] this is OK.

[illegible] the boys move in [illegible]king all their [illegible]e over, head up [illegible]ter the weekend.

[illegible]en they return [illegible]d some unex[illegible]ests — the land[illegible]er boyfriend.

Over the weekend they have moved in to one of the bedrooms and, much to Frank's surprise, their favorite pastime is parading around the house naked.

Frank is not about to pay rent to live with his landlady, especially not a nude one, so he asks her to leave. She refuses.

He can call the police to have her removed but he realises she will probably only evict him in turn.

Without a lease there is nothing he can do except pack up and leave.

CASE 2

FOUR students are renting a large flat in Toowong.

The lease expired long ago and none of the present tenants was there when the original bond was paid.

As is typical in these situations when one tenant leaves, another takes his or her place, paying a share of the overall bond, usually between $100 to $200 each.

Suddenly the landlord wants a new lease and a new bond.

"What about the bond we've already paid?" ask the students.

"What bond?" replies the landlord.

Alas, the students have no receipt for the original bond and no legal proof that it was ever paid. The landlord has them over a barrel. Either they pay or get out.

According to the Tenants Union these are true stories and typical of what they say is an appalling lack of tenants' rights in Queensland.



Solicitor KATHY ETTERSHANK . . . tenants rights.

YOUR CHANCE TO TELL

- *Have you suffered at the hands of a landlord? Do you have a horror story to tell?*
- *Are Queensland laws too lax when it comes to maintaining a fair balance between the landlord and his tenant?*
- *Write to the Sunday Sun at GPO Box 222, Brisbane 4001, and tell us your experiences.*

'Without lease there's nothing tenant can do'

Unfair evictions, illegal entries by landlords, bond seizures and rent increases without notice are happening everywhere.

With rising interest rates forcing more people onto the rental market — up to 25 per cent of Queenslanders, according [illegible] protection to tenants.

While New South Wales and Victorian tenants enjoy the protection of a host of regulations and tribunals, Queensland landlords are virtually [illegible] lords to carry our repairs but, unlike other States, there is no rent control and no bond protection.

Worst of all, according to Ms Ettershank, there are no enforcement provisions. Tenants have to go to the Small Claims Tribunal or to court to force landlords to obey regulations and in many cases this is too costly and time consuming.

Caxton St Legal Service sees dozens of angry, abused tenants every month.

"The biggest problems are with landlords refusing to pay bonds and refusing to carry out repairs," Ms Ettershank said.

[illegible] pool will be cleaned within the week so they go ahead and move in. But months go by and nothing happens.

Eventually the council declares the pool a health [illegible] ventory completed by the agent, indicating the pool was clean when the family took over the house.

Appalled, the family refuses to do any cleaning or repairs so the landlord orders them out with just 14 days' notice and seizes $100 of their bond to pay for the clean-up.

Outrageous? Certainly says Ms Ettershank, but the moral of the story is never take over a house until promised repairs have been carried out.

Ms Ettershank believes as the law stands a tenant has no practical way of forcing a landlord to carry out repairs.

The only avenue is through the Supreme Court, much too costly to be even considered.

"Tenants are not legally allowed to withhold rent [illegible]

Night[illegible]

The Real Estate Institute of Queensland admits there are some problems between landlords and tenants — but disagrees with the renters nightmare theory.

Education officer Peter Campbell said problems [illegible] those complained [illegible]he Tenants Union [illegible]d in less than one [illegible]t of rental situa[illegible]

[illegible]e whole, he said, [illegible]were running fairly [illegible]y.

[illegible]ampbell said there [illegible]



BRETT and TRISH BLYTHEN and daughter ALLISON, 22 months . . . their caretaker job on an avocado and lychee orchard ended in disaster for the family.

for repairs, but in many cases this is their only way of getting something fixed," she said.

Ms Ettershank has heard of people living in unsafe houses with rotten floorboards, broken steps, and doors and windows without locks because landlords refuse to repair them.

In New South Wales and Victoria tenants can appeal to the Residential Tenancies Tribunal to force a landlord to make repairs, usually within 14 days.

In Victoria the Ministry of Consumer Affairs can even order rent to be paid into a special fund to cover repair costs.

Bonds are protected through the Rental Bond Board in New South Wales and through Trust Accounts in Victoria. They are paid directly to these organisations and never pass through the hands of the landlord or agent.

In New South Wales and Victoria landlords must give convincing evidence of tenants' damage to their properties before they are allowed to take part of a bond.

In Queensland they can simply keep some, or all, of it as they wish.

Here the onus is on tenant to prove in the Small Claims Tribunal that he did not damage property.

Although the tribunal frequently awards in favor of tenants it can be a long process.

"Queensland landlords don't seem to accept that the rent they collect is supposed to cover wear and tear on properties," said Ms Etershank.

"They seem to believe that every scratch and mark, the ordinary wear and tear of paintwork and appliances, should be paid for out of the bond, so they usually take a large chunk of it at the end of a rental period."

Other problems can occur when landlords manage their properties through companies which then go broke, taking thousands of dollars in bonds with them. Tenants have no way of recovering their money because they cannot sue the landlord, only his company.

"A rental bond board would put an end to all these problems and it would make life easier for landlords too," Ms Ettershank added.

"At the moment many tenants are wearing out their bonds, not paying rent for the last four weeks, to ensure they don't get ripped off."

And it's not just bonds which cause trouble. A recent case shows tenants have to be wary of deposits paid to real estate agents too.

Two young women, Robyn Hooper and Corina Carlin, applied to Ray White Real Estate in Toowong to rent a flat.

They filled out an application to rent and, at the agent's request paid a $230 deposit, half the bond.

Two hours later they realised they had made a mistake and cancelled their appl[illegible]

But whe[illegible] their dep[illegible] were told [illegible] not refund[illegible]

This wa[illegible] fact they [illegible] two hours [illegible] one menti[illegible] that it w[illegible] able.

The a[illegible] manager [illegible] Sun she h[illegible] ble with [illegible] they wa[illegible] then not [illegible]

She as[illegible] asked for [illegible] plications [illegible] was the [illegible] not to re[illegible] sits if peo[illegible]

In fact, [illegible] legal righ[illegible] deposit but it took a telephone call from one of the girl's parents to have it repaid.

Ms Ettershank feels the case is typical of how landlords and agents use bluff and intimidation to prevent people, especially young people, from claiming their rights.

Another major problem in Queensland is people renting properties without legal agreements or leases to protect them.

Many tenants believe this gives them greater flexibility, but according to Ms Ettershank it only puts them at the mercy of their landlord.

[illegible]mare theory is wrong

[illegible] It seemed an ideal proposition. The answer to all [illegible] fused housing by landlords and agents.

[illegible] their dreams. Brett and Trish gave up a substantial part of their incomes from cleaning jobs to put all their energies into the orchard.

Brett said he worked about 25 hours a week for seven months but the owner consistently refused to provide machinery or fertilisers for him to work with.

Brett said he was expected to do everything by hand.

Finally, the dream came unstuck when the owner became dissatisfied and told [illegible]

In New South Wales and Victoria laws forbid any kind of discrimination, but again Queensland has no such regulations.

Large numbers of Aborigines and Islanders are homeless or forced to live in crowded and sub-standard conditions because of the reluctance of landlords to rent to them, says Carmel Sakrzewski, a social worker with the Black Community Housing Service in Brisbane.

She tells the story of a West End real estate agent who evicted six Aboriginal families, some on [illegible] of the day and some even came at night," said Helen.

"They really just barged in at all hours. At first we didn't want to complain because the landlords had been so reasonable at the beginning."

The women arrived home one day to find the son-in-law leaving. He had let himself in and was taking photos of the rooms.

When challenged he told them their furniture was so nice it would be easier to sell if he had photos of the rooms to give to real estate agents.

[illegible] lords, agents and tenants although he admitted some private landlords were ignorant of their [illegible] was no need for either a rental bond board or a tenancy tribunal.

He said justice for tenants could [illegible] readily and [illegible]

Mr Campbe[illegible] Brisbane's n[illegible] urbs manage[illegible] properties a[illegible] that rented [illegible] tion is beco[illegible] and rents are[illegible]

Properties [illegible] renting for about $85 a week two years ago now go for $110 a week.

He said there was good rapport between land[illegible] thing because the mechanisms for tenants to get justice are there already."

[illegible] was difficult but said tenants had the legal right to abandon a tenancy if the landlord consistently re[illegible]

[illegible] About half the tribunal's cases were related to tenancy disputes.

Mr Campbell agreed that getting some land[illegible] lords to carry out repairs [illegible] lectures in high schools on real estate practices, including tenancy rights.

It also has a telephone advice service for tenancy and other problems.

What happened next greatly infuriated the women, one of them a shift worker.

"Real estate agents began arriving at all times [illegible] such as Caxton St Legal Service or from the Tenants Union telephone advice service.

● Editorial P34

Tenants Queensland

This history is dedicated to all the individuals, workers, volunteers and others over the last four decades who have worked so hard to help tenants. It is also in memory of the inspiring tenant advocates no longer with us who dedicated their lives to improving the lot of Queensland tenants including: Deirdre Coghlan, Dick McLaren, Wendy Clark, Enid Naumann and Warren Rowles.

We know that there are so many more unsung heroes in our story. This booklet only allows us to cover a few highlights and largely relies on the memories of the author. We apologise to those we have missed in telling the story of the last 40 years.

In some cases, tenants' stories in this history contain pseudonyms and are paraphrased for brevity.

We have made every effort to ensure this history is accurate. If you notice errors or omissions, please contact TQ. The newspaper clippings throughout were collected by TQ staff from Australian newspapers over the past 40 years. The cartoons and graphics are from various TQ publications. The photographs were taken by TQ staff or contractors and feature our staff and events. This history is not intended to provide legal advice.

Tenants Queensland acknowledges the Traditional Custodians of the lands where we live, learn and work and recognises their continuing connection to land, waters and culture. We pay our respects to Aboriginal and Torres Strait Islander cultures, and to Elders past and present.

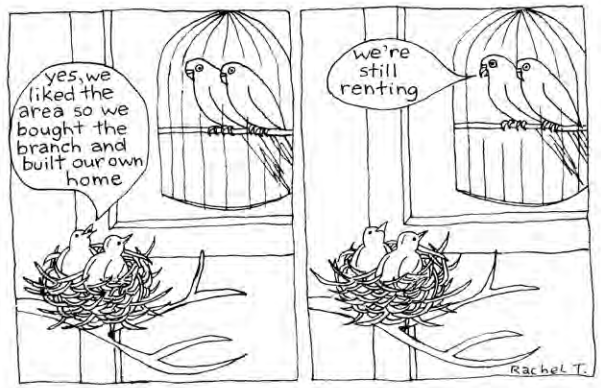
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Created by Rachel Tara for TUQ in 2009

CONTENTS

List of Abbreviations 6

Part 1: You're the Voice 7

Part 2: A Seat at the Table 13

Part 3: Modern Tenancy Law Begins 19

Part 4: Call Agent 25

Part 5: Business as Usual 29

Part 6: Save Tenant Services! 35

Part 7: The Phoenix Rises From the Ashes 41

Part 8: The Beat Goes On 45

Appendix: From the Black Death to Blacklisting and Beyond 53

End Note 63

LIST OF ABBREVIATIONS

BHAG: Boarding House Action Group

DFV: Domestic and family violence

HIDU: Hostel Industry Development Unit

HRS: Housing Resource Service

HRWP: Housing Resource Worker Program

NATO: National Association of Tenant Organisations (Now NARO)

QCAT: Queensland Civil and Administrative Tribunal

QSTARS: Queensland Statewide Tenant Advice and Referral Service

RBA: Rental Bond Authority

RT Act 1975: Residential Tenancies Act 1975

RT Act 1994: Residential Tenancies Act 1994

RTRA Act 2008: Residential Tenancies and Rooming Accommodation Act 2008

RTA: Residential Tenancies Authority

RVI: Rental Vulnerability Index

TAASQ: Tenant Advice and Advocacy Service Queensland

TDAG: Tenancy Database Action Group

TICA: Tenancy Information Centre of Australasia

TQ: Tenants Queensland

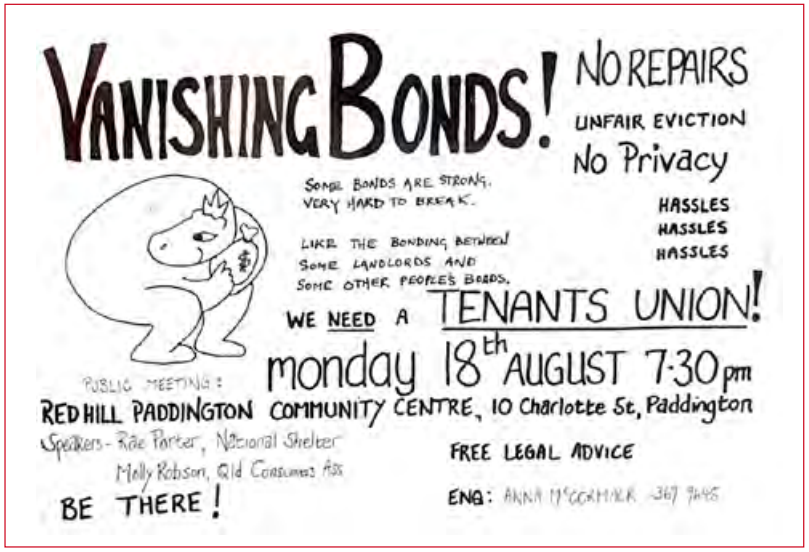
TUQ: Tenants' Union of Queensland

PART 1

YOU'RE THE VOICE



Image by Will Stubbs. Used for TUQ's first t-shirt c.1987



Flyer used to promote the 1986 meeting that led to the formation of TUQ.

1986 was the Chinese Year of the Fire Tiger. That seems appropriate for an organisation that has always had fire in its belly: fire for social justice, fighting like a tiger for Queensland's renters.

In 1986 in Brisbane, major changes were happening with preparations underway for the International Expo to be held two years later. Across Queensland, renters had relatively few protections compared with today. The governing legislation was the *Residential Tenancies Act 1975* (*RT Act 1975*); but with tenancy disputes being heard in the Magistrates Court it was hard to assert those rights anyway. There was no government authority that centrally held bonds and no specialist statewide tenant advice service. Rental bonds were held by lessors and agents, making it hard when disputes arose – **the power imbalance between lessors and tenants was significant**.

Through the 1980s, tenant organisations began to emerge, campaigning for stronger tenant protections, greater security of tenure and fairer dispute resolution. Queensland was no different, with a growing awareness of not just the need to improve protections for renters but also the need to create effective processes to enforce those rights.

Against this backdrop, the Tenants' Union of Queensland (TUQ) formed in August 1986. At the time, renters had little organised representation and advocating for tenants' rights was a far more radical proposition than it seems today. Within a few years, TUQ helped to drive significant tenancy reforms, including passage of the *Rental Bond Act 1989* and the creation of the Rental Bond Board, which laid the foundations for the modern tenancy system Queensland renters know today. Despite initial vocal opposition from the real estate industry, the new bond lodgement system quickly established momentum to update tenancy laws more generally. It would also create a funding base from interest on tenant bond money that could support tenancy functions and advisory services.

In 1986, Queensland premier Joh Bjelke-Petersen was in his 18th year in power as leader of the National Party. In 1987, the ABC Four Corners program aired *The Moonlight State*, exposed police corruption in Queensland and helped trigger the Fitzgerald Enquiry. Despite the allegations and even though Joh Bjelke-Petersen resigned late in 1987, the National Party remained in government under Premier Mike Ahern and then Russell Cooper. At the election in December 1989, Wayne Goss led the Labor party to victory after 32 of continuous years of National Party government.





Minister slams 'rip-off' landlords

LANDLORDS who evicted tenants and raised rents for Expo were "shonks and rip-off merchants" who showed no human compassion, the Family Services, Welfare and Housing Minister, Mr McKechnie, said yesterday.

He announced the establishment of an "Expo Housing Hotline" designed to allow the public to report landlords or owners blatantly cashing in on Expo.

"I want people to ring in if they feel they have been unfairly evicted or if they have been on the receiving end of unrealistic rent increases," Mr McKechnie told Parliament.

"There is every chance that those people who are evicting tenants only for the duration of Expo may come a cropper.

"The Expo Authority has informed me that the accommodation of 90 percent of the international participants and 90 percent of the entertainers has already been arranged."

Mr McKechnie said he recently visited South Brisbane and West End to see the problems at first hand.

He called on the Federal Government to provide financial assistance similar to that given to Western Australia when that State encountered rental problems in the lead up to the America's Cup.

The Expo Housing Hotline will be monitored between 9 a.m. and 5 p.m. on weekdays. The number is (07) 227 8286.

The Opposition housing spokesman, Mr Mackenroth, placed a motion on notice in Parliament yesterday to amend the Residential Tenancies Act to provide protection for tenants being evicted from their homes as a direct result of the rental crisis caused by Expo.

The motion calls for a clause to be changed to allow a magistrate to order that a warrant for possession be postponed for six months.



Coast tenants 'face eviction by landlords'

By NAN DWYER

Disputes between Gold Coast landlords and tenants have reached a record level, according to the Gold Coast Consumers Association president, Ms Pamela Murray.

In 1986, Queensland's population was over 2.5 million, and around 26 percent were tenants. In comparison, the 2026 Queensland population is 5.7 million, and around 34 percent are tenants, mostly private renters. There was little a tenant could do to effect repairs, protect their privacy or even prevent evictions, which frequently occurred without due process or oversight by a tribunal or court. The RT Act 1975 was more of a pamphlet than a piece of legislation.

More broadly, Australians flocked to see the movie Crocodile Dundee, John Farnham's *You're the Voice* became the single of the year, and the TV soap *Neighbours* was a national phenomenon. Queensland was recovering from Cyclone Winifred, which crossed the coast south of Innisfail in February 1986. Internationally, the world watched the Challenger disaster in January and the catastrophe at Chernobyl in April. While those events captured the headlines, a small group of Queenslanders were busy starting something that would quietly **reshape the lives of renters** across the state.

This context captures the zeitgeist (spirit of the time), but let's get down to what was happening in Queensland for tenants.

World Expo 88, a massive global fair held in Brisbane, ran from 30 April to 30 October 1988. It caused significant disruption for tenants in the South Brisbane area. In 1986, much low-cost housing and many small businesses were demolished to make way for the Expo 88 site. There was considerable resumption of land and building infrastructure with forced evictions of both residential and commercial tenants in the area. Many long-term tenants were priced out (or simply evicted) as owners chased quick profits with steep rent rises. Expo 88 severely diminished the inner-city housing stock. The biggest losers being were of course low-income tenants – pensioners, working class families and students. **Petitions and protests had no effect**.

Preparations for Expo 88 and tenant frustrations about trying to assert their rights under weak legislation were sparks that lead to the birth of TUQ. Some specific people and organisations deserve mention for their role in the story.

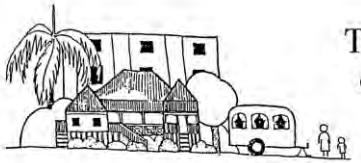
Caxton Street Legal Service had long been trying to help tenants who were facing unjust


TENANTS' UNION PLANNED

Tenants throughout Queensland will have a body to guard their rights when a tenants' union is set up at a public meeting to be held in Paddington this month.

Caxton St Legal Service and the

Tenants get one month to quit Expo properties



TENANTS' UNION OF QUEENSLAND

P.O.Box 255.
Paddington.Q.4064.
Ph: 369 1447



Anna McCormack, the first ever tenancy advice worker in Queensland (photo taken in 2026)

circumstances. Kathy Ettershank, who was a lawyer for Caxton Street at that time, explained they would often have to fight a Notice to Quit on technicalities, such as mistakes on the number of days' notice required, to try and get tenants at least more time to move by forcing the issuing of a new notice by the landlord or agent. They were tough battles and the legal centre did what it could, one tenant at a time, with limited resources.

The Red Hill/Paddington Community Centre was another important player in the early story of TUQ. It often supported tenants who were facing unjust circumstances, such as trying to get their bond back, get basic repairs done, or being threatened with retaliatory eviction for speaking out. Workers and the management committee at the centre felt frustrated about the limited help available. Peter See, a member of the management committee, was impressed by the work of the Tenants' Union of Victoria and wanted something similar for Queensland.

The Red Hill/Paddington Community Centre responded to tenants' needs by appointing a tenant advice worker. The role was taken by the social worker, Anna McCormack, who was then working half-time. The centre decided that Anna would use 50 percent of her time to provide advice and assistance to tenants. So, a single, quarter-time social worker became the first tenancy advice worker in Queensland. Lawyers from Caxton Street Legal Service trained Anna in tenancy law, such as it was then, to arm her with the knowledge she needed. Two of the first lawyers to provide this training and support were Linda Anderson and Kathy Ettershank.

Anna's tenancy advice work started in an era with no internet. If she wanted information, she had to ask someone or look in a book. If she wanted a telephone number, she used the telephone directory (White Pages). She contacted people by landline or by letter. People got their news from newspapers and television news, which was not broadcast 24 hours a day. Notices were put in local community newsletters such as the Red Hill/Paddington Community Centre newsletter, which was called *Up Hill and Down Dale*.

On 18 August 1986, a public meeting was called to talk about tenants losing bonds and propose the establishment of a tenants' union in Queensland. Rae Porter from National Shelter and Molly Robson from the Queensland Consumers' Association were guest speakers. The meeting, held at the Red Hill/Paddington Community Centre, was a full house! Participants agreed unanimously to establish a tenants' union and appointed people from the meeting as an interim

LANDLORD BOND RIP-OFFS CLAIMED

Cabinet rules out action on Expo evictions

SOME landlords were ripping off bond money because of the inadequacy of State tenancy laws, Queensland Tenants Union spokeswoman Ms Hannah Mannz said yesterday.

By WAYNE WATSON

A survey of complaints made to the union between January 1 and August 30 this year showed 143 out of 372 complaints concerned the withholding of bond money.

Other complaints involved failure to carry out repairs (23 per cent), improper evictions (11 per cent) and improper entry (6.5 per cent).

The union had made a submission to the Queensland Law Society for reform of the tenancy laws and would put a case to the State Government.

A proposal to establish a Rental Bond Board was still being considered by the government, a spokesman for Justice Minister Mr Clauson said yesterday.

The Justice Department began investigating the scheme early this year and the most efficient model considered so far was the NSW system.

"We think if we go ahead it will probably be along the lines of the NSW system but we cannot say when it will happen or what form the legislation eventually will take.

"The Minister has said previously there are a lot of good things in favor of the NSW system," the spokesperson said.

In NSW a tenant received bond money back within four days of leaving a flat, said Ms Mannz.

But in Queensland there was almost no control and some landlords considered bond money as belonging to them.

Gold Coast landlords often threw tenants out just before holidays so they could get higher rents, she said.

steering committee. This was the start of TUQ as a community member-based organisation.

The public meeting attracted a lot of media attention and created an unexpected problem: trying to respond to hundreds of calls. The newly formed TUQ didn't even have a telephone – something you'd consider crucial for an advice service. What TUQ did have was half a desk on a veranda at a community centre and one-quarter of a person's working time.

From these extremely humble beginnings arose an organisation that became the peak body for tenants in Queensland and went on to heavily, and positively, influence tenancy law.

In the early days of TUQ's advice work, the Red Hill/Paddington Community Centre took messages from tenants and TUQ called back using the community centre's phone line. This jammed the centre's line and made it difficult for them to conduct their other business. TUQ needed its own phone line and organised a charity cocktail party to raise funds. Later, TUQ needed an answering machine, requiring another fundraising charity cocktail party. It's interesting to note that our original infrastructure fermented on the back of spirits. Cheers!

Anna McCormack recruited some volunteers to help, and Caxton Street Legal Service agreed to train them in tenancy law. The fuse had been lit!

In 1987, Noel Nunan and Linda Anderson published Tenancy Law in Queensland. At 28 pages, it punched well above its weight and became a well-worn TUQ classic.

In the early days, many people of goodwill supported TUQ, including Robyn Cochrane (the first unpaid coordinator), Lurline Comerford, Veronica Laletin and Peter See, as well as staff at existing community and legal centres (this list is not exhaustive; apologies for any omissions!). Other supporters joining slightly later included the late Deirdre Coghlan, Anna Reynolds, Paul Corson, Di Fingleton and Gary Penfold.

Even in those early days, while being swamped with calls for advice, TUQ targeted law reform, particularly regarding bonds. Meetings were held with the Department of Justice, who maintained the government line that the tenancy market would self-regulate through a balance of supply and demand. TUQ continued to lobby, unaware



Tenants seek talks on law changes

THE Tenants Union of Queensland wants the State Government to consult tenants before it changes the Residential Tenancies Act.

The Justice Minister, Mr Clauson, is reviewing a confidential report into possible changes to the Act.

A union spokesman, Mr Peter See, yesterday welcomed the review and supported the establishment of an independent body to hold rental bonds.

But Mr See said it was essential that Mr Clauson consult tenancy and other community organisations before acting.

"Just prior to last year's State election the then Justice Minister, Mr Harper, gave an undertaking to the Tenants Union that he would issue a discussion paper by the end of 1986," Mr See said.

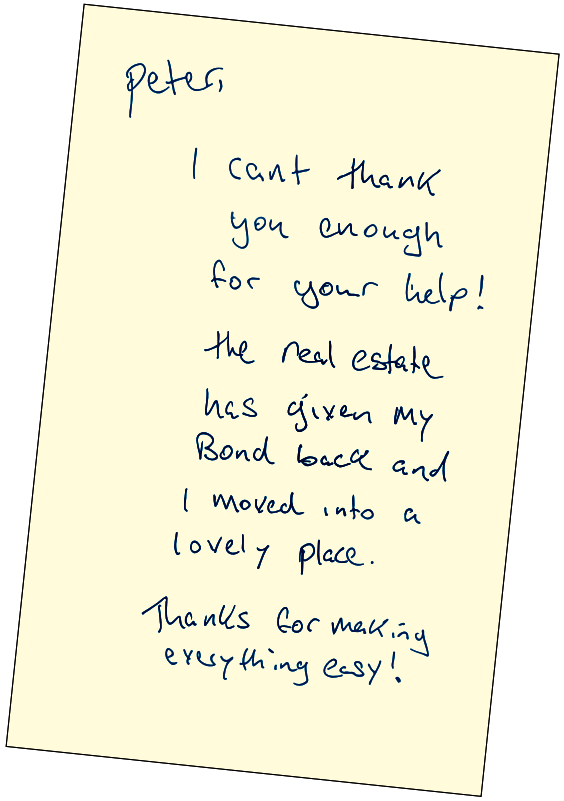
"The discussion paper has never appeared in spite of requests to the current Minister.

"Instead, Mr Clauson has a confidential report and there will be no consultation with people likely to be affected."

Mr See said the union wanted reforms in the the areas of maintenance and repairs, security of tenure, appeals against excessive rents and discrimination against prospective tenants.

that the Department was working to put up a report and brief proposing a rental bond board.

In 1988, TUQ moved to a shared community office space in Albion where, luxuriously at the time, we had the use of three desks. By 1991, we were renting an old church in Windsor. We had come a long way from half a desk and no telephone. Hallelujah!



Peter,

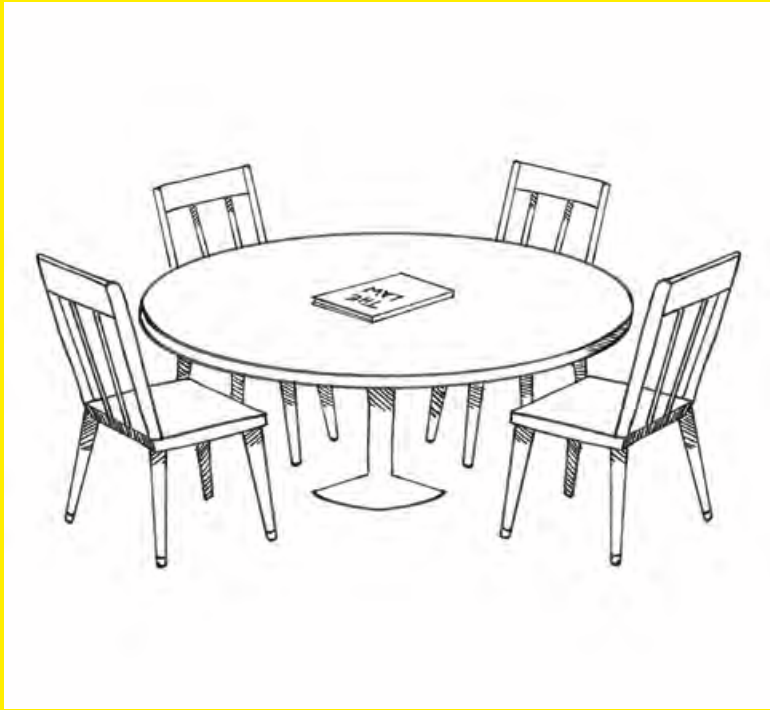
I cant thank you enough for your help!

the real estate has given my Bond back and I moved into a lovely place.

Thanks for making everything easy!

PART 2

A SEAT AT THE TABLE





TUQ promotional poster, first produced in 1986



Board will hold tenants' bonds instead of owners

THE Queensland Government will set up a Rental Bond Board to administer bonds, often the subject of disputes between tenants and landlords.

But the Government was not prepared to introduce housing rent control, the Attorney-General, Mr Clauson, said yesterday.

Bond disputes have been an ongoing problem for tenant groups, which have also complained about Brisbane's rent explosion, partly due to World Expo 88.

Mr Clauson said rent control was not an area in which the Government should become involved.

He said controls other Governments had introduced were "singularly unsuccessful".

The Rental Bond Board to be set up by legislation would act as a trustee for bond money paid by residential tenants to their landlords.

The bond would have to be lodged with the board within 10 days of a tenancy agreement being signed and remain there until the tenant moved out.

If there were no disputes, the bond would be returned within days.

In the event of a dispute, the Small Claims Tribunal would make a judgment which would be passed on to the board, which would distribute the money accordingly.

There would also be provision for an ex gratia payment to landlords whose tenants "shot through" after causing more damage than that covered by the bond.

MR CLAUSON . . . no rent control.

Mr Clauson said: "Tenants will be protected from unscrupulous landlords and landlords will be protected from tenants who fail to fulfil their obligations."

The bond money deposited with the board would be used initially to cover operating costs. When the scheme was running at a profit, the money could be put into welfare housing.

A Caxton Street Legal Service solicitor, Ms Kathy Ettershank, said yesterday the board was a step in the right direction.

But Queensland needed an updated Residential Tenancies Act with greater enforcement provisions, she said.

Ms Ettershank said almost half the letters she wrote as a solicitor regarding tenant-landlord disputes related to withheld bonds.

She said Queensland urgently needed a Residential Tenants Tribunal, as in South Australia and Victoria.

Ms Ettershank, a Queensland Tenants Union steering committee representative, said such a tribunal would have greater powers to address the wider problems associated with tenant-landlord disputes.

She said Expo had caused special problems for Brisbane tenants.

"Unfair evictions in Brisbane are a current problem associated with Expo," she said.

"Recently we had the case of a 70-year-old man with an invalid wife who has lived in Red Hill for 25 years. He has been given 30 days to get out.

"If a landlord wishes to remove a tenant his avenues include doubling rents or non-acceptance of rent payments. These sorts of problems seem to be hitting the older people the hardest at the moment."

Ms Ettershank said the repair of properties was also a trouble area.

Landlords had to keep houses fit for human habitation but the tenant had no recourse if this obligation was not fulfilled.

"In this case, Queensland tenants have no course of action but to give notice of quitting," she said.

"A tribunal would have the power to order these obligations be fulfilled by the landlord."

Ms Ettershank said it was disappointing that the Government had not sought input from community groups in setting up the Rental Bond Board.



■ Blocks of flats have been emptied to make way for Expo tourists. Boarding houses are being demolished, the land sold for high profit.

■ Unscrupulous landlords, riding on the coat-tails of an international event, have in many cases doubled rents on 30 days' notice.

■ Rent on a three-bedroom weatherboard house in West End, currently $150, will rise to $350 on April 1. The tenants are moving out.

■ Six blocks of flats have been cleared of some 150 middle-income tenants to make way for higher-paying Expo staff.

THE DISPOSSESSED

Homeless and helpless as landlords put profits before people

Rental hike forecast if bond board set up

2m16-3-88 pic

THE introduction of a Rental Bond Board in Queensland would lead to tenants paying higher rents, the Property Owners Association of Queensland said yesterday.

The association president, Mr Ian McKenzie, said the board would be expensive, cumbersome and of little benefit to property owners or tenants.

Last Monday, the State Government announced it would establish a Rental Bond Board to administer bonds, often the subject of disputes between tenants and landlords.

The Rental Bond Board, to be set up by legislation, would act as a trustee for bond money paid by residential tenants to their landlords.

Mr McKenzie said that for the Government to retain an increasing pool of money in the board it could link all tenants' bonds to the Consumer Price Index.

The extra paper work involved in letting a property could erect a barrier to more private money entering the residential rental property market.

With fewer premises offered for rent to service an increasing number of tenants, the rents would rise, Mr McKenzie said.

"Property owners will place their premises into the hands of agents to handle the increased paper work and raise rents accordingly to cover the costs," he said.

The Justice Minister, Mr Clauson, said the Rental Bond Board would protect tenants from unscrupulous landlords and protect landlords from tenants who failed to fulfil their obligations.

BRADY Lane — rent doubled to $260.

ITA PHILLIPS

SUSSEX Street — residents facing 24-hour eviction.

In March 1989, TUQ became incorporated and received initial funding of $1,500 from the Department of Families for a volunteer training program. This was followed by a one-off grant from the Myer Foundation for a community education project delivered by Gerard Dowling.

Around this time, approximately **33 volunteers were trained** to give tenancy advice.

One of these volunteers was Nick Collyer. Nick, his partner and children were tenants facing an unjust tenancy issue where their bond was being taken without reason. After making an appointment, Nick rode his bike to TUQ to get help from Peter See. Peter helped with a letter to the real estate agent about the law and this led to the full refund of Nick's bond. Nick was grateful for the help, and said to Peter, 'You've helped me. **Is there anything that I can do for your organisation?**' This turned out to be a dangerous question! Nick became a volunteer advice worker and then a paid advice worker, who stayed with TUQ for over a decade. In later life, Nick became an advocate for those living with disability and made important contributions to government policy through submissions and lobbying. From little things, big things grow.

For TUQ, more substantial funding came from the Queensland Housing Commission under the Housing Referral Worker Program (HRWP), which commenced in response to the intense housing pressures created by Expo 88 and a broad community campaign. This funding allowed the TUQ to employ Robyn Cochrane to provide training and support to housing referral workers based in other organisations.

TUQ's profile and community support continued to grow, partly due to a strategy mapped out by its steering committee.

TUQ's lobbying and campaigning dramatically increased in 1988 with the release of an exposure bill by the Attorney-General, Paul Clauson, for the establishment of a Rental Bond Authority. Like most proposed tenancy law reforms, it was met with vehement opposition from the real estate industry and property owners' association. At this time, Peter See and Gerard Dowling played important roles in supporting the bill, along with various steering committee members and staff.

Peter See went on to become the first paid coordinator of TUQ and Gerard Dowling took on the key role of convenor of the steering committee.

The bond authority campaign was successful, and the *Rental Bond Act 1989* established the Rental Bond Authority (RBA) as a custodian of the bond money tenants paid when they commenced a tenancy. The Act also provided some mechanisms for compliance and oversight. However, the RBA's establishment was not without a hiccup: its new board did not include a tenant representative. Peter remembers hearing that the Attorney-General rejected the suggestion that Peter be appointment to the board, because he wore thongs!

The establishment of the RBA provided some much-needed protection for tenants' bonds. It also provided a potential funding stream for tenant initiatives – like tenant advisory services using the interest made on tenants' bonds.

The end of 1989 saw the election of the Goss Labor government and the modernisation of Queensland's housing programs under the new leadership of Dick Persson (Director-General of the Housing Department) and Ken Smith (General Manager Housing Services). One of the changes they implemented was the transfer of the RBA from the justice portfolio to housing. They also appointed a tenant representative, Deirdre Coughlan, to the RBA board. Footwear aside, tenants were now represented by someone on their side in a place where the voices of industry and government dominated.

When the RBA was established, the Department of Housing also further funded Housing Resource Worker Program (HRWP). This was intended to establish services based at existing community organisations throughout the state to give basic tenancy advice and provide referral and support to tenants.

In 1989, TUQ was also funded under the HRWP. In 1990, TUQ received its first funding through the Queensland Legal Aid Office and was recognised as one of the growing number of community legal centres in the state. TUQ now had a number of paid staff, including the coordinator (Peter See), lawyer (Mandy Doon), our first community education workers (Susan Richardson and Lurline Comerford), Housing Resource Service (HRS) support (Robyn Cochrane), advice



Tim Seelig and Christine Grose staffing a community education booth c.1999



Lynda Sadiki and Narelle Sutherland at the Cairns office c.1991

coordinator (Rebecca Foote) and a part-time administrator (Janet Dunn). The establishment of the legal service allowed for additional helpdesk support for the advice workers and the HRS program.

1991 turned out to be quite the year and for many reasons pivotal in providing access to tenant advisory services to Queensland renters.

The HRWP was under review over 1990/91. Around this time, a new worker stepped in to the tenancy advocacy fold – a Brit by the name of Tim Seelig, travelling in Australia and seeking temporary employment in Brisbane. He thought he would only be in Queensland for a few months. Coincidentally, there was a job at New Farm Neighbourhood Centre for a temporary HRWP worker.

One of Tim's first jobs was to write a submission to the review of the HRWP and its potential replacement. If Tim's goal was to help improve and extend tenant support programs, then it was mission accomplished! This was **the first of many successful submissions by Tim Seelig**. He subsequently decided to settle permanently in Queensland, joined the TUQ management committee, and in 1992 became the second coordinator of TUQ. Tim then helped to shape tenancy law in Queensland.

Following a review of the HRWP in 1990/91, the then Department of Housing and Local Government replaced it with two new initiatives: the Housing Resources Service (HRS), which was established to support the provision of community education, tenancy advice, advocacy and information services to residential tenants; and the Community Rent Scheme (CRS), which was developed to provide accommodation to low-income households with a serious and immediate housing need.

The transition to these new programs saw an expansion of TUQ's role as a key resourcing agency for services funded under the HRS program, resulting in a significant funding increase.

In 1991, TUQ opened an office in Cairns, under the management of Anna Reynolds. This allowed the organisation to engage more actively and effectively with Indigenous organisations and tenants. People like Linda Sadiki, Narelle Sutherland and Sally Watson guided its activities over the years.

1991 also saw the entry of another passionate, long-term tenant advocate. Seeking an appropriate opportunity to re-enter the voluntary workforce after a health diagnosis, Janice McDonald joined TUQ as a volunteer phone advice worker. At this time, TUQ was still based at an old church in Windsor. Janice remembers the outside free-standing loo and the high church windows which could only be opened by ropes.

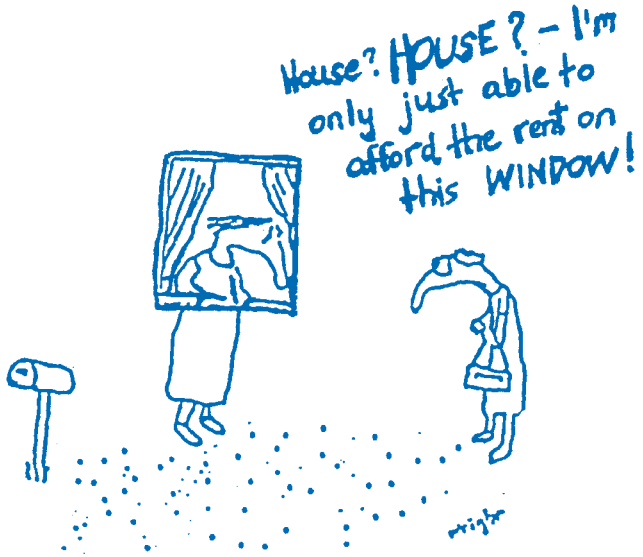
Janice says she was immediately impressed with the team and dedication of the workers who sought to make tenants' lives better and was only too happy to get on board with the mission. She continued volunteering until 1994 when the position became half-time and paid. She commenced sharing this paid role with her fellow volunteer Nick Collyer.

During this time, Janice also undertook relief work for six different HRS offices across Brisbane, remaining in the TUQ position until 2002. She then took the opportunity to become the coordinator at the Brisbane Inner North HRS office in New Farm. Though sad to leave, Janice was happy to be retaining her close association with TUQ, and occasionally assisted TUQ with the delivery of tenancy law training, remained involved in tenancy law reform processes and over time become a member of the steering committee.

Later **in 2013, the defunding of the (then) TAASQ services saw the New Farm office closed**, like so many throughout the state. Spoiler alert – when TQ won the new QSTARS tender in 2015, Janice returned as a senior advice worker. After 35 years involved with TUQ and TQ, Janice says she has never lost her commitment to renters, admiration for TQ's work or respect for its heart, dedication and vision.

In 1992, the funding of TUQ's legal service was increased, allowing for a full-time position and for coverage five days a week.

TUQ assisted many tenants to defend evictions in the Small Claims Tribunal. By this time, the Cairns office also provided advice and casework, and TUQ was delivering a statewide telephone advice service from 9am to 4pm Monday to Friday, staffed by volunteers and paid positions. However, with



Michael Wright c.1999

only one telephone line, the demand from tenants far outweighed the resources available.

Also **in 1992, TUQ received funding to produce an information booklet for young people, titled *Rent Right (or how not to get !@#$ around by the landlord)***. The booklet, developed by Judy Gregory, was reprinted in 1993, twice in 1994 and was used in legal studies classes in Queensland's high schools.

In 1993, a trial was held with each HRS office taking turns to receive calls diverted from TUQ's afternoon advice sessions to allow TUQ paid staff more time to work on cases and projects. This set-up proved difficult to manage due to the high workload in each HRS office and varying availability.

In 1994, TUQ decided to hire a tenancy advice worker to cover the phones. This position was job-shared by two existing volunteers, Nick Collyer and Janice McDonald. Their volunteer work finally became a paid position.



Created by Brona Keenan for TQ publications c. 1999

PART 3

MODERN TENANCY LAW BEGINS





Tenancy Act to change rental market climate

By AMANDA SMITH

PROPERTY owners would be forced out of the rental market and rental prices would be pushed up when the new Residential Tenancies Act was introduced next week, the Property Owners' Association of Queensland said yesterday.

About 40,000 landlords would be affected by the Act, the association said.

The State Government is expected to introduce its new Residential Tenancies Act on Monday, which is aimed at "evening up" the relationship between tenants and landlords.

The Act will spell out rules, responsibilities and rights involved in renting a house or unit for tenants and lessors.

It will also allow lessors immediate access to tenancy termination via the Small Claims Tribunal.

However, industry sources believe the Act, which replaces the Rental Bond Authority, will become an administrative nightmare.

"Mum and Dad" investors may also be discouraged from the rental market because of the complicated new requirements, they said.

POAQ president Mavis Florence said Queensland's pool of landlords would face increa costs through the Act.

"Lessors or their agents will spend more time on paperwork, more time dealing with tenants' claims for mediation and tribunal hearings, more time in the Small Claims Court, and more of the owners' funds on restoring properties damaged by tenants," Ms Florence said.

Owners were concerned they would be hit with heavy penalties of up to $600 for failing to pass on "complex" documentation to their tenants within a one-month period, she said.

Some of the documents, measuring up to 14 pages, had not yet been released by the State Government to the POA.

"There are some great features in the Act and there have been some great improvements over the old one, but it is very much in favour of the tenant," she said.

"There is an unequal distribution of responsibilities in a lot of sections.

"Owners are worried about how they will cope, especially with this one-month time frame."

REIQ 1994 property manager of the year Carmel Wieland said a "pulling back" of the rental market usually occurred after any changes to the Act.

"It's going to be a normal

Complex Act 'a test' for agents

QUEENSLAND real estate agents had been handed an enormous challenge and marketing opportunity through the State Government's new Residential Tenancies Act, property lawyer Stephen Jones said yesterday.

Mr Jones, of McCullough Robertson solicitors, who writes a question-and-answer

would become a major market issue when property owners grasped the complexity of procedures which had to be adopted.

The Act had made mediation a prerequisite to action in the Small Claims Court.

No mediation would be required in simple cases where tenants fell behind rent by

Leases in writing

LANDLORDS will be required to make all tenancy agreements in writing from next week.

Under the new Residential Tenancies Act, which comes into effect on Monday, all new tenancy agreements would be required to be in writing, Tenants Union of Queensland co-ordinator Tim Seelig said yesterday.

Mr Seelig said landlords would be required to in form tenants about their rights and responsibilities.



Created by Brona Keenan for TQ publications c. 1999

The year 1994 was pivotal for tenants in Queensland, with stronger laws to protect them with the passage of the RT Act 1994, replacing the RT Act 1975.

The lead-up to tenancy law reform was predicated by the election of the Goss Labor government in 1989. By 1991, it had initiated a review of tenancy laws, overseen by the Residential Tenancies Review Committee and led by the late Hon Rod Welford MP.

The Residential Tenancies Review Committee issued two important reports: *Residential Tenancies Law Reform in Queensland*, published in November 1991, and *Residential Tenancies Law Reform in Queensland: Boarding Houses and Caravan Parks*, published in November 1992.

The first report was presented to the Minister for Justice. By the second term of the Goss government, responsibility for the review had been transferred to the housing portfolio.

The passage of the RT Act 1994 was the culmination of many years of research, lobbying and campaign activities for TUQ, initially led by Peter See and Mandy Doon. Through its campaigning, TUQ had successfully gained media coverage for law reform and maintained community interest.

Tim Seelig, TUQ coordinator from 1992, said that working on law reform and policy submissions and with stakeholders was a major part of his early work. TUQ had considerable input into shaping the legislation but of course didn't achieve all its targeted reforms. **There would always be more work to do!**

The major changes in the 1994 legislation included preventing self-eviction, incorporating caravan park renters as tenants (albeit with some differing



Various TUQ newsletters from our early days

rules), and introducing rules on privacy, repairs and notices to leave. Changes also extended the role of the RBA into additional areas and renamed it as the Residential Tenancies Authority (RTA).

At around this time, TUQ launched a monthly tenancy advice and legal issues bulletin for the HRS program, conducted a pilot training project with TAFE, maintained the phone advice support service for HRS program workers, and participated in various forums and stakeholder groups working towards the development of recognised training for the community housing sector. TUQ continued to provide its extensive tenancy law training program for our team and other advocates. We had a lot of balls in the air!

In 1994, the Ethnic Communities Council of Queensland (ECCQ) invited TUQ to participate in a working party to examine the problems facing renters from culturally and linguistically diverse backgrounds. This led to further work with the ECCQ and with various culturally and linguistically diverse communities.

At the time, there were major changes to data collection with the Commonwealth Department of

Daniel's story from the 1990s

Danny and his pregnant wife moved into a small flat in Brisbane. Danny was a postal worker and the flat was of older construction but very close to his work. When they moved in, they found that three of the four burners on the stove didn't work and the electric oven often would spark. The tenants were afraid to use it.

When Danny reported this to the real estate agent, he was told that he had rented the flat 'as is' and what did he expect from a property where the rent was pretty low. When Danny challenged this, the agent advised that replacement of burner rings was the responsibility of the tenant anyway and hung up on him. Danny and his partner were not happy with this, and they were hoping to be able to cook a Christmas dinner in a couple of months for their wider family. In the interim, they had been using a small toaster oven which they purchased.

Danny gained advice from TUQ over the phone and was told that everything let with the property had to be in good repair and that there was no 'as is' rule under tenancy law. He was also advised that it was not the responsibility of a tenant to replace ring burners on the stove. Armed with this knowledge, Danny went back to the agent and persuaded them to send a tradesperson. The tradie found that the stove was not repairable and by Christmas there was both a new stove and a new family member to enjoy Christmas lunch with family.



Project worker Frank Shepherd and Federal Housing Minister Brian Howe review the 1995 project report

Legal Aid and the Family Services Program National Information Scheme for community legal centres.

Written phone advice records were routinely checked by TUQ's lawyer to ensure accountability, consistency and accurate advice for tenants.

For 40 years, TUQ has continually provided a high-quality service. The legal service established in TUQ's early days and continuing today ensures our products and training are correct, and supports the high standard of advice and casework provided by other team members.

In 1995, TUQ launched a Non-English Speaking Background Tenant Education Pilot Project. This was one of many projects undertaken by TUQ over the years with a focus on accessibility and social justice for tenants. The project produced a research report, *Distant Voices Limited Choices*, which documented the project's findings. It was officially released along with a resource guide, referral manual and bilingual tenancy education resources.

In 1995, TUQ also began its Boarding House Research Project. A group of people concerned about the problems facing boarding house residents secured funds from Brisbane City Council under its Community Development Assistance Program to conduct research in boarding houses and gather experiential information from boarding house residents. TUQ sought to access the information to support tenancy law reform, because the RT Act 1994 did not protect boarding house residents. This sparked the beginning of what later became the Boarding Housing Action Group (BHAG) and strongly contributed to the later extension of tenancy laws to boarding house residents in Queensland. TUQ and BHAG launched the *All Above Board? Tenancy Law and Boarding Houses* report by Tim Seelig and Lex Weddell in 1996, breaking new ground in Queensland.

Another important project in 1995 was the Aboriginal and Torres Strait Islander Tenant Education Pilot Project led by Frank Sheppard from our North Queensland office. First Nations project workers consulted with tenants and community organisations in 10 diverse Aboriginal and Torres Strait Islander communities and developed an increased understanding of the barriers faced by Aboriginal and Torres Strait Islander tenants in using mainstream services. The project developed tailored educational materials to meet the needs of these tenants. The project's report recommended continued funding for TUQ to conduct ongoing community education and training work. This came to fruition with Pat Cora taking on the Indigenous Tenants Education Project role in 1999.



Anna McCormack with community partners



Project worker Annamarie Reyes with a 1999 translation of *Renting Your Home*

In 1996, TUQ celebrated its 10-year anniversary. This was the year when the first public housing tenants' forum was held at Brisbane City Hall, and the *United Times* newsletter for members was launched. In TUQ's first tenant survey, an overwhelming majority of tenants rated the advice given as excellent and very useful.

Given the substantial changes brought in as part of the RTA Act 1994, the RTA conducted an evaluation of the legislation's first year of operation. The report, *Rules for Renting in Queensland: An Evaluation of the First Twelve Months of Operation of the Residential Tenancies Act 1994*, was published in October 1996. Throughout the RTA review and subsequent tenancy law changes, TUQ provided extensive input, including a substantial submission to the legislative review.

As part of TUQ's work on the review, we made 184 recommendations, which ranged from suggestions to retain existing provisions, minor amendments to correct inconsistencies and arguments to completely overhaul parts of the legislation. TUQ coordinator Tim Seelig led our response to the review and was a key contributor to the research and writing of submissions and advocacy.

Following changes to the legislation, later in 1996 TUQ updated and reprinted its factsheets in plain English and updated its training materials.

In 1999, TUQ translated its booklet *Renting Your Home* into six community languages.

TUQ's projects focused on inclusiveness and targeting resources to the most vulnerable in the community, to work towards equity and social justice for all tenants.

In the late 1990s, TUQ was active in getting the word out to tenants about its services, particularly vulnerable groups and individuals. TUQ provided community education workshops to diverse groups including school students, international students, young women, culturally and linguistically diverse tenants, bilingual community workers, student accommodation workers, Aboriginal and Torres Strait Islander housing tenants, migrant resource centre staff, public housing tenants' groups, Lifeline, the Red Cross Refugee Settlement Programs, Shelter Forums and property law students. TUQ also

Moira's story

Moira was a single parent with two children, one of whom experienced acute autism – her son Jack. Moira and her children were renting a public housing unit in Brisbane's northern suburbs. Unfortunately, there were times when Jack had bouts of continuous yelling, which nothing could be done about. As other tenants in the complex complained, Moira was issued with notices to remedy breach for being a nuisance to neighbours. She and her children were in danger of being evicted into homelessness.

When Moira got a notice to leave due to the noise, she was at her wit's end. She had tried to explain the situation to staff at the Department of Housing but had gotten nowhere.

Moira contacted an HRS service just before the QCAT hearing to end her tenancy, and they were able to attend the hearing and give her support. QCAT decided to give Moira more time and suggested the department arrange a referral to a more suitable property. This worked and Moira and her children moved into a house where the impact of noise could be limited. Moira was very grateful to the HRS service. The HRS service was also grateful for the training, helpdesk and mentoring that TUQ provided.



Coordinators, Penny Carr, Tim Seelig and Peter See

attended festivals and orientation weeks with community education stalls.

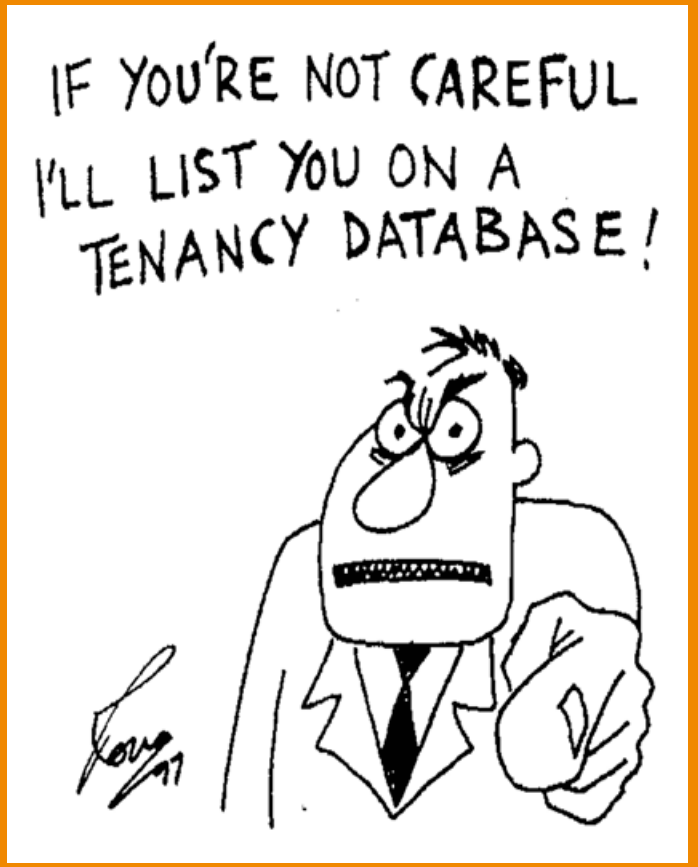
In 1998, Tim Seelig moved on to do a PhD about private rental, and to fight for housing and social justice in other arenas. Enter our third coordinator, **Penny Carr, who went on to become our longest serving coordinator**. Penny took up the mantle, lobbying effectively and fearlessly for tenants in every forum.

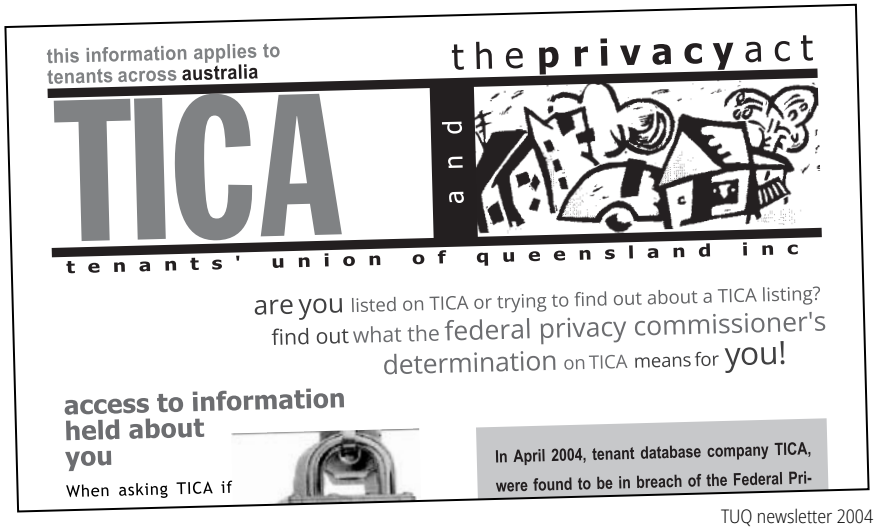


Created by Inkahoots c. 1991

PART 4

CALL AGENT





this information applies to tenants across **australia**

the **privacy** act

TICA

and

tenants' union of queensland inc

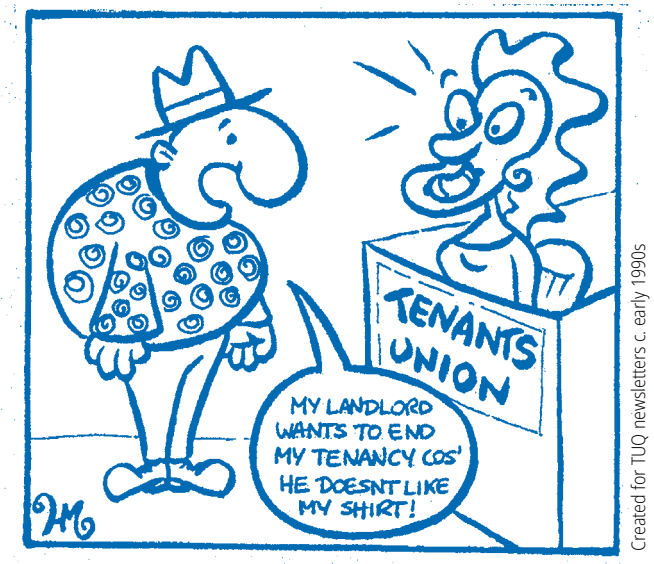
are you listed on TICA or trying to find out about a TICA listing?
find out what the federal privacy commissioner's determination on TICA means for you!

access to information held about you

When asking TICA if

In April 2004, tenant database company TICA, were found to be in breach of the Federal Pri-

TUQ newsletter 2004



Created for TUQ newsletters c. early 1990s

As long ago as 1992, TUQ received enquiries about tenants being 'blacklisted' on tenancy databases. At that time, these databases were an unknown quantity and were virtually unregulated by the State or Commonwealth. TUQ took steps to investigate and monitor these databases and to assist tenants who were listed or were being threatened with listing. Peter See remembered hearing about these mysterious databases and realising they were going to create a big problem for tenants.

By the turn of the 20th century, the database with the biggest market share in Queensland was the Sydney-based company Tenancy Information Centre of Australasia (TICA). Its business model was to sell membership to real estate agents, which allowed them to list tenants as well as check the database for allegedly 'bad tenants' listed by others. With virtually no regulation, listings were often unjust, without reason and lacked independent oversight or process of natural justice.

Unfettered, tenants were listed by member agents for any reason including things like hanging washing on the balcony, asking for repairs or taking other steps to exercise their rights. The database marketed themselves on having many listed tenants, and the impact on those listed was harsh, often locking them out of the private rental market. A common listing note was 'call agent'. This meant no justification or details were provided on the listing, enabling the agent to say whatever they chose when called.

With many tenants listed without justification, the threat of being listed was used by member agents to make tenants comply. For example, if a tenant experienced a bond dispute and felt the agent was trying to charge them for damage that already existed at the start of the tenancy, the tenant might be warned, **'If you don't pay, you will be listed on TICA'**. This was a powerful threat.

One educated rumour suggested that in a small town in a southern state, where only two real estate agents operated, one agent listed all their tenants so the other agency would not rent to them. Obviously vacancy rates were much higher then!

It was an alarming fact that once a tenant was listed, they could remain on the list indefinitely. Although TICA claimed people would 'drop off' after seven years, there is evidence that that many listings remained with limited or no mechanism for removal.

At this time in Queensland, both tenants and their advocates often felt helpless. Tenancy databases were not covered under privacy legislation, because the businesses were turning over less than $3 million per year. TICA appeared unconcerned about Queensland laws because the company was based in New South Wales.

It was heartbreaking for tenants who could easily afford to pay rent to find themselves effectively excluded from the private rental market. TUQ heard from many people who were homeless because they were listed as a 'bad tenant'.

One example was a single mother with three school-age children who was listed due to rent arrears. When her children came of age and applied for properties through an agent, they found that they were listed on a tenancy database as 'bad tenants' even though they were minors and not a party to a tenancy agreement.

Other actual reasons for listings included:

- tenant has lots of visitors
- would not sign a new lease agreement
- tenant often two days late with rent payments
- tenant is difficult
- tenant has an alternative lifestyle.

The injustice of database listings led TUQ to establish the Tenancy Database Action Group (TDAG). Coordinator Tim Seelig took the lead on research, submissions to government and lobbying for regulation on tenancy databases. In 1998, the torch was passed to the new coordinator, Penny Carr, and the fight continued. Penny spearheaded TDAG and continued working to find a solution for Queensland tenants. On behalf of tenants, Penny, with the help of other experts in privacy and consumer law (amongst others, Fiona Guthrie and Simon Cleary), brought forward four representative complaints under the newly extended *Privacy Act 1998* (Commonwealth) in an attempt to get some regulation. One aimed at allowing people free access to the information held about them.

Two staunch allies in the fight to regulate tenancy databases were then Queensland MPs Linda Lavarch and Kate Jones. Linda had heard from constituents about their frustration in fighting unfair database listings. One case in particular stood out to her when a father attended her office and said his daughter was listed and, unable to do anything about it, was unable to find anywhere to live. Linda took it upon herself to do some research about the situation. Linda persuaded the then Housing Minister, Robert Schwarten, that this was an important issue for constituents. He appointed Linda and Kate Jones to head up a parliamentary backbench committee to review the operations of tenancy databases. TUQ worked with Linda, Kate



Coordinator Penny Carr in the early 2000s

and others to raise awareness of the need for regulation. Public hearings were held, with TUQ supporting renters directly affected by databases to appear before the committee.

TUQ proposed what a 'fair' tenancy database listing could look like. Penny Carr remembers this work started with people sitting around a whiteboard in the TUQ training room, describing what was unfair and unreasonable about listings and turning that into the protections that were later embedded in Queensland legislation.

In 2003, after many hard years of lobbying from TUQ and other groups, Queensland passed regulation on tenancy databases which became amendments to RT Act 1994.

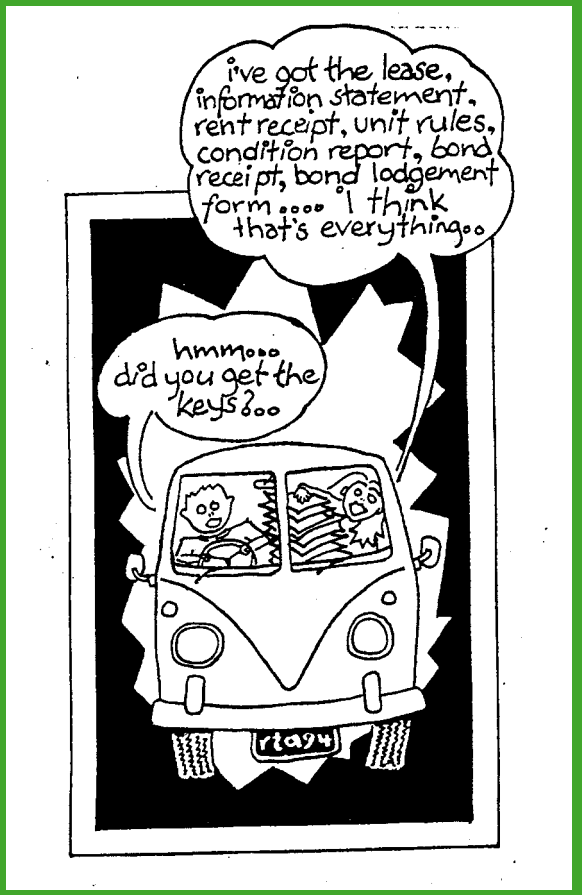
This was an outstanding achievement for Queensland. Our state legislation on tenancy databases was used as a blueprint for all other states and territories, through the Standing Committee of Attorneys-General. TUQ's work ultimately assisted all Australian tenants. You're welcome, Australia.

These new laws regulated databases, required approved reasons for listing, and gave tenants the right of reply in QCAT to have unfair listings removed. The laws also required that a tenant could not be listed until a tenancy had ended, as many agents listed people then continued to rent to them.

Later in 2011, changes limited the listing timeframe to three years. Credit for this success goes to the blood, sweat and tears of many, but particularly to the dedicated, innovative and relentless hard work of our three TUQ coordinators – Peter See, who raised the issue, Tim Seelig, who continued the hard work, and Penny Carr who continued the work and saw the regulation of tenancy databases legislated. What a relay team!

PART 5

BUSINESS AS USUAL



Created for TUQ newsletters by Joe Hurley c. 1990s



Closures expected

MORE than 1000 people are expected to be displaced when almost a third of boarding houses shut in Brisbane in the coming year.

Brisbane City Council community policy chairman David Hinchliffe has predicted 100 will close in the next year as owners struggle to meet new safety standards.

The threat has also concerned Boarding House Owners and Managers Association committee member and founder Terry Watkin.

Cr Hinchliffe said many owners were preparing to close and did not want to spend money on maintenance.

Most of those displaced would sleep in parks or look for fast-diminishing low-cost accommodation, he said.

"While there are good boarding house owners that do the right thing there are quite a number that are simply maximising the revenue and minimising the maintenance," he said.

Cr Hinchliffe said high insurance costs and Brisbane's property boom were other factors in the closures.

He said for the past 10 years many boarding house owners had been "treading water waiting for the right moment to cash in their chips" and make a large profit on the land.

Mr Watkin said many people who would be ousted were mentally ill.

"In the 1970s the State Government moved people out of mental institutions and they moved in to boarding houses," he said.

"If you look at any boarding house in Brisbane 75 per cent would be on psychiatric benefits and fixed incomes.

"This restricts owners from putting up rents ... the people will have to go somewhere and we have picked up the pieces so far but what will happen soon?

In 1999, TUQ moved to new premises in Fortitude Valley. Projects that year included the Aboriginal and Torres Strait Islander Community Education Project and continued advocacy for boarding house residents with BHAG. The Queensland Government established the Hostels Industry Development Union (HIDU) to develop policy and reform in boarding houses, hostels and supported accommodation. Over the coming years, TUQ worked with HIDU, on projects regarding security of tenure and standards and accreditation. Gary Penfold, TUQ board member, must be singled out for his work and advocacy on behalf of boarding house residents at this time, and for many years prior, particularly in the Brisbane inner-city area.

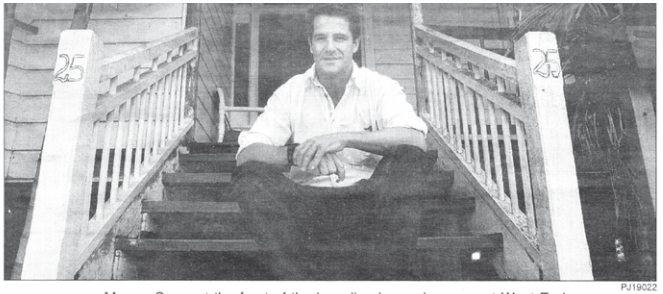
During the year, TUQ took an elderly tenant's eviction case to the Supreme Court after her complaints about a sewage leak went unresolved. TUQ challenged the eviction on natural justice grounds, and the matter ultimately settled out of court with financial compensation for the tenant.

Over the year, TUQ responded to 6,477 requests for tenancy advice through our single telephone line. We expanded the diversity of languages available for our *Renting a Home* information to include Arabic, Bosnian, Chinese, Samoan, Serbian, Somali and Japanese and 2,581 copies were distributed across Queensland.

TUQ's North Queensland office took tenancy education to Aboriginal and Torres Strait Islander communities with workshops on Thursday and Horn Islands with Pat Cora and the newly established Indigenous Tenants Education Project.

In 2000, TUQ published the Translated Tenancy Law Report and updated our Bilingual Workers Manual *Making Connections*. The HRS program was reviewed with input from TUQ and rebranded as the Tenant Advice and Advocacy Service Queensland (TAASQ). With 22 local TAASQ services, TUQ continued its support and resourcing for these offices with training, community education products and helpdesk support. TUQ expanded its training work and produced distance learning materials to further support tenancy workers throughout the state.

The early 2000s were busy times for TUQ, with the Small Claims Tribunal Clinic and the launch of the Boarders' Rights Kit Community Education Project. Research and lobbying for tenancy database protections continued along with a focus on the Property Agents Code of Conduct and continued lobbying for tenancy law coverage of boarding house residents.



PJ19022

● Murray Swan at the front of the boarding house he owns at West End.

Costs are many

MURRAY Swan has to care, or he's out of a job.

Mr Swan, who manages two boarding houses in West End, said he had to have the skills of a social worker to look after his tenants, some of whom were former mental health patients.

Set this against a backdrop of rising insurance, rates, land tax, and other costs, and running a boarding house could get pretty tough, he said.

Despite Brisbane City Council and State Government initiatives to raise the standard of boarding houses, Mr Swan said residents always found a way to remove smoke detectors and raise fire hazards.

"A lot of these people are mental health patients and they were formerly taken care of by the government," he said.

"These people require a lot of attention, they're high maintenance. The manager has to be a social worker and on top of that, you have drug use."

Mr Swan, who owns Hampstead House at 26 Hampstead Rd and Waverley at 25 Sussex St, said his residents soon figured out how to remove any smoke detectors he installed.

"They smack smoke detectors until they break or take the batteries out. I put hard-wired ones in and they drop them out of the ceiling. There's no way I can police that," he said.

Rising running costs aggravated the situation, he said.

Mr Swan said the new Residential Services Legislation introduced last week would reduce managers' ability to provide safe and friendly accommodation.

"Bullies and drug dealers will have more rights now."

Our Say page 6.

In 2002, Queensland passed legislation covering boarding house residents and others in privately run, room-only-style renting, including off-campus student accommodation, rental retirement complexes and supported hostel accommodation. This took the form of the *Residential Services (Accommodation) Act 2002* and the *Residential Services (Accreditation) Act 2002*; these Acts were joined by the definitions of what they covered.

Many residents were highly vulnerable and had little or no security of tenure. Before the new legislation was introduced, TUQ, BHAG and others advocated for many years that boarding house residents and residents of other low-cost accommodation should received tenancy-style protections.

Whilst the 2002 rooming accommodation legislation was gratifying after so many years of lobbying for better protections for boarding house residents, it

Bill's story

Bill was an elderly Aboriginal man who rented a place with his family in Kingaroy through a private landlord. The landlord knew Bill and they had a 'handshake agreement' without any lease or bond. Bill and his family had been in the house for over 16 years and had never had any problems. The landlord lived out of town so rarely came by the house. Bill was happy to pay the rent money into the landlord's bank account and about once a year, when in town, the landlord might drop in for a chat and a coffee.

Unfortunately, the landlord passed away and his son inherited the rental house. As soon as the son took possession, he sent a lawyer's letter to Bill to say that he didn't have a lease and that he and his family had to get out in a week or would be removed by the police. Bill was shocked by this and sought advice from an Aboriginal Legal Service which referred him to TUQ.

Bill was able to get help from TUQ and found out that even without a written lease he was a tenant, was protected by the law and couldn't be self-evicted. Working with TUQ meant that Bill was able to insist on a two-month notice to leave, which gave him and his family time to move into other accommodation. Bill stated at the time that without TUQ's help they would have all been on the street.



Low-wage earners lose out on housing

Madeline Healy

PEOPLE earning low incomes are struggling to find housing because of a lack of public housing and discriminatory private rental practices, new research says.

The research showed tenancy databases were making the rental market similar to a labour market, Queensland University of Technology lecturer Barbara Adkins said.

The report shows some listings on tenancy databases, used to screen prospective tenants, are seen to be unfair or vexatious, or are incomplete, out of date or inaccurate.

The study shows that, as more low-income households throughout the nation become dependent on the private rental market as a long-term housing option, more could be missing out.

The study, for the Australian Housing and Urban Research Institute, shows the demand for low-cost private rental properties had risen as a result of a decline in funding for public housing over the past 20 years.

Housing Minister Robert Schwarten agreed low income earners were struggling to put a roof over their heads.

"But the Queensland Government is making every effort to address both issues — the need for affordable housing and the need to regulate tenancy databases," he said.

He said the Beattie Government had lifted the state's housing budget by almost $200 million since it came into office.

had some serious flaws which TUQ and other advocates argued merely enshrined a lack of rights. Residents could still be evicted immediately for alleged serious breaches, without any tribunal oversight of the allegations, and with the provider able to use reasonable force. This failed to protect residents from retaliatory actions and unfair outcomes. Problems with this legislation continue today.

In 2002 and 2003, TUQ took leadership in training its own staff and all TAASQ staff statewide on the new legislation and providing helpdesk support and professional development.

Between the end of 2004 and 2008, and alongside its usual operations, TUQ focused heavily on two major government reviews. At the time, these were the most significant tenancy law reform processes in Queensland since the introduction of the RT Act 1994.

The first was the review of the *Residential Services (Accommodation) Act 2002*, which commenced in October 2004. Our involvement reflected TUQ's long-standing advocacy for boarding house and hostel residents. Overlapping this review, a major review of the RT Act 1994 commenced in April 2007.

TUQ invested a great deal of time and resources into these reviews, participating as a stakeholder, preparing law reform submissions, negotiating with government and industry representatives, engaging renters and running public advocacy campaigns. Even back then, we argued that the private rental market had changed substantially since the legislation was developed and that many Queenslanders were now renting long term or permanently rather than needing to rent as a temporary stage before home ownership.

During 2007, TUQ developed the Tenancy Law Reform Campaign Kit to support a statewide advocacy campaign. The kit focused on three priority reforms: ending unfair evictions, strengthening protections against excessive rent increases, and creating a more accountable specialist tenancy tribunal. It also contained information about meeting with decision-makers.

In general tenancies, TUQ was particularly concerned with the practice of issuing notices to leave at the end of a fixed-term tenancy with only two weeks' notice, compared to periodic tenants who were required to receive two months' notice. It resulted in increasing numbers of renters being forced onto fixed-term agreements. With such little notice, tenants were being cajoled and pressured into unsuitable arrangements for fear of being homeless, including large rent increases under new agreements.



Enid and Marilyn at the Fraser Coast office

Initially, TUQ got little traction on this issue. However, unwilling to give up easily. we continued to lobby. We met with the Housing Minister, RTA general manager and RTA board chair, and eventually managed to persuade the government that the current notice periods were illogical and unfair.

As a result of these significant reviews, the *Residential Tenancies and Rooming Accommodation Act 2008* was passed. As the name suggests, it combined the renting rules for both general tenancies and privately run, room-only-style accommodation.

The change to notice periods for all general tenancies to two months, aligning the end of a fixed term and periodic notice periods in the updated legislation, was a great win. However, major disappointments were the continuation of without-ground evictions and the retention of the ability to immediately evict and to self-evict rooming accommodation residents with reasonable force.

After the updated legislation was passed, TUQ continued to agitate for a better tribunal for hearing tenancy matters. At the time, tenancy hearings were held in the Small Claims Tribunal, which was largely a debt jurisdiction, but was required to deal with important issues of tenure and housing.

TUQ took its submission for a specialist tribunal to relevant departments and ministers. This turned out to be good timing, because considerations were already underway within government. This led to the *Queensland Civil and Administrative Tribunal Act 2009* and a more user-friendly, specialist tribunal. Of course, these changes led to the need for more training and helpdesk support.

In 2009, TUQ launched a 1300 number for the statewide phone advice service. Policy work

Advice line:

1300 744 263



continued for individual tenants and social housing tenants. We continued to offer accredited training in partnership with the Tenants' Union of New South Wales. It was also in 2009 that TUQ opened an office at the Fraser Coast.

TUQ continued to be a major player in the housing sector as part of networks and stakeholder working groups in community and government, including the National Association of Tenancy Organisations (NATO) – now renamed the National Association of Renter Organisations.

naro

In 2010, TUQ delivered an onsite duty advocacy clinic at QCAT in Brisbane and provided professional development workshops for both tenancy and other community workers to strengthen awareness of tenancy rights.

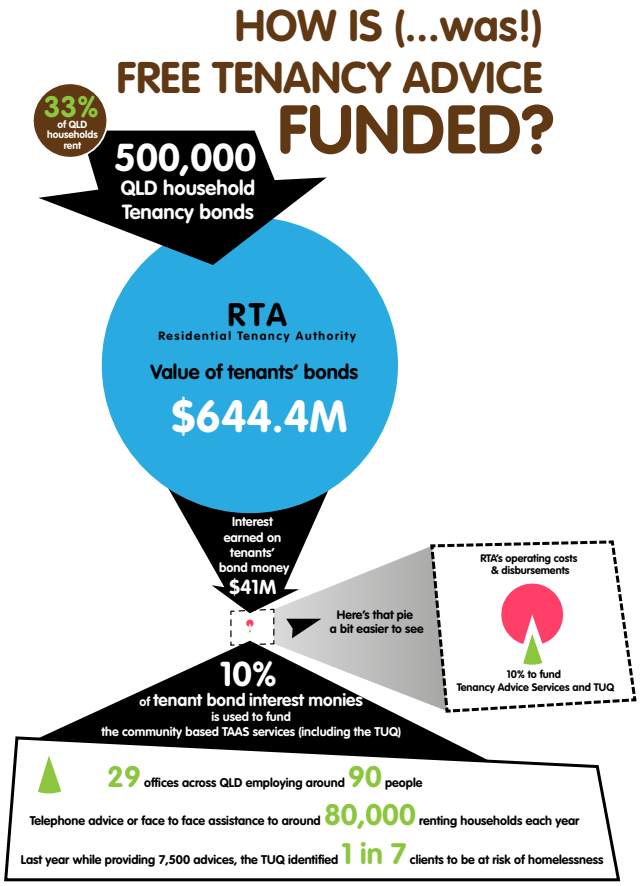
In 2012, TUQ developed five short community education videos to assist renters understand QCAT, prepare for hearings and navigate the tenancy dispute process To do so, TUQ worked closely with the RTA and QCAT, which allowed us to film in a hearing room.

However, **2012 was a fateful year for TUQ. Along with the other 22 TAASQ-funded services, TUQ was suddenly defunded by the incoming Newman government**.

PART 6

SAVE TENANT SERVICES!





Graphic used in TUQ's campaign against the defunding

On 24 July 2012, TUQ and all the local TAASQ providers statewide were in the middle of a funding contract when the entire TAASQ program were informed by fax that funding would be withdrawn with three months' notice, on 24 October 2012. The defunding was shocking, particularly since funds for these services were derived from the interest generated on tenants' bonds rather than taxpayer dollars.

At the time, 75 percent of the interest from tenants' bonds was used to operate the RTA, whose services were available free to landlords, agents and tenants. Around 12 percent was used to fund the TAASQ program, consisting of 23 community-based tenant advice services, including TUQ. As funds originated from tenants' bonds, many saw the funding allocation as deeply unfair. Queensland tenants had effectively been paying for an entire system that allowed free access for agents and landlords to the myriad of RTA services, with only a small proportion of their money directed to services providing them with dedicated advice and advocacy. The government's decision to cut funds to TAASQ singled Queensland out as the only state or territory in Australia without a tenant advice service.

The Newman government stated that it had decided to use the TAASQ money for social housing. **TUQ lost 80 percent of its funding**, retaining a small amount from another program. This was a major threat to the rights of tenants and to TUQ as an organisation.

The Federal Government – stunned by the decision – recognised the disadvantage it caused for Queensland tenants and stepped in with an interim funding offer. The Queensland Government accepted their offer of eight months'



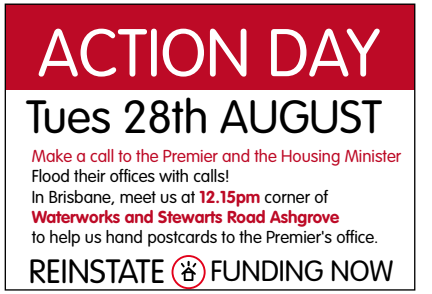
worth of TAASQ program funds with the Federal Government urging the Queensland Government to resolve the funding issues during this time.

The Newman government argued strongly that the RTA would be able to provide services to tenants and that the tenant advice services were superfluous. This was a fallacy: the RTA provides information to all parties, but does not provide tenancy advice, casework, or tribunal support. The RTA does not support tenants to exercise their rights and prevent eviction.

The Newman government's decision led to extensive defunding protests, petitions and lobbying statewide. Hundreds of letters were sent by snail mail to decision-makers every week. Volunteers, including TUQ team members, staffed stalls at weekend markets to raise awareness of what was happening and support people to write letters.

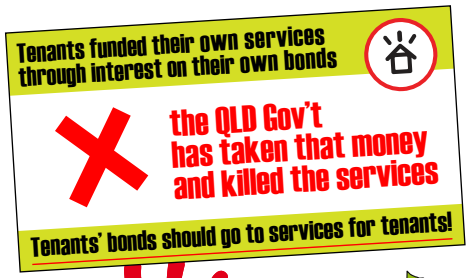
One of the people who was shocked by the defunding was Martin Winney from the then Department of Housing. Martin had considerable knowledge of the TAASQ program, as he was the program's main overseer for a time and worked closely with services throughout the state. Martin, now retired, was highly respected by workers for his expertise, approachability and positive management of services.

Martin wrote to his local MP about the situation. He told us it was the first time in his life that he





Martin Winney, Department of Housing 1998–2019 (now retired)





Frontline services in regional and metropolitan centres across Queensland



Funding for TAAS comes from a small proportion of the interest on tenants' own bond money

The Tenant Advice and Advocacy Service (TAAS) program provides funding to 23 community based groups, including the Tenants' Union of Queensland (TUQ) across the state to provide tenancy advice, community education and advocacy support to Queensland tenants.

TAAS services for Queenslanders established in 1989

Save this important program by continuing the funding

savetenantservices.net.au

had written to his MP. His letter is partially quoted below.

Please do not respond and tell me that the RTA can provide the same services as TUQ and TAASQ as I know first-hand that this is not true. The RTA provides an information service only and not the assistance and advocacy services needed to help people, especially those vulnerable and at risk in the rental market. These services have kept so many people in secure private rental and not having to look at scarce social housing as the only option for them. The services provide help to those struggling or unable to advocate for themselves and has kept people out of homelessness.

Martin was disheartened to receive a standard letter in response, stating that the RTA was providing assistance for renters.

Despite the advocacy of many individuals as well as TUQ and other community services, the issues were not resolved during the eight months of interim funding. As the end of the interim funding approached in June 2013, the Federal Government again stepped in to offer the Queensland Government an additional six months' of TAASQ program funding to December 2013. This time the Queensland Government refused the offer, stunning renters, the community, TUQ and other services alike.

Arrangements were quickly put in place for TUQ to receive the Federal Government funds for distribution to the network of services statewide. By this time, the number of services had dwindled as long-term, hard-working local management committees folded under the pressure. The Caravan and Manufactured Homes Association and Bayside TAASQ both approached TUQ about taking over the running of their services, which occurred.

Despite the hard fought, TUQ-led community campaign, by the end of 2013 the second package of Federal Government rescue funds ended. With a new Federal Government in place, no additional funds were forthcoming. **Most local**

TENANTS' BONDS TENANTS' INTEREST HANDS OFF

savetenantservices.net.au

TAASQ offices closed in December 2013. During the 14 months of the campaign for re-funding, many friends of TUQ volunteered their time and energy. Without this, there wouldn't have been a campaign. So many assisted, but of note was Anna McCormack who returned to help organise volunteers and design company iTANK who provided much pro bono support.

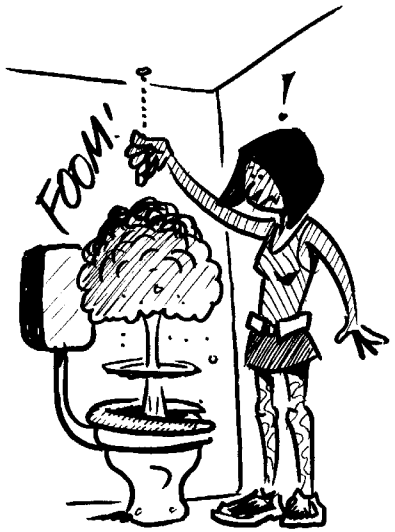
TUQ was no longer a robust service providing advice and assistance to tenants statewide and delivering policy and law reform work. Instead, TUQ adopted a survival strategy to skinny up, relying on a small amount of other income, savings and volunteers. Staffing numbers were slashed, our Cairns and Hervey Bay offices were closed. Most of our team were made redundant, including those in the offices we took on during the funding fight. Our original team of 23 people was reduced to 7 people across 3 full-time positions. As we write, three of these seven people are still employed at the now Tenants Queensland!

This was a very dark time for TUQ. However, the TUQ **phone advice line never ceased**. Services were stripped to the bone, but TUQ wasn't going to go quietly.

During this time without bond interest funding from the Department of Housing, and after much consideration and consultation, **TUQ changed its name to Tenants Queensland (TQ)**. The organisation had taken on the title of union in the spirit of tenants working together collectively. This always seemed appropriate given TUQ was a member-based organisation. However, in the

political climate, it seemed prudent to change our name. So, TQ was born.

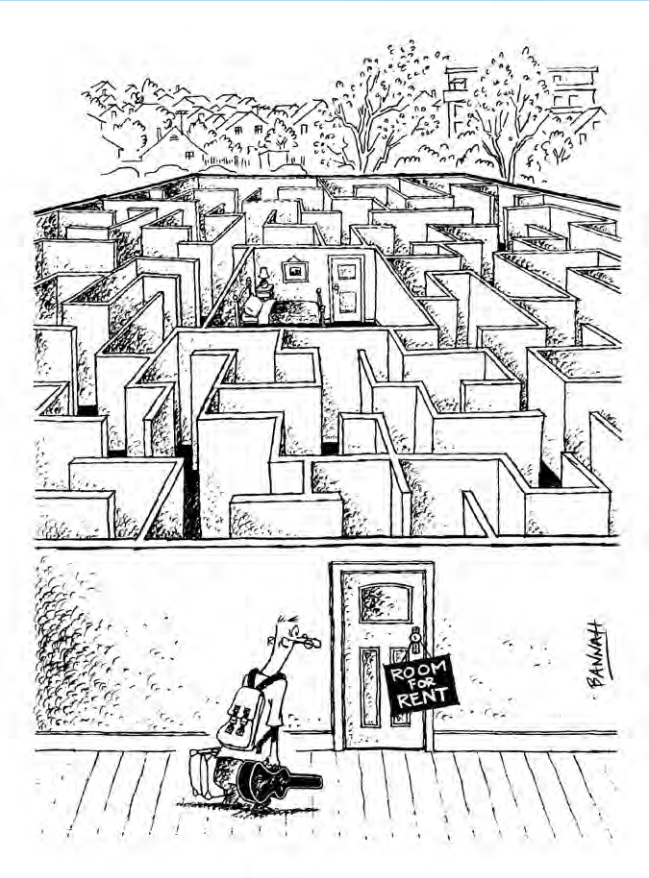
To rub salt into the wounds, TQ's rented office building of 16 years in Fortitude Valley was sold. We moved to an office in St Paul's Terrace, Spring Hill. Later, following refunding, we moved to our current location at Wickham Terrace, Spring Hill.



From Rent Right, created by Ross Carnsew, 1992

PART 7

THE PHOENIX RISES FROM THE ASHES



Created by Max Bannah for TUQ newsletters c. 2003



QSTARS community education stall in 2016

Qstars
QLD Statewide Tenant Advice
And Referral Service

Fortunately, the history of TQ does not end with defunding. There is a happy ending to this story.

With the change of government in Queensland in 2015, the Palaszczuk government moved to reinstate tenant services, as promised during the election.

At TQ's suggestion, the new government conducted a short review of the previous program before releasing a call for tenders for a new (much anticipated) statewide program. Tender respondents had six weeks to develop a response and submit. With several million dollars involved, it was a highly competitive tender and a very stressful time for those involved from TQ. We had a lot riding on it!

At TQ, we drew on our long history and corporate knowledge. Under the leadership of coordinator Penny Carr, and with contributions from many others, we submitted a model responding to the tender specifications 14 hours before it was due! Two sentences give no justice to the work, strategy and stress involved. However, our tender response was ultimately successful, with all five tender elements (four regions and the hub) awarded to TQ. Things were suddenly looking up (in a happy but slightly daunting way).

The Queensland Statewide Tenant Advice and Referral Service (QSTARS) was born, with TQ as the manager and lead provider.

Our QSTARS program is delivered through a centralised phone advice hub, connected to a network of regional service outlets across Queensland. The regional services are coordinated by TQ and delivered with community-based partners. The phone hub delivers high-volume advice and support to tenants. When tenants need more intense assistance, they are referred to a regional service outlet for follow up.

The story of TUQ and TQ began humbly, with few resources. We grew incrementally for 26 years, taking vital steps forward for tenants' rights and services. In 2012, TUQ was brutally cut and culled but could not be killed off. Like a pruned-back plant, spring saw us come back stronger than ever.


Members of the leadership team in 2024
photo by David Kelly

To paraphrase Mark Twain, 'the report of our death was an exaggeration'.

All this was only possible due to the support of those who rallied around TUQ/TQ, including the Friends of TQ group, the people who wrote letters to MPs, the previous committee and staff members, and the contracted service providers who offered pro bono services. There are many unnamed and unsung heroes here.


Penny Carr doing a media interview in 2020

Xing's story

Xing was an international student renting private student accommodation off campus in what is known as rooming accommodation. Xing was alarmed when the service provider said that they would need to hang on to her passport while she was in residence stating that this was common practice in Australia as extra security. Although worried, Xing complied not wanting to rock the boat.

During her residence, the split system cooler/heater broke and Xing asked for it to be repaired. The provider said that as it was working when she moved in, it was up to her to fix it. Once again, Xing did not want to rock the boat and put up with the inconvenience for the rest of the tertiary year.

When Xing was moving out, she cleaned her room and asked the provider to pay back her bond. The provider fully claimed the bond for a new split system stating that the resident had broken it. Additionally, the provider claimed the replacement cost was above the bond and she would need to pay.

Xing was stunned and refused to pay for a new split system. In response, the provider stated that in Australia if you don't pay your debts you go to jail. On advice from her student counsellor, Xing gained help from TQ, and they assisted her to exercise her rights. Xing was very happy when she got her bond back and her passport returned.





















PART 8

THE BEAT GOES ON



Created for TUQ newsletters c. early 1990s

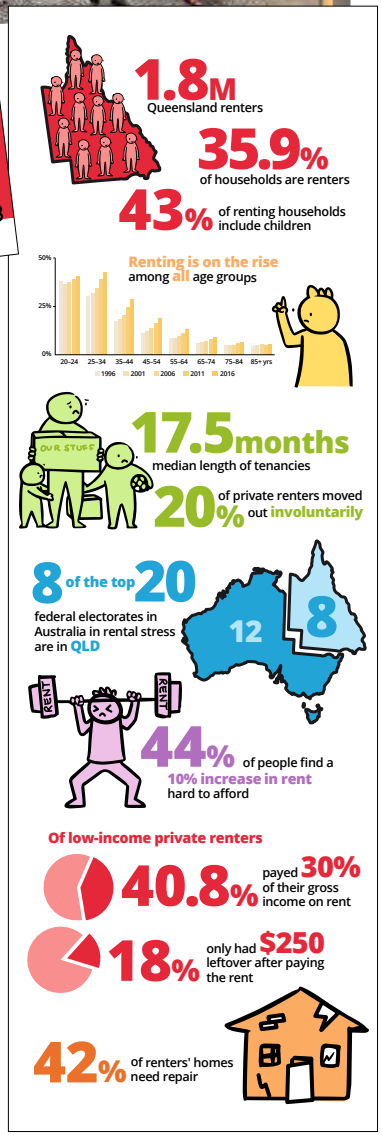


Make Renting Fair in Queensland Alliance Members taken in September 2024 by Shaina Rother at the MRFQ press launch





MAKE RENTING FAIR IN QUEENSLAND



In 2016, TQ moved to the current office at Wickham Terrace in Spring Hill. Also in 2016, TQ launched Australia's first ever Rental Vulnerability Index (RVI), a great innovation in understanding the demographic and housing characteristics of Queensland renters.

The RVI combines a range of independent indicators of rental vulnerability into one number to show how each postcode area rates. This tool is currently being developed nationally through an Australian Research Council grant.

In 2018, TQ led the launch of the Make Renting Fair campaign in Queensland, which called for state tenancy law reforms including, amongst other things, to make it easier to keep pets, longer notice periods for entries, fairer bond returns, limiting rent increases and preventing unfair evictions. In the same year, the Palaszczuk government launched a significant review of Queensland's tenancy laws, a process that extended for four years, after an interruption from COVID-19.

Over the next few years, many of the Make Renting Fair campaign asks were achieved through three rounds of legislative changes, legislative changes, though not all have been fully realised.

When COVID-19 hit in 2020, tenants were hit hard. With businesses like cafes closing overnight, many renters lost their jobs and were left unable to pay



Right where you live

Better rights for residents

rent. They also faced property entries or terminations when they were not meant to be having visitors to or leaving the house. These renters suddenly faced an uncertain future and an unexpected threat of homelessness during a public health crisis. From the onset, TQ raised renters' issues with policy makers as they emerged. TQ was heavily involved in discussions about policy formulations, which eventually led to the specific tenancy regulations in the *COVID-19 Emergency Response Act 2020*.

To say this was a chaotic time is no understatement. Negotiations about proposed changes to tenancy law were fast and furious. TQ played a central role in advocating for emergency protections, including an evictions moratorium, and providing government with frontline evidence about the impacts on tenants of job losses and financial hardship. Industry representatives pushed back hard. Negotiations continued into the night, with one face-to-face meeting with the Minister and staffers right before the changes were decided.

The COVID-19 reforms introduced a temporary eviction moratorium for COVID-19-affected renters, new rent negotiation and conciliation processes, limits to property entries (including virtual entries to protect people's health), protections against tenancy database listings for COVID-19-related rent arrears, and other measures that helped prevent many Queenslanders

Deb's story

Deb is an older single woman from the Rockhampton area who works as a cabbie. She was hit with a staggeringly high rent increase which she believed was a tactic to get her out and then jack up the rent even more for the next tenant. When Deb objected, she was given a notice to leave.

Deb sought advice from Karen and Maree at the TQ Rockhampton office. The workers helped her with a tribunal application to dispute the excessive rent increase and to argue that the eviction was retaliatory. Deb noted that this action took about six months of working with the service to see it through and stated how much she admired the professionalism and tenacity of the Rocky workers.

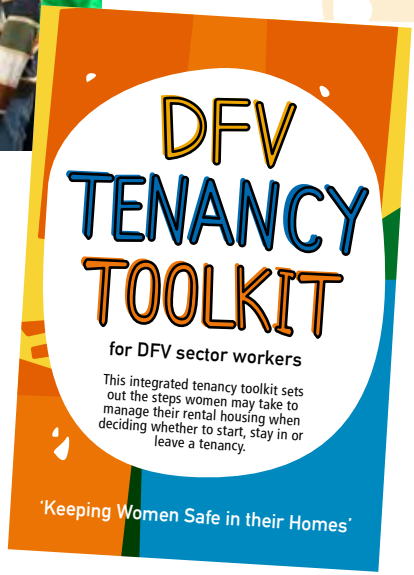
The outcome was that Deb avoided the excessive rent increase and it also gave her time to move into a more secure and affordable housing option.



TQ training in 2021



EmPowering renters



from losing their homes during and after the public health crisis.

The changes commenced overnight. This meant that training and education had to be produced over a weekend, ready for phone advice and face-to-face work to commence on the Monday morning. The team got to work!

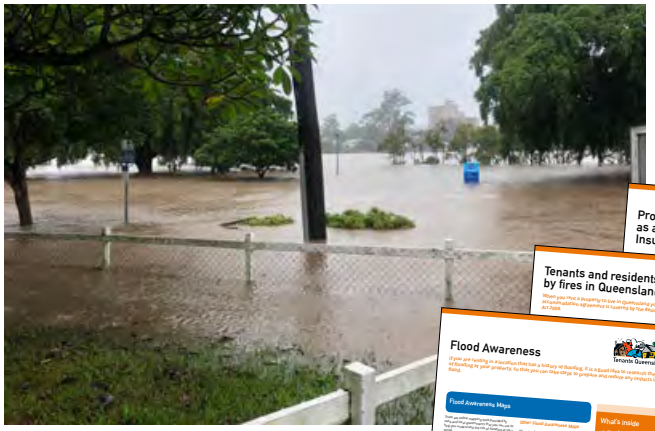
Throughout the COVID-19 crisis, TQ engaged in a great deal of public commentary and had some significant wins.

Unfortunately, the Queensland Government withdrew the evictions moratorium in October 2020, earlier than other states. After that, rents began to spiral.

Even as an essential service, TQ was not spared from the crisis. We had to pivot quickly to safely manage the working environment. Still, our advice services never went offline. TQ was there for tenants, driving law reform and providing services that were more vital than ever.

In February 2021, following a major update to our constitution, TQ registered as a company limited by guarantee. The steering committee became a board. Across our 40 years, many people have volunteered for our steering committee and board. We could not do our work without their commitment. We send them 40 years of thanks.

October 2021 brought long-awaited changes to tenancy laws designed to support renters affected by domestic and family violence (DFV). **In 2022, TQ launched the DFV Sector Capacity Building Program** to build the knowledge and confidence of frontline DFV workers when their clients also confront issues regarding renting. The training and backup assistance provided through this program allows clients of DFV services



Brisbane's floods created the need for new tenancy resources in 2022



to receive a more holistic response from their support worker without having to access another service.

In 2022, TQ received Commonwealth Flood Funding to deliver specialist legal advice and support to renters facing crises caused by flooding and storms.

In 2022, TQ also employed a financial counsellor, and soon expanded this work to two part-time positions. These workers help renters experiencing financial stress to build resilience and navigate debt in ways that help sustain their tenancies.

In 2024, TQ established the EmPowering Renters Project to help tenants understand their energy use and billing in order to reduce their cost of living. Small savings mean a lot to the vulnerable households we work with.

Also in 2024, we employed our first client support worker, to strengthen the capacity of our frontline team and provide direct services to highly vulnerable people.

Our wrap-around services, such as client support, financial counselling and the (time-limited) energy literacy project, complement our tenancy advice services by supporting tenants experiencing complex or intersecting needs that affect their ability to maintain housing.

From 2022 to 2024, we saw many welcome legislative changes for tenants, such as limited costs on breaking leases, regulation of the tenancy application process, restrictions on the retention of personal information, clarification of rent payment method options, and limitations to the time for lessors or agents to present utility bills. The last round of changes also benefited from the National Cabinet's Better Deal for Renters platform. **TQ was a major voice lobbying for these changes on behalf of tenants**.

In 2025, Janet Dunn, who started with us in 1989 as part-time administrative support, retired from her role as the TQ administrator. Over that time she became a steady presence

through changing governments, funding challenges, victories and setbacks. After 36 years, Janet almost is our history!

Quietly working behind the scenes, Janet brought extraordinary organisational knowledge, kindness and good humour to generations of renters and team members alike. Aptly, the training room bears her legacy as the Janet Dunn room.

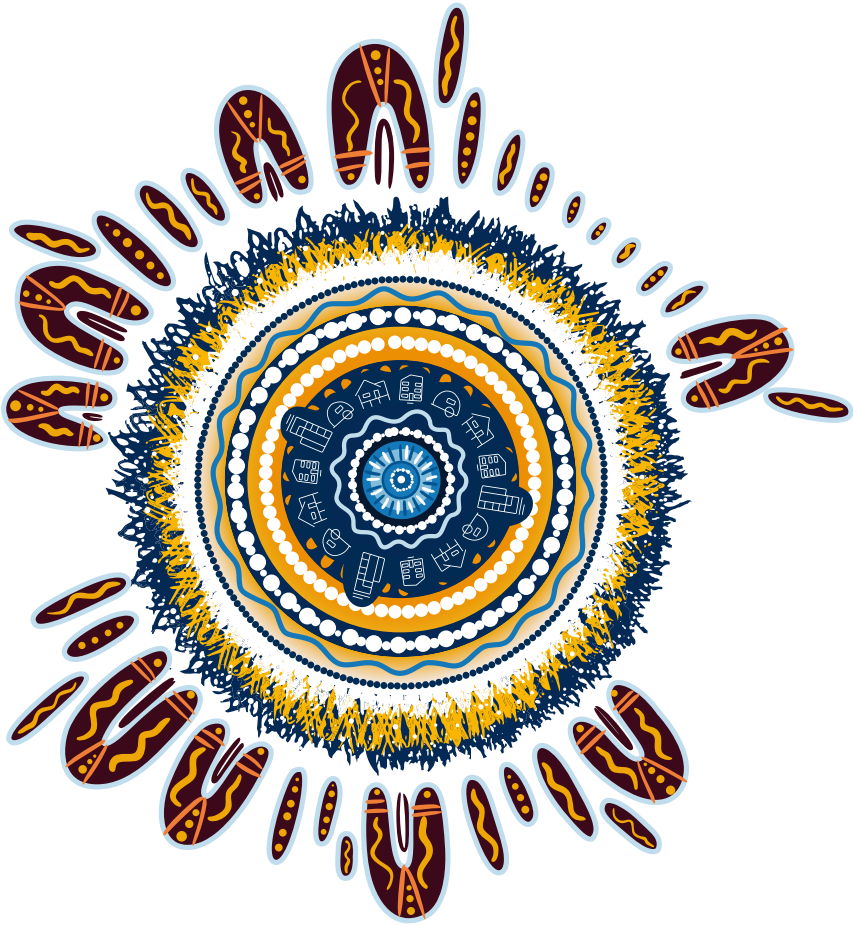
So, here we are in 2026, 40 years on from our founding. The modern TQ has chatbots, AI tools on the website to help tenants write letters, and computerised phone systems for our team. We've come a long way from no phone and half a desk. We got here through hard work, focus and commitment to working with and helping tenants – both directly and by advocating for them to government and the community. One thing has remained constant across TQ's 40-year history: Queensland renters have always been able to call us for help.

Not a single working day has passed without tenants being able to reach trained staff or volunteers for advice. From a single statewide phone line to today's multi-line QSTARS Hub and network of regional offices, our advice service has operated every day since 1986. Floods, disasters, COVID-19 and defunding have tested us, but the line has never gone silent. For 40 years, through hell and high water, TQ has kept showing up for renters.

Of course, there is still so much to do. Despite our lobbying, Queensland renters can still be evicted without a good reason if they have a fixed-term agreement. Queensland lacks minimum standards for energy efficiency, and the amount that rent can be increased for sitting tenants remains unregulated. The housing crisis has accentuated these weaknesses in rental market regulation.

On the need for ongoing lobbying, **we'll leave the last word to our first coordinator, Peter See**.

> 'With more than 30 percent of the population renting, governments across Australia need to be prepared to modernise tenancy laws to ensure that they reflect this new reality and provide tenants with enhanced security of tenure and housing standards.' (Peter See)



Segment of the artwork created for TQ in 2026 by Cherrie'ee Sutton



APPENDIX:

FROM THE BLACK DEATH TO BLACKLISTING AND BEYOND

A BRIEF HISTORY OF RESIDENTIAL TENANCY LAW IN QUEENSLAND



During the bubonic plague of 1900-1902, rats, the worst carriers of the dread disease, were destroyed by the thousands.

Photograph from State Library of Queensland collection

This brief history describes the establishment and evolution of residential tenancy law in Queensland.

In 19th century colonial Australia, tenant–landlord relations were managed under inherited English property laws rather than separate statute. Rights of landlords were paramount, and tenants had little protection. Landlords had the power to evict tenants and use other drastic actions, including holding goods for alleged debts – distress for rent. Housing standards were subject to only minimal regulation, and there were many slum areas and shanty towns.

One key catalyst of government intervention and regulation in rental housing was bubonic plague ('black death'). Queensland experienced multiple outbreaks in the early 20th century. There were 136 identified cases in Queensland, and 57 deaths. At this time, there were no antibiotics or other treatments. Penicillin which was not discovered until 1928 and was not widely available until around 1945. Poor living conditions increased the risk of infection.

This marked somewhat of a turning point. Though the landlord–tenant relationship remained largely governed by property law and contractual obligations, through its public health responses, government started to see a role for itself in regulating how housing conditions impacted residents.

Australia provides considerably less social housing than many comparable countries. Recent national data suggests that around four percent of Australian households live in social housing. In England, social housing accounts for around 16 percent of households. Countries with more social housing tend also to have stronger tenancy laws.

The reasons for these stark differences are clear. In Europe and the UK, renting is generally considered as a long-term and stable alternative to home ownership. **In Australia, renting is often seen as a temporary stepping stone to home ownership.** The Australian system is based on an assumption that renting is a rite of passage on the way to the Great Australian Dream of buying your own place, not a long term (even permanent) tenure.

Rising house purchase prices and higher rents have made the pathway to home ownership more difficult. For many Australian renters, high rents make saving for a deposit unrealistic. Many Australians experience housing stress, commonly described as housing costs exceeding 30 percent of gross household income for lower-income households. According to Queensland's Residential Tenancies Authority (RTA), median rents in



Created for TUQ by Max Bannah c. 2002

Brisbane for the January to March 2026 quarter had reached $760 per week for a two-bedroom property in Toowong, and $500 per week for a two-bedroom property in Inala.

Based on the 2021 census, around 36 percent of Queensland households rent their home, most of these in the private rental market. Although renting has become a long-term or permanent option for many Queenslanders, and tenants might experience poor treatment from landlords or agents, tenancy **legislation has lagged behind** this reality.

This goes to the heart of how and why the Tenants' Union of Queensland – now Tenants Queensland – came to be.

EARLY RESIDENTIAL TENANCY LAW IN QUEENSLAND

The first piece of legislation to govern tenancies in Queensland, the *Landlord and Tenant Act 1948*, covered both residential and commercial tenancies and emerged during the period of postwar housing shortages and rent regulation. It contained relatively strong tenancy protections including both rent control and security of tenure for some premises, but the framework was limited and difficult for many tenants to use.

Later, the Queensland Government passed the *Termination of Tenancies Act 1970*, which abolished rent control but retained the restriction on a landlord's ability to terminate periodic tenancies without a just cause. The Acts passed in 1948 and 1970 could not be considered modern residential tenancy statutes.

Queensland was the first Australian state to pass legislation concerned solely with residential tenancies. Outcomes from Queensland property law reforms in the mid-1970s, as well as the national Henderson poverty inquiry in 1974, eventually led to the *Queensland Residential Tenancies Act 1975* (RT Act 1975).

When tabled, the *Property Law Bill 1973* retained coverage of both residential and commercial tenancies, and in its original form, retained security of tenure for residential dwelling houses by requiring the application of one of twelve reasons to end a periodic tenancy. The retention of security of tenure caused controversy within the strong landlord lobby and, by the time the Bill was reintroduced to parliament in 1974, the security of tenure clause was missing. According to Professor Tarlo, writing in a University of Queensland law journal in 1979, the Minister of



TUESDAY, APRIL 29, 1986

Suing landlords could backfire, tenants told

LANDLORDS could be discriminated against if they tried to protect their interests with special tenancy rules, a real estate industry spokesman said yesterday.

A Queensland Real Estate Institute spokesman said it was "ridiculous" that landlords could be liable to prosecution for setting pre-conditions.

He warned that fear of lawsuits could ultimately result in fewer properties to let.



Created for TUQ newsletters c. early 1990s



From Rent Right, created by Ross Carnsew, 1992

the day indicated that separate legislation relating to residential tenancies would be passed before the commencement of the *Property Law Act 1975* in December that year.

Whilst the property law reforms in Queensland appear to be the key driver for creating the RT Act 1975, there was **growing recognition of the differing needs of residential and commercial tenancies**. The Sackville Report *(Law and Poverty in Australia)* 1975, prepared by Commissioner Sackville as part of the Henderson Poverty Inquiry, identified the laws pertaining to residential tenants, especially those with limited means, as setting them at disadvantage and leaving them experiencing significant barriers to enforcing their rights.

The Henderson Poverty Inquiry also commissioned the specialist Bradbrook Report 1975 *(Poverty and the Residential Landlord-Tenant Relationship)*. This report recommended that States undertake significant tenancy legislative reform to address **substantial gaps and deficiencies in the law**. Key recommendations included security of tenure, protection from retaliatory eviction, minimum standards for repairs and habitability, accessible dispute resolution, safeguards against unfair tenancy agreements, improved protection for bonds and tenancy deposits, and access to tenant advice services.

Unfortunately, at the very time that these recommendations were being digested, the **Queensland Government decided to enact legislation that ignored the push to modernise tenancy laws**. The RT Act 1975 was brief (35 sections) and failed to provide tenants with many protections, though it did introduce landlord obligations regarding quiet enjoyment, repair of premises, fitness for human habitation, and duties about health and safety standards. It introduced tenant obligations to care for the premises and pay rent and also dealt with landlord entry, rent variation, notices to quit, termination and summary recovery of possession.

The RT Act 1975 also had significant omissions. Notably, disputes and recovery of possession remained court based, with 'court' defined as a Magistrates Court constituted under the *Justices Act (1886–1975)*. This meant the system was formal and difficult for many tenants to navigate or access without legal advice or financial resources. Security of tenure provisions were nowhere to be seen.

The first progressive change to tenancy laws occurred with the enactment of the *Rental Bond Act 1989*.

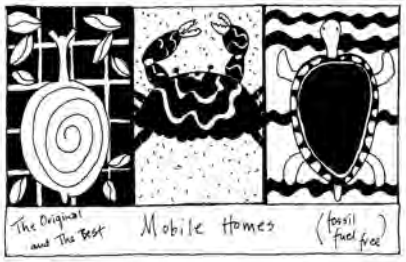
DEVELOPMENTS IN THE LATE 1980s AND 1990s

When the Tenants' Union of Queensland (TUQ) formed in 1986, one of its key early lobbying campaigns was for the fairer management and return of tenants' bonds. The Ahern National Party government responded by passing the *Rental Bond Act 1989*, which received assent on 6 April 1989, and the Rental Bond Regulations 1989, which took effect from 1 December 1989.

This legislation meant that landlords had to lodge bond money with the Queensland Rental Bond Authority, which gave tenants new safeguards against being ripped off by owners or their agents.

The *Mobile Homes Act 1989* brought some protection for mobile home and caravan park residents, although its impact was limited to those who, whilst renting the site, owned their own mobile home.

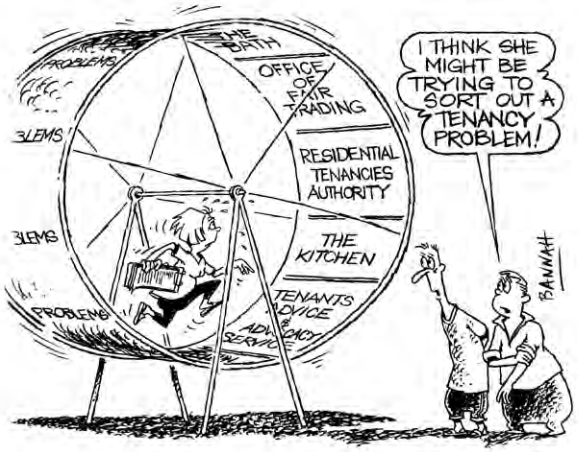
The next significant change in tenancy law was the *Residential Tenancies Act 1994* (RT Act 1994), which was passed by the Queensland Parliament in November 1994 and commenced in April 1995. It represented a complete overhaul of the earlier legislation and replaced the Bond Authority with the Residential Tenancies Authority (RTA), giving them broader functions such as information, conciliation, policy advice and enforcement, as well as bond administration. The new legislation also covered renters who rented a caravan, whether they were owner occupiers or renters of mobile homes. This split between coverage of caravans and mobile homes (now manufactured homes)



Created by Kerry Petherbridge c. 1999



From Rent Right, created by Ross Carnsew, 1992



Created by Max Bannah for TUQ newsletters c. early 1990s

under two different pieces of legislation remains virtually the same today.

The updated RT Act 1994 contained requirements for:

- how rent was to be paid, with receipts and rent records required
- rules of entry
- entry condition reports
- information statements to be given to tenants at the start of their tenancy
- emergency repairs that could be arranged by tenants
- a framework for paying utility bills
- coverage of holding deposits
- specific moveable dwelling (caravan) provisions, both long and short term
- a more formal bonds process, including clearer articulation of bonds disputes through conciliation and, if necessary, the Small Claims Tribunal
- a process for lessors and tenants to apply to the Small Claims Tribunal for termination orders on issues such as excessive hardship, damage or injury, or objectionable behaviour
- a provision that residential tenants could not be evicted outside the provisions of the Act, effectively preventing lessors from self-evicting tenants without an order from the Small Claims Tribunal.

DEVELOPMENTS IN THE 2000s

After the RT Act 1994 had been in operation for 12 months, the RTA reviewed it and released a major report, the 309-page *Rules for Renting in Queensland*. The report had over 260 recommendations and provided the rationale for further detailed reform. This work led to the *Residential Tenancies Amendment Act 1998* which further detailed section in laws, for example, introducing an exit condition report alongside the entry condition report.

Recommendations of the *Rules for Renting in Queensland* report included that, at a future time, tenants be paid interest on return of their bond monies. This recommendation was formally withdrawn years later, following lobbying from TUQ to make good on it.

The *Property Agents and Motor Dealers Act 2000* replaced the *Auctioneers and Agents Act 1971*. This legislation provided the first code of conduct for real estate agents, but it was difficult to enforce.

In 2003, after many hard years of lobbying from TUQ and other groups, **Queensland was the first state to pass specific regulations within tenancy law on tenancy databases**, as amendments to the RT Act 1994.

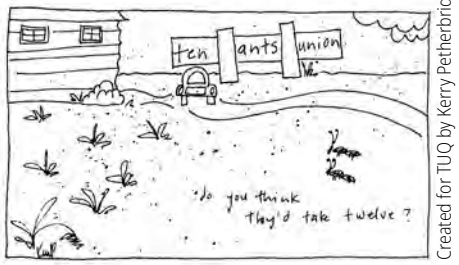
In 2002 after many years of lobbying, Queensland finally passed legislation covering boarding house residents and others in privately run, room-only-style renting, including off-campus student accommodation, rental retirement complexes and supported hostel accommodation. This took the form of the *Residential Services (Accommodation) Act 2002* and the *Residential Services (Accreditation) Act 2002*. The Accommodation Act covered the tenancy rights of residents and providers, and the Accreditation Act covered the standards and registration of premises. These Acts were joined by the definitions of what and who they covered.

2008 LEGISLATIVE UPDATES

In 2008, tenancy legislation was updated through the *Residential Tenancies and Rooming Accommodation Act 2008*. The 2008 Act repealed the *Residential Services (Accommodation) Act 2002* and encompassed existing provisions and some minor enhancements. *The Residential Services (Accreditation) Act 2002* continued unchanged.

The new Act merged the rights of tenants and residents and included additions such as:

- standard agreements for both residents and tenants
- expanded and enshrined tenancy database regulation
- broader oversight for the RTA
- option for tenants to dispute a significant change in a subsequent agreement, which could allow tenants to dispute an excessive rent increase after signing a fixed-term agreement
- qualification about what is a significant breach for re-entry to inspect
- provisions on rent payment methods
- clearer direction on obligations to pay utilities
- expansion of rules of entry, including outlawing open houses without written permission
- outlawing the use of pictures of tenants' belongings in advertisements without written permission.



Created for TUQ by Kerry Petherbridge c.1999

Tenants' Union of Queensland inc original logo created by Anne Carter at Inkahoots



Created for TUQ newsletters c. late 1980s early 1990s

On 1 December 2009, the Queensland Civil and Administrative Tribunal (QCAT) took over the tenancy disputes jurisdiction from the Small Claims Tribunal as part of the broader consolidation of Queensland's tribunals.

In 2015, the *Property Occupations Act 2015* replaced the *Property Agents and Motor Dealers Act 2000*. It removed the code of conduct for real estate agents, a step backwards in tenants' rights in Queensland.

The passage of amendments in 2017 embedded a 'head of power' for minimum housing standards in the RTRA Act 2008. The head of power, however, the legislative regulations required to give meaning to the standards were not finalised until 2021. The standards came into effect for new tenancies, including renewed tenancy agreements, from 1 September 2023 and for all remaining tenancies from 1 September 2024. The standards require rental properties to be safe, secure and reasonably functional – including matters such as weatherproofing, structural soundness, good repair, functioning locks, freedom from vermin, damp and mould not caused by the tenant, privacy coverings, adequate plumbing, bathroom privacy, functioning toilets, a functioning cooktop where a kitchen is provided, and laundry fixtures where laundry facilities are provided.

More recent **amendments to the RTRA Act 2008 in response to sustained advocacy for tenants' rights include**:

- the removal of 'without grounds' as a reason to end periodic tenancies (while retaining 'end of a fixed term' as a ground for fixed-term tenancies)
- making it easier to keep pets – a lessor cannot give a blanket 'no' for the keeping of a pet – and a framework for resolving disputes about pets
- requirements that utility bills to be paid by tenants must include a copy of the original bill and be presented within four weeks of the bill being issued
- prescribed maximum reletting fees when a lease is broken
- the ability to undertake minor modifications for reasons of safety and accessibility without prior request
- the option for tenants to apply for termination due to misrepresentation by the lessor or agent
- broadening the actions of agents and lessors that are considered retaliatory
- the time between rent increase extended from 6 months to 12 months and linked to the property not the tenancy.

CONCLUSION

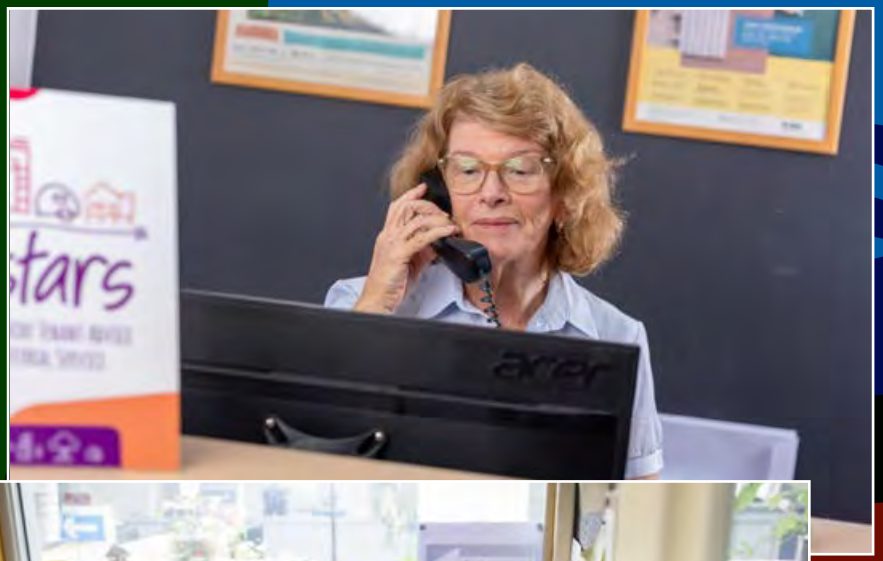
Queensland's tenancy legislation has come a long way since the days of the bubonic plague. We made it through may natural disasters, COVID-19 and the continuing housing crisis.

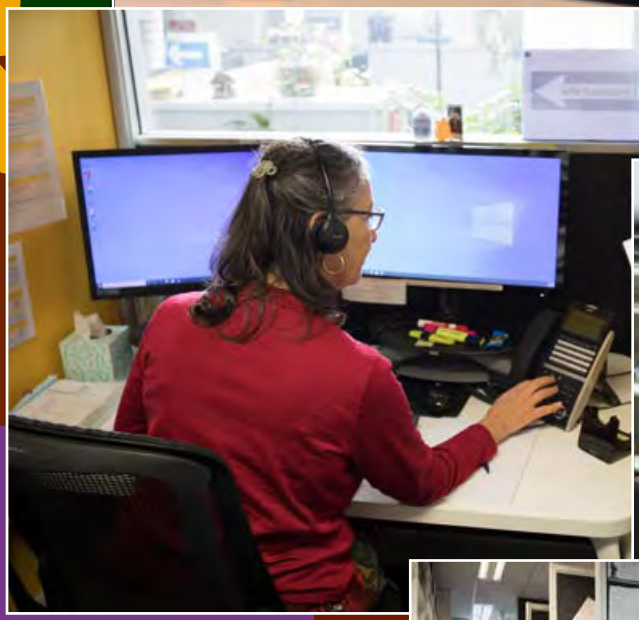
There are still many areas where tenancy laws let Queensland renters down, such as the failure to limit the amount that rents can rise during a tenancy, the lack of security of tenure, the lack of independent inspections and robust enforcement, the lack of tribunal oversight in evicting rooming residents and the lack of robust, enforced minimum standards including those that protect from extreme heat and cold.

With so much work still to be done, **Tenants Queensland will continue to work with those who rent, their advocates, the community, government and other stakeholders to advocate for improved renters' rights**. If you would like to help with the campaign for improving tenants' rights, please check our website at www.tenantsqld.org.au.

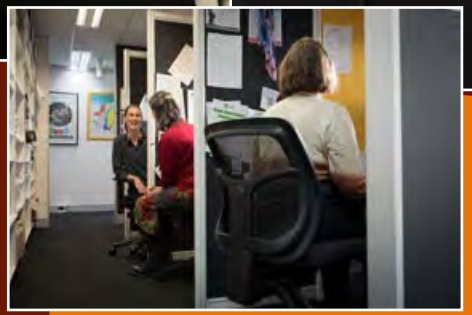


Cartoon by Rachel Tara in 2009









END NOTE

Our teams
We acknowledge the hard work, dedication and expertise of all the statewide phone advice workers and volunteers over our 40 years – a high-demand environment that is both challenging and rewarding.

We also acknowledge the dedication and hard work done by our casework teams and tenant advisory partners throughout the various programs – HRS, TAASQ and QSTARS – as well as our project workers and newer programs like financial counselling, DFV, client support and natural disaster assistance. Our legal team has worked continuously over the years to provide a backbone for our service. They check our training and educational material for accuracy and provide high-quality legal services to tenants.

For 40 years, our administrative team members have expertly and silently delivered the pillars required for our frontline to undertake client work.

Great thanks also go to the organsiation's leaders as well as our volunteer management and board members whose contributions are essential though often unseen. There are so many who've given their time but current chair, Damian Eckersley, deserves special mention for his 24 years of committed service to the organisation's governance.

We're enormously grateful to everyone. The work takes both heart and grit.

The people we serve
Not least, we need to thank tenants themselves – for sharing their stories and contributing to our work in ways that enliven and focus it. Our hearts and minds have always been and will continue to be with tenants. We remain proud tenant advocates.

Our community
There are many people to thank, and we've mentioned only some of them here. We truly appreciate the contributions of all and apologise to those we've left out. We are more than the sum of our parts and everyones' contributions have been a vital part of our journey to date.

Today's TQ emerged from the good intentions of a few people who felt that tenants were getting a raw deal and needed help. We've become a trusted support and voice for renters and have had considerable impact on tenancy legislation. So, if at times you feel that the fight for social justice for tenants or any other cause is hopeless and that you are up against too much, just remember Margaret Mead's words and get out there and fight the good fight.

'Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.'
(Margaret Mead)



Tenants Queensland

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