



Michael Berkman MP
For Maiwar ▲

10 December 2019

Hon Michael de Brenni
Minister for Housing and Public Works
By email: hpwdts@ministerial.qld.gov.au

Cc: Hon Anastacia Palaszczuk
Premier of Queensland
By email: thepremier@premiers.qld.gov.au

Submission on proposed reforms to rental tenancy laws in Queensland

Dear Minister de Brenni & Premier Palaszczuk,

I am writing to provide my submission on the reforms proposed by your government in relation to renting in Queensland.

As you would be aware, the Greens and I have been campaigning for improved renters' rights for some time, so I welcome the move to review our existing tenancy laws. The current system gives landlords unfair and disproportionate power over tenants' lives, and fails to recognise that, with more and more people unable to afford property ownership, renting is an increasingly common long term solution. Not everyone can afford to buy a house, but everyone deserves a place to call home.

For this reason, I strongly support the proposed changes to:

1. End "no grounds" evictions by landlords
2. Improve rights for tenants experiencing domestic and family violence
3. Require landlords to keep rental properties to minimum standards
4. Let renters make minor modifications to the property
5. Allow renters to keep pets

However, there are a number of proposed changes that I believe do not strike a fair balance between renters' and landlords' rights.

Pet bonds

While it is good to see proposed changes to prevent landlords refusing pets except on reasonable grounds, I urge the Government not to introduce "pet bonds" alongside these reforms. I note that the question asked in the "Open Doors to Renting Reform" consultation was not whether respondents would support a pet bond, but whether they thought it would "help tenants and property owners reach agreement around keeping pets".

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It is also worth noting that any damage caused by pets is already covered under existing bonds, and that in the Open Doors consultation, “most tenants (including 27% of snap poll respondents who had had their bond held unreasonably) that commented on bonds were dissatisfied and made complaints about issues around the bond and exit process”. It is already hard enough to find an affordable rental, let alone one that allows pets, and “pet bonds” would create a two-tiered system where only those who can afford to pay can keep their pet at their home.

Your government has the ability to improve renters’ ability to keep a pet without introducing this new unnecessary charge, and I implore you to do so.

Minor modifications

The changes outlined in the Government’s proposed reforms do not go nearly far enough regarding the scope of modifications permitted to be made by renters without asking landlord permission.

I urge you to expand this list to at least include hanging a picture, putting up shelves and planting small gardens.

Regulating rent increases

I am disappointed to see that the Government has chosen to split rental law reforms into two stages, and delay consideration of rents, inspections, bonds and longer-term leases until after this term of government.

While I strongly support ending “no grounds” evictions by property owners and managers, as this will help improve renters’ ability to put down roots in their home and exercise their rights without fear of retribution, this reform is rendered useless if landlords can still increase the rent to unaffordable levels and effectively force renters out.

During the Open Doors consultation, rental affordability was one of the most commonly raised issues, despite the fact that surveys didn’t specifically ask about rent caps. I would suggest that the way the consultation was organised - including rental affordability only as an optional afterthought under “looking and leasing” - did not prompt respondents to consider this issue in the same way that it did, say, pets or no grounds evictions.

Nevertheless, respondents found a way to raise this vitally important issue - “looking and leasing” became the most popular theme overall for social media posts and comments, and the government’s consultation report says this was “entirely due to the amount of responses on the topic of rent”. Rents were by far the most common concern discussed in the postcard surveys, in 29% of responses.

As the report notes, “tenants feel overwhelmingly dissatisfied and stressed about paying rent that they believe is too high. Tenants expressed that they live in a constant state of fear about rent increases, and many expressed the crippling effects of repeated and unsustainable rent increases”.

This should come as no surprise - about 35% of Queensland households are in rental stress, and there are zero affordable rentals in the whole state for people on social security. In every single major population centre in Queensland, rents have grown faster than median wages over the last 10 years.

With this in mind, I urge you not to delay rent controls any longer, and to include a mechanism for regulated rent increases together with the other reforms proposed for Stage 1.

Summary

I want to reiterate that a reform of Queensland's tenancy laws is long overdue and genuinely welcomed by the Greens. With home ownership increasingly out of reach and an ever growing mix of people renting as a long term solution, it is more important than ever that renters can feel safe and secure in their home.

I hope you will consider scrapping the "pet bonds" proposal, including more changes as permitted minor modifications, and limiting rent increases along with the Stage 1 changes, to once per year and only in accordance with CPI.

Please do not hesitate to contact my office on 07 3737 4100 if you would like to discuss this matter in more detail.

Kind regards,

A handwritten signature in black ink, appearing to read 'M Berkman', with a long horizontal flourish extending to the right.

Michael Berkman MP