

SECURING TASMANIA'S FUTURE

Tasmanian
Liberals



25 April, 2021

Mr Benedict Bartl
Principal Solicitor
Tenants' Union of Tasmania
By email: tenants@netspace.net.au

Dear Mr Bartl

Thank you for the opportunity to respond to the Tenants' Union of Tasmania's correspondence and questionnaire regarding residential housing and tenancies in Tasmania.

I am pleased to respond on behalf of all Liberal Members and Candidates.

In Government, the Tasmanian Liberals have committed unprecedented investment towards addressing housing stress and homelessness through *Tasmania's Affordable Housing Strategy 2015-2025*, additional homelessness funding, and recovery stimulus funding following the COVID-19 pandemic.

Our record \$300 million investment in housing and homelessness services in the 2020-21 Budget has accelerated delivery of social housing across our State, and we are on track to meet our target to deliver 1,500 new social housing dwellings by June 2023.

If re-elected, we will invest an additional \$280 million to extend our social housing building program out to 2027 to deliver a total of 3500 new social homes for Tasmanians across this period. We will also invest \$20 million in new supported accommodation facilities for older Tasmanians in the North and North-West of the State and provide over \$15 million for innovative new youth housing and homelessness initiatives.

This will bring our total investment into housing and homelessness initiatives to over \$615 million over 7 years – a record investment by any Government in Tasmania. For further information, please view our Housing policy at [Securing Tasmania's Future by Continuing to Deliver Housing for Tasmanians in need | Tasmanian Liberals](#).

With respect to the *House of Assembly Select Committee on Housing Affordability* reported on 13 February 2020, the Government submitted a comprehensive response in August 2020.

As outlined in that response, we remain of the view that the inquiry substantially duplicated consultation already undertaken, with key stakeholder support in the housing and social services sector, and other processes for the scrutiny of Government operations including Budget Estimates. The majority of the Report's 61 recommendations point to actions, initiatives and projects that are already underway or completed and, in many cases, are delivering stronger housing outcomes for Tasmanians than the actions recommended in the report.

As you have indicated in your correspondence, the *Residential Tenancy Act 1997* (the Act) has a number of existing protections regarding rent increases. Namely, a rent increase must be given in writing, with a minimum of 60 days' notice before it is to take effect; rent can only be increased once in a 12-month period; and a tenant who considers that a rent increase is unreasonable can apply to the Residential Tenancy Commissioner (RTC) for an order declaring the rent increase unreasonable.

The Tasmanian Liberals do not support rent caps. A cap on rents is likely to have the perverse impact of making tenure less secure for tenants. In the event a landlord needs to increase rents to deal with increased costs of owning and maintaining a property, they will only be able to do this by terminating an agreement at its expiry and finding new tenants. This is likely to see tenants, including vulnerable tenants, forced to move more frequently than they otherwise might have to. This is an outcome which can be costlier and more difficult to manage than the increase in rent.

Doing all we can to prevent family violence, and hold perpetrators to account is a top priority for the Tasmanian Liberals. In 2018, we amended the Act to provide further protections for tenants and their families experiencing family violence. We are open to considering what other measures may be put in place to further assist Tasmanians in need, particularly those fleeing family violence.

In relation to pets, the Tasmanian Liberals support the current provisions of the Act which require the landlord's approval. With the owner's approval, Tasmanian tenants are able to have their pets in residential properties, and many do. If re-elected, we would be open to looking at the introduction of Pet Bonds. We would undertake consultation with stakeholders on the most appropriate model.

The Tasmanian Short Stay Accommodation sector plays an important role in our economy, and will continue to play a significant role in supporting the tourism sector as we recover from the impacts of the COVID-19 pandemic. Short Stay Accommodation also provides unique and valuable experiences for tourists, international, interstate and local, wishing to explore and enjoy our remarkable state.

The Australian Housing and Urban Research Institute (AHURI) stated in a brief in early 2020, that to date, Tasmania has enacted the strongest legislation with regards to short-term rentals. This is a combination of regulating the short stay sector through the planning system, and development of the *Short Stay Accommodation Act 2019*, nation-leading legislation that requires short stay booking platform providers to provide certain

information to the Tasmanian Government. This legislation ensures that everyone plays by the rules, and also paints a clear picture of short stay accommodation across Tasmania. Over time, this information may also serve to inform future policy decisions, as we gain further insight into the use of short stay accommodation across the State.

Monitoring and regulation of short stay accommodation remains an important issue to ensure that private renters have access to safe, affordable and appropriate accommodation, and we will, if re-elected, continue to monitor this sector in consideration of potential regulatory changes. We need to balance the need for economic growth associated with visitors and tourism, whilst also ensuring we meet the needs for affordable housing.

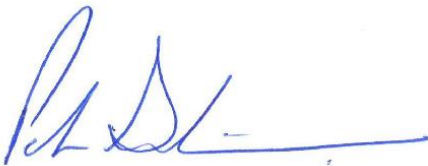
I note your comments relating to Right to Information obtained from the Department of Justice in relation to the Residential Tenancy Commissioners' (RTC) regulatory enforcement actions. The RTC is an independent statutory authority and has a number of compliance options available when addressing complaints, which includes the issuing of orders or infringement notices regarding non-compliance under the Act. Matters are assessed on a case-by-case basis.

My Government is committed to balancing the rights and responsibilities of residential property owners and tenants, and as with all law reform, it is important that we consider proposed changes in the context of the relevant legislation and the environment in which they operate. Not doing so has the potential for perverse outcomes and harm to vulnerable people. We are committed to making necessary improvements to the law, in order to improve the circumstances of both tenants and landlords.

In response to your questionnaire, please see overleaf.

Thank you again for the opportunity to respond to these important issues. For more information, our positive plan to Secure Tasmania's Future can be found at [Election Policies | Tasmanian Liberals](#).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Peter Gutwein', with a long horizontal line extending to the right.

Peter Gutwein MP
Premier

TENANTS' UNION OF TASMANIA QUESTIONNAIRE

<p>Do you commit to building more public housing properties during the next term of Government? If so, how many?</p>	<p>Our record \$300 million investment in housing and homelessness services in the 2020-21 Budget has accelerated delivery of social housing across our State, and we are on track to meet our target to deliver an additional 1,500 new social housing dwellings by June 2023.</p> <p>Our Housing policy will invest an additional \$280 million to extend our social housing building program out to 2027 to deliver a total of 3500 new social homes for Tasmanians across this period.</p> <p>If re-elected, we will also invest \$20 million in new supported accommodation facilities for older Tasmanians in the North and North-West of the State and provide over \$15 million for innovative new youth housing and homelessness initiatives.</p> <p>This will bring our total investment into housing and homelessness initiatives to over \$615 million over 7 years – a record investment by any Government in Tasmania.</p>
<p>Will you commit to repealing no reason end of lease evictions?</p>	<p>The Tasmanian Liberals believe it is important to strike the right balance between landlords and tenants rights and responsibilities in relation to lease agreement.</p>
<p>Will you introduce rent control measures?</p>	<p>The Tasmanian Liberals do not support rent caps. A cap on rents is likely to have the perverse impact of making tenure less secure for tenants. We support the current provisions of the Residential Tenancy Act, which enable tenants to apply to the Residential Tenancy Commissioner if they consider a rent increase to be unreasonable.</p>
<p>Will you provide stronger protections to victims of family violence?</p>	<p>Doing all we can to prevent family violence, and hold perpetrators to account is a top priority for the Tasmanian Liberals. In 2018 our Government amended the Residential Tenancy Act to provide further protections for tenants and their families experiencing family violence. We are open to considering what other measures may be put in place to further assist Tasmanians in need, particularly those fleeing family violence.</p>
<p>Will you support amendments to the Act to allow for standard residential lease agreements and standard</p>	<p>Tasmanian Liberals are committed to making necessary improvements to the law, in order to improve the circumstances of both tenants and landlords. However, we do not believe there is a current need for the implementation of standard residential lease agreements or standard application forms. Already any provision</p>

forms including a standard application form?	within a lease that contravenes the Residential Tenancy Act, is void and cannot be enforced.
Do you support amending the Act to allow pets in rentals unless there is a good reason for their exclusion?	Tasmanian Liberals support the current provisions of the Act which require the landlord's approval. With the owner's approval, Tasmanian tenants are able to have their pets in residential properties, and many do. If re-elected, we would be open to looking at the introduction of Pet Bonds. We would undertake consultation with stakeholders on the most appropriate model.
Will you support stronger regulation of the short-term accommodation sector in Tasmania, returning investment properties to the long-term private rental market?	Monitoring and regulation of short stay accommodation remains an important issue to ensure that private renters have access to safe, affordable and appropriate accommodation. A re-elected majority Gutwein Liberal Government will continue to monitor this sector in consideration of any potential regulatory changes. We need to balance the need for economic growth associated with visitors and tourism, whilst also ensuring we meet the needs for affordable housing.
Do you support increased funding for services providing tenancy advocacy?	A re-elected Majority Liberal Government will continue to support Tasmania's legal assistance sector with additional funding of \$2.2 million a year for four years, and will work with the sector to identify the greatest need. This funding will support organisations including the Tenants Union of Tasmania.