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TENANTS' UNION OF TASMANIA

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Latest News

Changes to Residential Tenancy Act

There have been several recent amendments to the [Residential Tenancy Act 1997](#) that have consequences for residential tenants. Many of the amendments have been enacted to allow an expanded role for community housing providers, but there are two changes that residential tenants should be aware of. One is that education institutions are no longer excluded from the *Act*. This means that many more students are now covered under the *Act*. The second amendment prohibits non-residing tenants from subleasing a residential tenancy property that is covered by the *Act*. The aim of this amendment is to prevent unscrupulous people profiting by overcrowding properties that they do not live in.

Positions Vacant: Tenants' Union Committee

The Tenants' Union is looking for residential tenants to join our Management Committee. There are several volunteer positions available and they

Minimum Standards for Tenancy Properties Possible

Tasmania could be the first state or territory to have minimum rental housing standards if agreement can be found within the Residential Tenancy Act Reference Group starting on May 11.

The Reference Group will comprise of government, tenancy, property, and real estate organisations.

The Tenants' Union of Tasmania (TUT), Real Estate Institute of Tasmania (REIT), Shelter Tasmania and Minister for Consumer Protection, Nick McKim, are amongst those to show support for some form of minimum standards for Tasmanian residential tenancies.

Tasmania presently has the [worst legislation](#) in regard to the standard of residential tenancy properties, only requiring landlords to maintain a property at the same standard throughout the lease, even if the house was substandard to begin with.

Other issues that the Tenants' Union will push to be included in the amended legislation are limits to rent increases and an end to arbitrary evictions, along with a list of other changes that can be found in the TUT's [Residential Tenancy Act Submission](#) [28 pages, 315 kb, pdf].

Tenants' Union calls for Adequate Housing in Human Rights

In 2010, the then Attorney-General, Lara Giddings opened for discussion the possibility of creating a Charter of Human Rights and Responsibilities for Tasmania. Currently the ACT and Victoria are the only two jurisdictions in Australia that have such charters on top of Australia's participation in international regulations such as the Universal Declaration of Human Rights.

The Tenants' Union of Tasmania responded along with many other interested parties with a [submission](#) to this in January 2011. The TUT would welcome having a Charter of Human Rights to protect citizens. In particular we believe that having such a charter can protect those that are most vulnerable in our community including tenants. We think that Tasmania should take the reins and become a national leader in enshrining the right to adequate housing. Currently the right to adequate housing is not properly protected and having it included in a Tasmanian Charter of Human Rights would increase the security, affordability and standard of housing for Tasmanian tenants. Further, it would directly contribute to the support and protection of vulnerable

are open to anyone with an interest in tenancy issues, although we are actively seeking residential tenants. If you want to be part of a friendly, progressive organisation that fights for tenants' rights, then [contact us](#).

Sandy Duncanson Social Justice Lecture

Last year, the Tenants' Union lost its Principal Solicitor, Sandy Duncanson, to cancer at the age of 37. Sandy was a champion of tenant rights and had legal and logical clarity that made us proud that he was part of our organisation. He is profoundly missed. Apart from his lasting legacy in making the Tenants' Union a stronger organisation, a social justice fund has been started in his name. The [Sandy Duncanson Social Justice Fund](#) will provide bursaries to students for social justice activities and the Sandy Duncanson Social Justice Lecture will be an annual event highlighting social justice issues. The inaugural lecture will be presented by former High Court Justice, [Michael Kirby](#) at 5pm on Monday the 2nd of May in the Stanley Burbury Theatre, Sandy Bay Campus of the University of Tasmania. The lecture is free and open to all.

For more details on the lecture [click here](#).

Our Services

Statewide Telephone Advice Line operates Monday to Friday from 9.30am to 4pm. Call 1300 652 641 or 6223 2641

and disadvantaged people in our community.

New Water Charges Opposed by Tenants' Union

In a submission to the Tasmanian Treasury on water pricing, the TUT has written that proposed water and sewerage charges are a blatant shifting of costs from richer to poorer Tasmanians, and that residential tenants are already reporting increased costs from the new water billing arrangements.

For councils where water charges are based on the value of the property, the user-pays system that is proposed will most likely mean lower bills for the most expensive properties, and higher bills for most other Tasmanians.

The Tenants' Union is concerned that tenants will not receive a rent reduction if water bills are to be sent to tenants directly, as proposed. Tenants have already reported that water bills have been passed on to them through rent increases despite a reduction in a landlord's rates under the new billing process.

The TUT has also expressed concern about a tenant's ability to control the amount of water used a) when they have no control over the structure of the property and b) when maintaining gardens to standards set out in the lease agreement.

For the Tenants' Union submission on water pricing [click here](#) [6 pages, 68kb, pdf].

Tasmania not Together

Many of the key indicators associated with tenancy, housing and basic needs have gone backwards in the past 10 years and although there are many factors making it so, there is one big culprit - the price of housing.

Tasmania Together, a blueprint that sets benchmarks for the state to achieve by 2020, recently asked the community for feedback into its goals at its half way point.

The Tenants' Union confined its comments to residential tenancy issues and showed that there needed to be much improvement in rental availability, affordability and standards for their to be improvement in the wellbeing of Tasmanian residential tenants.

Tasmania's house price to income ratio is indicative of the state's woes. The ratio, which measures how many years of average income would be required to buy a median priced Tasmanian house has worsened from 3.4 years in 2001 to 5.4 years in 2007/8 (when it was last measured).

Of even more concern, is that it is harder for Tasmania's poorest to get by. In 2009, the cost of essentials was 88.6% of the budget of a low-income family, far in excess of the 62.5% benchmark set for 2010.

The view the Tenants' Union's submission to *Tasmania Together* [click here](#) [8 pages, 348kb, pdf].

New Line-Up at the Tenants' Union

Drop-In Service available at 166 Macquarie St in Hobart on Tuesday, Wednesday and Thursday between 9.30am and 12.30 pm

The Tenants' Union also provides legal representation and community legal education.

About Us

The Tenants' Union of Tasmania Inc. a not-for-profit organisation run by a [management committee](#), [staff and volunteers](#).

There have been several changes at the TUT since the last newsletter. Meredith Upchurch is now Meredith Barton and has become the Principal Solicitor. Meredith has been with the TUT since 2006 and holds a Bachelor of Laws, a Graduate Diploma in Legal Practice and a Graduate Diploma in Criminology and Corrections. Congratulations to Meredith on her new role (and her marriage to Drew).

Peter Foster has taken on Meredith's former role as Solicitor. Pete recently completed his law degree and legal prac at the University of Tasmania. Welcome Pete.

We would also like to congratulate Fiona Campbell on being admitted as a Barrister and Solicitor in Tasmania. Fiona completed her legal prac component at the TUT and is now on an extended holiday in Central and North America before going on to Europe. On her trip, Fiona hopes to volunteer as a tenancy lawyer in New York. We thank Fi for all her hard work here in the past nine months and wish her well on her great adventure.

Tenants' Union Back in the North West

The TUT has resumed its presence in Devonport. Residential tenants who require face-to-face advice can see new Solicitor, Pete Foster at the North West Community Legal Centre. Pete will be in Devonport for two days a fortnight and appointments can be made through our usual [contact](#) methods.



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