

30 November 2023

**TENANTS' UNION OF TASMANIA INC.**

The Specialist Legal Service for Tenants



The Secretary  
Department of Treasury and Finance  
GPO Box 147  
Hobart TAS 7001

**By email:** [communityconsultation@treasury.tas.gov.au](mailto:communityconsultation@treasury.tas.gov.au)

To Tony Ferrall,

**2024-25 BUDGET SUBMISSION: TENANTS' UNION OF TASMANIA**

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Please find enclosed our budget priority submission for the 2024-25 budget period. The submission outlines our request for additional funding of approximately **\$94,845.33**. This figure comprises:

- funding to meet increased service delivery in Northern Tasmania through the employment of an additional part-time solicitor (0.8 FTE) based in Launceston but servicing the entire North and North West of Tasmania;
- In the alternative, we request an additional 0.6 FTE, an increase from our current service delivery in Northern Tasmania (0.6 FTE) which will result in our Northern service being funded to a more sustainable 1.2 FTE and ensure that we are able to provide an improved service for residential tenants in Tasmania's North and North West.

With the most recent Census finding that the number of households renting in Tasmania increased by 11 per cent between 2016 - 2021 (from 51,961 to 57,762) it is clear that more funding particularly in Northern Tasmania is required to meet the demands of a growing rental population.

Please do not hesitate to contact me on **6223 2591** if you require any further information in respect of this application.

Kind regards,

Benedict Bartl  
Principal Solicitor  
**Tenants' Union of Tasmania**

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cc: Nic Street, Minister for Housing and Construction  
Madeleine Ogilvie, Minister for Workplace Safety and Consumer Affairs  
Kristy Bourne, Deputy Secretary

# BUDGET COMMUNITY CONSULTATION SUBMISSION 2024-25

## Responsible Agencies:

- Homes Tasmania
- Workplace Safety and Consumer Affairs

## SUMMARY OF APPLICATION

### 1: Meeting increased demand for representation in Northern Tasmania: \$94,845.33

In 2018-19 our application for funding through the Solicitors' Guarantee Fund was successful and we were able to trial a 12-month stand-alone office in Launceston staffed by a 0.6 FTE lawyer. Over the following five years, continued funding has meant the service has increased the advice, case work and court representation we have been able to provide to renters in Tasmania's North and North West. But, the last two years has seen a significant increase in our Northern lawyer's workload, due to increasing numbers of renters and Tasmania's worsening housing affordability crisis. As a result, service delivery in our Northern office cannot be sustained without additional funding.

## WHAT IS THE TENANTS' UNION OF TASMANIA?

The Tenants' Union of Tasmania (TUT) provides an invaluable service to the Tasmanian community as the only free legal service for renters in private, public and community run accommodation.

We play a significant role in providing information, advice and representation to tenants and community organisations and take part in a variety of law reform projects relating to improving the rights of tenants in Tasmania.

The TUT is an incorporated not-for-profit community legal centre representing residential tenants in Tasmania. Our aims and objectives include:

- Working to protect the rights of renters;
- Seeking to improve conditions in rental properties so that accommodation meets acceptable standards;
- Raising awareness within the community about rental issues;
- Promoting legislative change to improve conditions for renters;
- Providing information, advice and court representation to residential tenants and;
- Promoting and providing Community Legal Education to organisations and members of the community.

Our main services include:

- **Telephone Advice Line**  
Advice service that is open five days a week from 9.30am until 4.00pm and predominantly staffed by volunteers. The TUT averages over 3,000 advice calls per year.
- **Face-to-Face Advice**  
Operates in Hobart three days per week for drop-ins and in Launceston and Devonport by appointment. Each month the TUT averages between 30 and 35 drop-ins in the Hobart office alone.
- **Tenancy Casework**  
Offered at our offices in Hobart and Launceston and through the North West Community Legal Centre (NWCLC) in Devonport for matters involving court proceedings or of a more complex manner. In the last full financial year of state-wide coverage, 150 cases were opened.
- **Website**  
Factsheets and other information about residential tenancy law in Tasmania as well as the implementation of both our Volunteer online training package and our education package. Currently our website attracts well over 3500 visits per month.
- **Community Legal Education**  
Offered throughout Tasmania to organisations, tenants, housing providers, local real estate agencies and those interested in tenancy law in Tasmania.

#### **Miscellaneous services**

- Other services include law and policy reform and education, community engagement, media enquiries, support to other organisations as required and enquiries from political parties. We also offer support to recent graduates of the Graduate Certificate in Legal Practice course, paying for their practicing certificates and allowing them to work alongside our paid staff so that they obtain valuable experience and assist them with their endeavours to seek paid employment in the legal assistance, government or private sectors.

## **Tenant advocacy in Tasmania is least funded in Australia**

Recent analysis provided to the review of the National Legal Assistance Partnership noted that the Tenants' Union of Tasmania receives the least funding of any tenant advocacy service in Australia. When State and Commonwealth funding is combined, the analysis found that Tasmanian renters receive \$7.83 per rental household in tenant advocacy compared to Queensland with \$14.95, the Northern Territory with \$16.34 and New South Wales with \$16.46 per rental household. Victoria tenant advocacy services receive the most funding with \$19.08 per rental household.<sup>1</sup>

Expressed in another way, Tasmania receives the least amount of funding per rental household of any jurisdiction in Australia with the next least funded jurisdiction (Queensland) receiving almost twice as much funding and the most well-funded tenant advocacy jurisdiction (Victoria) receiving almost 2.5 times more funding per rental household.

## **DETAILS OF FUNDING REQUEST**

### **➤ MEETING INCREASED DEMAND IN NORTHERN TASMANIA**

Current funding levels are not sufficient to meet the demand for our services in Northern Tasmania. Whilst we have received \$75,600 funding to employ a 0.6 FTE lawyer in Northern Tasmania for the last five years this funding amount has remained unchanged and has not taken into account increases in CPI, wages, rent and administrative costs.<sup>2</sup> As well, funding to employ a 0.6 FTE lawyer for the whole of Northern Tasmania is unsustainable, with the lack of assistance means that our Northern service is unable to meet demand.

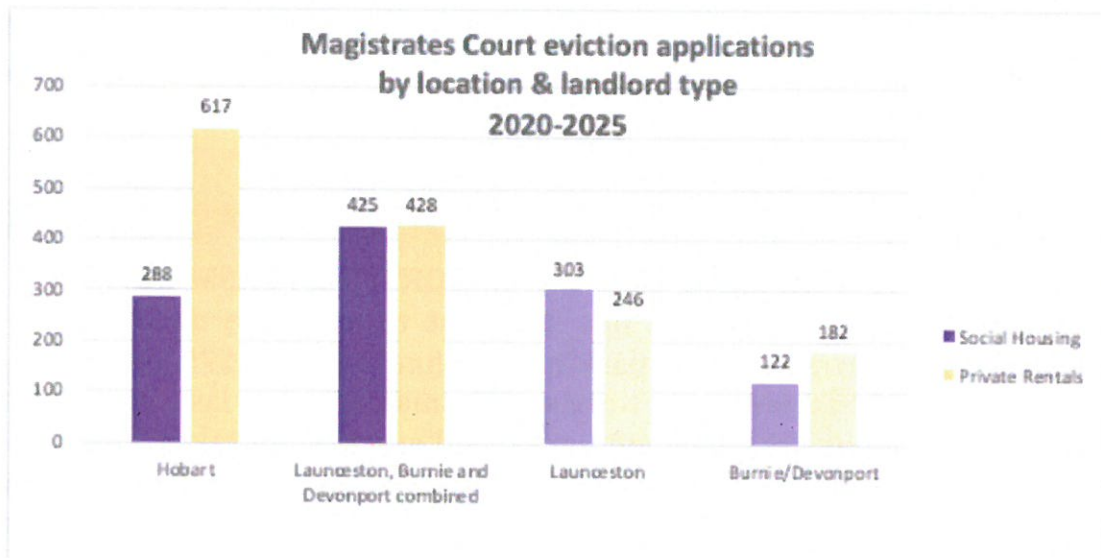
As the following table highlights, over the last three years our Northern service has grown considerably and now accounts for 45 per cent of our total cases opened.

<b>Cases opened</b>	<b>20/21</b>		<b>21/22</b>		<b>22/23</b>	
	<b>No.</b>	<b>%</b>	<b>No.</b>	<b>%</b>	<b>No.</b>	<b>%</b>
<b>North</b>	17	15.2	80	48.2	51	34
<b>North-West</b>	8	6.3	18	10.8	18	12
<b>Tasmania</b>	112	100	166	100	150	100

<sup>1</sup> Tenants' Union of New South Wales, *Submission to the Independent Review of the National Legal Assistance Partnership* (October 2023). As found at <https://nlapreview.com.au/published-submissions> (accessed 25 November 2023).

<sup>2</sup> Over the last three years, the \$75,600 was received from the Solicitors' Guarantee Fund (2020/21), the Public Account Grant (2021/22) and Legal Assistance Sector Support funding (2022/23).

We would also note that whilst slightly less than half (48.5 per cent) of all eviction proceedings are commenced in the North and North West Magistrates Courts, proportionately more applications were filed by social housing landlords in the North and North West. As the chart below highlights, whilst one-third (32 per cent) of all eviction proceedings commenced in the Hobart Magistrates Court are brought by social housing landlords, it is significantly higher in the North and North West Magistrates Courts where every second (49.8 per cent) eviction application is brought by a social housing landlord.<sup>3</sup> The number of social housing eviction applications in the North and North West is significant because social housing tenants are generally more vulnerable.



Although there has been a decrease in the number of files being opened in Southern Tasmania this has been off-set by the 17 per cent increase in advice being provided over the telephone by the Hobart staff, with approximately 44 per cent of all calls coming from Tasmania's North and North-West.

Phone advice	20/21		21/22		22/23	
	No.	%	No.	%	No.	%
North	754	26	853	28	980	29
North-West	493	17	457	15	507	15
Tasmania	2901	100	3048	100	3382	100

<sup>3</sup> The combined data for 2021/22 and 2022/23 found that there were 200 'Applications for an Order for Vacant Possession' brought in Tasmania's North and North West and 158 in Tasmania's South.

Finally, it is worth noting that the most recent Census reported that the number of households renting in Tasmania has increased by 11 per cent from 51,961 in 2016 to 57,762 in 2021.<sup>4</sup>

We therefore request **\$94,845.33** to ensure that we can continue this vital service and ensure an ongoing service to tenants in Northern Tasmania.

### PROPOSED BUDGET

The following table sets out the details for the employment of a 0.8 FTE senior solicitor based in Launceston. In the event, that a 0.8 FTE funding request was considered too expensive, we would also accept 0.6 FTE of additional funding.

Expense	Unit Cost	Details	Total
<b>Senior Solicitor (1 x 0.8 FTE)</b>			
<b>\$94,845.33</b>			
	\$50.04/hr*	1 x 0.8 FTE (30 hrs per week) x 52 weeks	\$78,062.40
Senior Solicitor (Level 7.3 – SCHADS award)		Superannuation (11%)	\$8586.82
		workers comp (1%)	\$780.62
		Other on-costs (9.50%)	\$7,415.89

\*Level 7.3 of the Social, Community, Home Care and Disability Services Industry Award

<sup>4</sup> Productivity Commission, *Report on Government Services 2019*, Tables 2A.25, 2A.27.