

Make Renting Fair

SAFETY. STABILITY. PRIVACY.

The Hon Daniel Andrews MP

Premier of Victoria

CC: The Hon Marlene Kairouz MP

Minister for Consumer Affairs, Gaming and Liquor Regulation

CC: Victorian Members of Parliament

17 August 2017

Dear Premier,

The 54 undersigned organisations represent a diverse coalition of service providers, community groups, local governments and consumer advocates with one thing in common. We all share a commitment to the welfare of 1.5 million Victorians who rent their homes and a common concern about the likely outcome of your Government's current review of the Residential Tenancies Act.

The latest census data shows that in just five years the number of renters in our state has jumped to over 1.5 million, representing 28.7% of all households. That figure has increased by 20,000 households a year since 2011 and by 220,000 households in the last two decades.

Renting now represents long-term and life-long housing for an increasing number of people on low and middle incomes, including workers in a wide range of industries, families, migrants and retirees.

Groups who are most likely to rent include women, single parents, CALD communities, Aboriginal and Torres Strait Islander people and vulnerable Victorians who experienced homelessness, housing insecurity, family violence, disability, mental illness or who have caring responsibilities.

The Make Renting Fair Campaign welcomes and strongly supports many of the options for reform that are currently on the table. This includes introducing mandatory minimum property standards, removing 'no reason' eviction notices, reforming unjust tenancy database practices, allowing reasonable modifications, creating incentives and enforceable responsibilities around repairs, introducing a 'reasonableness test' for all evictions, and implementing the Royal Commission into Family Violence's recommendations.

These are all fair and balanced steps towards making renting a good housing option for Victorians.

However, there are also options that, if adopted, would significantly reduce the safety, stability and privacy of Victorian renters, particularly those who are already socially and economically disadvantaged and/or at greater risk of homelessness. The options we are most concerned about are:

1. **Making evictions quicker and easier** by further tilting the scales in favour of eviction over housing stability. This is the greatest area of concern and one which could not be 'balanced out' by positive reforms in other areas. This includes the following negative options:
 - a. Introducing new grounds for eviction for repeated late payment of rent, including where payment is just one day late, without recourse to VCAT for a repayment plan
 - b. Broadening or abolishing the 'three strikes' rule and guidelines for immediate evictions, allowing faster or immediate termination of a tenancy for less serious breaches
 - c. Introducing new grounds for eviction for 'anti-social behaviour' that would target tenants living with mental illness and/or other complex needs

2. **New enforcement of arbitrary and potentially onerous lease terms** by allowing landlords to circumvent the protections of the RTA and/or impose additional restrictions and limitations on tenants in their homes. Tenants need greater protections from unfair lease terms, not less.
3. **Giving owners and agents a free pass to visit and photograph properties** via new provisions that would force tenants to live with repeated visits by strangers at unsociable times.
4. **Additional bond payments for pets**, which would create a two-tier system where poorer families and individuals are excluded from pet ownership.
5. **Additional restrictions on guest stays**, which would disproportionately target poorer renters, those with large families and members of CALD and Aboriginal and Torres Strait Islander communities.

Failing to commit to minimum efficiency standards will also continue to leave renters exposed to significant and increasing energy hardship and health impacts.

We are asking you to provide a clear indication of your Government's intentions in this review and to quickly rule out changes that would result in the negative outcomes outlined above.

It is essential that the Victorian community knows where they stand with regards to this review as housing security is vital to people's capacity to work, study, raise families and live fulfilling lives.

Your Government has a lot to be proud of in the housing area, but failing the fairness test on Victoria's new Residential Tenancies Act will undermine progress in other areas and create the wrong kind of legacy.

Regards,



1. **Mark O'Brien**
Make Renting Fair Campaign and
Tenants Union of Victoria

Co-signed by:

2. **Antoinette Braybrook**
Aboriginal Family Violence & Prevention Legal Service
3. **Hayley Mansfield**
ARC Justice
4. **Lisa Sweeney**
Australians for Mental Health
5. **Mick Geary**
Banyule Community Health
6. **Nick Hudson**
Barwon Community Legal Service
7. **Celia Adams**
Beyond Housing (formerly Rural Housing Network)

- 8. Glenn Campbell**
Carer's Victoria
- 9. Alan Kirkland**
Choice
- 10. Jenny Smith**
Council to Homeless Persons
- 11. Ronda Held**
COTA Victoria
- 12. Mayor Kim Le Cerf**
City of Darebin
- 13. Mayor Jim Memeti**
City of Greater Dandenong
- 14. Mayor Amanda Stone**
City of Yarra
- 15. Lyn Morgain**
cohealth
- 16. Gerard Brody**
Consumer Action Law Centre
- 17. Jenny Davidson**
Council of Single Mothers and their Children Victoria
- 18. Fiona McCormack**
Domestic Violence Victoria
- 19. Michael Smith**
Eastern Community Legal Centre
- 20. Nicholas Aberle**
Environment Victoria
- 21. Irene Bouzo**
Ethnic Communities Council of Victoria (via letter of support)
- 22. Serina McDuff**
Federation of Community Legal Centres
- 23. Claudia Fatone**
Fitzroy Legal Service
- 24. Anthony Kelly**
Flemington Kensington Community Legal Centre

- 25. Phyll Williams**
Housing for the Aged Action Group
- 26. Kirsty Waller**
Housing Justice Bendigo
- 27. Sarah Rodgers**
Hume Riverina Community Legal Service
- 28. Dan Stubbs**
Inner Melbourne Community Legal
- 29. Fiona McLeay**
Justice Connect
- 30. Tony Keenan**
Launch Housing
- 31. Vicki Sutton**
Melbourne City Mission
- 32. Gerry Naughtin**
Mind Australia
- 33. Noel Mundy**
Mission Australia
- 34. Nassim Arrage**
National Association of Community Legal Centres
- 35. Adrian Pisarski**
National Shelter
- 36. Ngila Bevan**
People with Disability Australia
- 37. James Tresise**
RMIT University Student Legal Service
- 38. Cathy Humphrey**
Sacred Heart Mission
- 39. Jason Davies-Kildea**
The Salvation Army
- 40. Marie Piu**
Tandem Carers
- 41. Peter Worland**
Uniting
- 42. Angus Clelland**
VICSERV

- 43. Wayne Muir**
Victorian Aboriginal Legal Service
- 44. Emma King**
Victorian Council of Social Service
- 45. Maggie Toko**
Victorian Mental Illness Awareness Council
- 46. Mark Feenane**
Victorian Public Tenants Association
- 47. John Blewonski**
VincentCare Victoria
- 48. Elizabeth Crowther**
Wellways
- 49. Stephanie Price**
West Heidelberg Community Legal Services
- 50. Denis Nelthorpe**
WestJustice
- 51. Robyn Gregory**
Women's Health West
- 52. Joanna Fletcher**
Women's Legal Service Victoria
- 53. Leo Fieldgrass**
Youth Affairs Council of Victoria
- 54. Ariel Couchman**
Youth Law