

Email to: thepremier@premiers.qld.gov.au
Subject: Why I oppose these rental reforms

Dear Premier Palaszczuk,

I am writing to express my concerns about the State Government's proposed reforms to Queensland's rental laws, announced by the Minister for Housing and Public Works, Mick de Brenni, on Saturday, 16 November, 2019.

While I support the key principles that underpin the reforms, the specific amendments are fundamentally flawed and must be reconsidered in order to provide a fair and balanced solution that benefits both landlords and tenants.

Queensland's rental laws do require modernisation in order to ensure safe homes and a stable rental market, however, these reforms represent a sizable overreaction, seemingly spurred by the negative experiences of some tenants.

I oppose the reforms and urge the State Government to reconsider these reforms for the following reasons:

1. The abolishment of a landlord's right to not renew a tenancy at the end of an agreed term.

This represents the most damaging reform of all. To create a law that effectively creates tenancies for life, making it near impossible for property owners to end a tenancy, is not only a total erosion of landlord rights, but will likely be the catalyst for owners to sell their properties, and a deterrent for potential investors.

At a time when our rental population is on the rise, with more than 34 per cent of Queensland residents currently renting, a reduction of supply will result in high numbers of Queenslanders struggling to secure suitable housing, the vast majority of which is provided by 'mum and dad' investors.

Further, the reform would increase the average weekly rent of a three bedroom home from \$360 per week to up to \$378, which is a massive 5 per cent rise. These estimates are likely to be conservative, so rent increases for tenants may be even higher.

This law perpetuates the misconception that landlords regularly seek to evict and source new tenants. On the contrary, it is in an investor's best interest to secure long-term, quality tenants, who pay their rent on time, and look after the property well.

2. The removal of a landlord's decision-making ability regarding pets

The proposed rental reforms result in a total loss of control and effectively, the introduction of tenant dictated rights on a number of matters, including forcing landlords to consent to pets, with limited exceptions.

In order for a property owner to establish grounds to deny consent to pet requests, a QCAT order would be required, and the threshold required to acquire the order would be almost impossible to overcome. This is unreasonable and unfair.

The proposed reforms refer to the landlord having the benefit of pet bonds, however, this is misleading. Rather, the reforms allow an amount of money to be reserved exclusively for fumigation of the property. This is not sufficient to cater for the damage that a pet can cause to a property.

3. The unreasonable obligation on landlords to comply with Minimum Housing Standards

I support the concept of minimum housing standards in rental accommodation and agree that a tenant has a right to safe and secure housing. However, it is important to recognise that properties come in all shapes and sizes and this must be taken into consideration.

While I support minimum housing standards that address health and safety matters pertaining to structural condition, repair and sanitation, cleanliness and freedom from pest, such standards must be appropriately applied, and take into account other relevant factors such as age, location and the market for the dwelling.

The proposed reforms appear to be limitless in scope and apply to matters outside the spectrum of health and safety. This may cost landlords up to tens of thousands of dollars in upgrade requirements, if not more.

4. The unrestricted ability for tenants to make minor modifications to personalise the rental accommodation

While the rental reforms refer to 'minor modifications', in reality the definition includes any modifications that can be reversed and do not require building approval. The reforms would allow tenants to make such modifications without the consent of their landlord, in many instances.

In cases where the modification relates to an amenity or personalisation, where consent is required, the proposed reforms give the landlord very limited opportunity to respond. If a response is not provided within seven days, consent is deemed.

Overall, the proposed reforms will create increased risk and costs for property owners and property professionals, and erode the fundamental rights of landlords.

The reforms' ripple effect would see renters struggling to find suitable housing under already tight conditions, and an increase in rent of up to 5 per cent.

While I am certainly not saying 'no' to reforms, and agree with the notion behind modernisation of the rental reforms, the Palaszczuk Government has failed to offer a fair and balanced solution, that benefits both tenants and property owners.

It is important to remember that investors provide the majority of housing to Queensland's growing tenant community.

Landlords are entitled to be supported by regulatory frameworks that support the entire rental market. The proposed reforms ignore the voices and rights of landlords, taking away their decision making authority, and essentially their control over the asset they've worked so hard to acquire.

I urge your government to reconsider these damaging reforms, in favour of laws that offer safety, security and stability to landlords and tenants alike.

Yours sincerely,