

VICTORIAN GREENS RESPONSE TO TENANTS UNION ELECTION QUESTIONS

SUBMITTED BY GREG BARBER MP, VICTORIAN GREENS LEADER

Tenants' rights and conditions

1. What will your party do to improve protections, standards and affordability for private tenants in Victoria?

ANSWER: The Greens are keen to improve the security, efficiency and affordability of rental homes because renting is increasingly the only long term option for Victorians from all walks of life.

Our rental campaigns are centred on the Rental Health (minimum standards) campaign, because it would have a positive impact for renters by reducing their bills, making their homes more comfortable and secure and preventing safety issues caused by faulty appliances.

We also support the creation of new affordable housing using inclusionary zoning in the planning scheme, which would require a percentage of affordable homes in all large developments.

Victorian renters are increasingly under housing stress. Two-thirds of Australians on low incomes in the private rental market spend more than 30 per cent of their income on rent. Even worse, 20 per cent of long-term renters on low incomes spend more than half their income on rent.

Nearly a third of renters have dependent children, about a third of those families being sole parent households. This is a growing sector -- more and more children are growing up in rental accommodation.

Residents of low-cost private rentals are more likely to be at home during the day, including pensioners, people with disabilities and chronic illnesses, people caring for small children and elderly people.

They are more vulnerable to high utilities costs, so when we take action to improve the health and environmental performance of rental premises, we are taking action to improve the lives of the most vulnerable Victorians.

Real estate agents

The Tenants Union of Victoria (TUV) believes that there should be a license requirement for estate agents to undergo Continuing Professional Development relevant to the agent's area of practice. Property managers would have to keep up to date with the law and good industry practice relating to property management. Many other licensed professions have similar requirements.

2. Does your party support a license requirement for real estate agents to undergo Continuing Professional Development relevant to the agent's area of practice?

ANSWER: Yes, the Greens support Continuing Professional Development as a licence requirement for real estate agents.

Rental bond refunds

The TUV believe that bonds should automatically be refunded to tenants 10 business days after a lease concludes if no claim has been made by the landlord. Bond money belongs to the tenant – it is entirely appropriate for the onus to be on the landlord to prove any wrongdoing in a timely manner.

3. Does your party support bonds being automatically refunded to tenants 10 business days after a lease concludes if no claim has been made?

ANSWER: Yes, the Greens support the TUV's suggested streamlined approach to refunding bonds to tenants.

Privacy protections for tenants

In Queensland the landlord or agent must not use a photo or image of the rented premises for advertising if the photo shows a tenant's belongings, unless they give written consent. The TUV believes there should be a similar requirement in Victoria. The owner has a right to sell the property; however the tenant's privacy and possessions should not be compromised during this process.

4. Does your party support a requirement for landlords or agents to obtain consent before tenant possessions can be photographed for advertising purposes?

ANSWER: Yes, The Greens support better privacy and safety protections for tenants whose homes are photographed.

Rooming house operators

In 2009 the Victorian Coroner recommended the introduction of a licensing system for rooming house operators, including a 'fit and proper person' test for the person in charge. This recommendation has not been implemented. In Queensland a rooming house operator must not be an undischarged bankrupt and must not have been found guilty or convicted of fraud or dishonesty offences. In the UK operators of housing for multiple occupancy must pass a 'fit and proper person' test.

5. Does your party support a requirement that rooming house operators be licensed and subject to a 'fit and proper person' test?

ANSWER: Yes, The Greens support the 'fit and proper person' test for rooming house operators.

Rental housing standards

Decent housing is essential to everyone's wellbeing. It should be secure, safe, and not jeopardise the health and welfare of occupants. However, there are no effective standards applying to rental properties. This is a contrast to most other goods and services available for purchase which must meet stringent health and safety standards.

6. Does your party support minimum standards for rental properties?

ANSWER: I have twice introduced to parliament legislation for a minimum standard for rental homes.

The Greens law enables the Minister for Housing to set standards for repair, comfort, safety, facilities and energy efficiency of all rental accommodation. The aim is just for basic, decent accommodation for everyone.

This means the Minister can consult with community groups and the public to get the standards right - the Greens Rental Health law gives the Minister one year to do this work.

If I am re-elected, I will introduce the laws again and campaign strongly together with TUV, environment and health stakeholders.

There is more information on our Rental Health campaign at:

<http://greens.org.au/initiatives/vic/rental-health>

Evicting a tenant for no reason

The *Residential Tenancies Act 1997* (RTA) sets out a number of different circumstances where a tenant can be given a notice to vacate; however the RTA also allows landlords to give a notice to vacate for no specific reason when there is a periodic tenancy agreement.

The TUV believes that ‘no reason notices to vacate’ (s263 of the RTA) should be abolished.

7. Does your party support the abolition of no reason notices to vacate?

ANSWER: The abolition of no-reason notices to vacate was included in my ‘Rental Health’ laws. There is no need for section 263 to exist. There is a full range of lawful reasons in the Act for the landlord to evict a tenant.

If I am re-elected I will re-introduce the Rental Health laws, including abolishing the no-reason notice to vacate.

Rental bidding

The TUV believes that rental bidding should be specifically outlawed so that people wishing to rent a home can rely on the price stated in the advertisement and not feel obliged to offer more than this price.

8. Does your party support the outlawing of rental bidding or rental auctions?

ANSWER: Yes, we support the TUV’s campaign against rental bidding. I have spoken about the issue in Parliament, saying that rental bidding is nothing less than false advertising. It should be illegal, and it should be pursued by the trade practices and consumer affairs authorities.

<http://vicmps.greens.org.au/content/affordable-housing-waiting-list-0>