

NSW RENTAL STANDARDS AND REGULATION – PUBLIC SUBMISSION JULY 2023

I have been both a Landlord and Tenant in NSW and QLD over the course of many years. What I have noticed as a marked difference in **NSW is the quality of rentals compared to other states**, and total **disregard of liveable standards that Landlords are required to provide** and maintain in properties they rent out in this state.

The prioritization and focus on amending Pet-keeping laws in rentals, in comparison to some of the major issues highlighted below which impact Tenant's mental and physical health far more profoundly, is incomprehensible at this crucial juncture and makes a mockery of the Government's intention of creating any real improvement in this sector.

Here are issues I as a tax paying resident of NSW would like to see incorporated in rental laws in this state, and regulated via Government oversight and infringement penalties so they become standardized and embedded.

NSW has more extreme weather and also more overdeveloped urban residential spaces than QLD. When I migrated here I was horrified to see property after property on the market with no ceiling fans, no air-conditioners, and no direct ventilation channels for a renter to live healthily let alone comfortably. Rentals become suffocating heat and odour traps in summer, and Tenants are told to get portable fans to deal with it, which is a juvenile suggestion at best.

On the flip side, none of the old buildings which form a majority of rental properties in NSW have any insulation against cold. They often have open-plan designs with doorless rooms, no centralized heating, and old-style wooden windows and doors which do not seal off to keep out cold and moisture. These uninsulated solid brick structures become colder than freezers in winter, and lack direct sunlight due to them being built back to back in blocks.

- It should be **mandated** for rental properties to have ceiling fans in all living spaces, and exhaust fans in kitchens and bathrooms especially if these are windowless areas.
- Landlords **should not** be allowed to have fans and lights to be connected to the same power switch as this wastes electricity in the daytime, and rental properties specially units do not offer solar capability to reduce Tenants' power bills. Furthermore, properties which have an excess number of lights should have individual light switches for all light fixtures so tenants do not have to bear the brunt of high power bills.
- It should be **mandated** for rental properties to install cloth curtains or window shutters to help with insulation and allow Tenants to regulate sunlight based on their needs, rather than flimsy blinds which do neither and often break down quickly from repeated use.

Maintenance is the next big issue that all Tenants have to battle out at some point. Especially with the current rental market being disproportionately skewed in favour of Landlords, Agents and owners alike have become completely brazen about not addressing maintenance requests from Tenants in a timely or effective manner.

- **NSW Fair Trading should have a dedicated Maintenance Portal** for Tenants to report repair requests through, and Landlords/Agents to report maintenance activities on. This should be transparent for the Fair Trading department to view and monitor, with Tenants being able to escalate items not being addressed for over a month to a governing body so that Landlords cannot ignore these requests without consequence. This would also help with no-cause evictions where Landlords or Agents often vilify a Tenant over multiple maintenance requests which may be genuine, and evict them to avoid taking any action.

The Government's banning of solicited rental bidding was a weak and impotent gesture that served no purpose. What was the reason behind allowing prospective renters to "voluntarily" offer higher than advertised rents? When there is a rental crisis like we have in Australia at the moment, will not people take desperate measures anyway to secure a roof over their heads?

- **NSW Fair Trading** should be able to monitor the published rent of a property and what it was eventually rented out for. A Portal should be created where the advertised rent is recorded, then the bond lodgement OR the Tenancy Agreement is recorded. A data-matching software can then be used to compare the advertised rent against the agreed rent, and where the agreed rent is higher it should alert authorities to investigate the circumstances. This will deter unscrupulous Agents and Landlords from accepting bids either via illegal soliciting or "voluntary" offers and stop auctioning of what is a Constitutional Right and basic survival need of every human being - Housing.
- **Educational and occupational qualification requirements of Real Estate Agents** should be raised and standardized. At present it appears anyone can walk into this job and start handling customers from day one. Real Estate is a Service Industry like any other, but I have come across more unqualified individuals in this sector than in any others. People put in charge of an essential service like Housing, should not be coming into contact with real life customers or handling their problems without more training and governance than what Property Managers and Leasing Agents are subjected to today.
- The Tribunal appears to be an overextended body with limited powers and abilities, and with the sheer increase in current rental demands and volumes in NSW it is fast outliving their purpose. The NSW Fair Trading department (or any other the Government deems qualified) needs to have a new **dedicated arm to manage Rental Standards and Regulations** more effectively, if the Government wishes to level the playing field between Tenants and Landlords in the fast approaching future of overcrowdedness in the state.

Thanking you in anticipation.