

I am making this submission as a landlord who owns multiple properties in NSW and a property in Victoria. I am also the Licensee of a small real estate agency representing 60 landlords, doing property management only so as to interact with other owners and tenants. We pay many bills on behalf of our landlords so we interact with bills as well so have visibility of insurance, city rates, strata rates, water bills and land tax for ourselves.

All the costs for landlords are going up including those that the government can do something like land taxes, water rates and city rates (ESL levies). Insurance for my properties went up 25% last year and another 25% has been proposed. Strata on one of my properties went up by 80%. Forget interest rates as the RBF and all the levels of government are doing nothing about that expense.

Landlords are not charity and should not be expected to provide a social service without support from governments as the governments have a lot of levers that they can pull to help here and are choosing not to.

My detailed responses based on the numbering by the consultation paper.

1. The landlord should be able to end the lease without a reason. They own the property after all and the tenant protection is the notice period.

2. No comment on extra options for ending a lease, as I do not support reasons for ending lease.

3. 21 days would be a reasonable time for giving notice, the same as a tenant can do without a reason.

4. No need for evidence as noted before the landlord should be able to make decisions as they own the property

5. No ban, unless the government can guarantee rent for the period it forces a landlord to keep the property vacant. According to federal tax laws the holding costs would not be deductible so not only does a landlord not get income but loses out on tax deductibility of expenses as well.

6. 7 days should be enough to decide on whether a pet is allowed or not. We make the landlord decide in a couple of days when the property allows pets before signing a lease.

7. Laws that apply to strata pets can apply to free-standing properties too. Once a pet lives in a home it is impossible to remove their smell from the property. The other thing to note is that other neighbouring occupants could be allergic to the pet as a lot of people are allergic to dogs and cats. This is akin to the passive smoking issue.

8. Yes, although the tribunal takes too long to even get to a hearing for it to be a practical option.

9. No further comment.

10. Information currently is only requested if needed to make a decision. The federal privacy laws already protect all so not sure why this is a state issue. We have had prospective tenants refuse to provide information and miss out on renting a property.

11. Information about children, especially if in some legal arrangement for access. We have had tenants not disclose they had access to multiple children with a medical condition neighbour, so it did not end well. Information on vehicles as we have cases of tenants with trucks that were not disclosed.

12. No, as other information may be needed.

13. I do not think it will make any difference and if anything tenants will volunteer more information to get ahead.

14. Covered by privacy laws at present.

15. Applicants are told what and where their information will be used already if they read the fine print when applying, whether online or on paper.

16. Yes, not not sure why this is a state issue.

17. Tenant information for at least 5 years as we still get asked for tenant ledgers (for private processing) up to five years after they stopped being our tenant. Applicants 3 months is fine.

18. No issues and covered by privacy legislation.

19. No, do not use this functionality

20. No comment

21. I do not support portable bonds. The argument seems to be on how much money needs to be found to sign up to a new lease. If the government is that concerned then it should pay the bond. Actually it does that already! I have had tenants who have taken that option. The only people I see benefiting from this will be those who leave the property in a hopeless state, the bond is insufficient and they have now moved into another property to be an issue for the new landlord who now needs to spend months to get them out. Bond is due before signing the lease and should stay the same.

22. See my response above.

23. Surely a default means it has to be optional.

24. If tenants have this choice then so should the landlord to choose if they want to take this risk then spend months and money to remove the tenant who does not pay the bond. If tenants and landlords must use this then the government has to guarantee this but maybe those in power do not realise that governments get their funds from taxpayers and not from some other source.

25. This is a hopeless and useless idea and will only benefit those who destroy properties and move on to destroy another one.

26. This information is already being collected to an extent by agencies such as Corelogic & Proptrack. We do not need more government intervention here. The Government can ask them to publish and make the same freely available to all stakeholders.

27. Let the private sector do this.

28. We have always only increased rent once every 12 months with the same tenant for the same property with 60 days notice, regardless of lease type. However we note that interest rates can go up every month and tolls go up every 3 months while a number of government payments go up every 6 months. So against this background rent increases should be with 30 days notice and be able to go up every 6 months. This is still far better than interest rates which go up with 10-15 days notice and repayments are around 30 days notice.

29. rents should be able to go up every 6 months as noted above, regardless of lease term.

30. I do not support such thinking for a free market. Rents go up and down while CPI always goes up. Almost all expenses go up by much more than CPI. Insurance for my properties went up 25% last year and another 25% has been proposed. Strata on one of my properties went up by 80%. City & water rates go up by whatever IPART thinks. Forget interest rates going up every month. Land tax goes up by whatever the NSW valuer thinks. There is no CPI in expense so why CPI in income? I would happily rent property for the same rent if my expenses were not going up unchecked month on month. So if you want to do an affordability calculation then take all my expense increases and I would happily support that. Else this will just reduce supply of property.

31. I do not support embedded networks as that is counter to a free market and occupiers should be able to pick their provider. Embedded network definition on lease should be broadened to include all embedded networks.

32. Should be disclosed at advertising but equally tenants should ask, just as they ask about the Internet before applying.

33. Relevant details like pricing.

34. One way is already legislated. I am not aware of any agents or tenants saying cash is the free option only. Noone I know wants to handle cash except those in the cash economy but they may also not have a bond and may not have a lease either.

35. Everyone uses electronic, especially after covid when Rental agency offices were not even open. Maybe those who drafted this thinking did not live in the world through COVID restrictions. We have never collected rent in cash as a matter of course, only in exceptional circumstances.

36. I am not aware of this being an issue and we have to disclose any restrictions and by-laws when signing a lease. Buildings that are restrictive to moving in have notices in lifts to ensure no issue.

The proposals have been made with tenants 100% front of mind and landlords 0%. Further the proposals are based on landlords ripping off tenants and being rich 'bastards'. Finally some of the proposals appear drafted without a knowledge of the federal legal and 2020's technology environment.

The only thing these proposals will do is reduce the supply which is why we are in this situation in the first place. Investors will move to the stock market which is more volatile but does not have any of these headaches and government intervention, with no holding expenses except borrowing costs.

Just like the RBF, it looks like the only tool that the government has is a hammer and landlords look like nails instead of realising they are trying to loosen a screw and need a screwdriver which they have as do the other levels of government.

If the governments are serious then they would increase supply (cheaper to develop) or reduce demand (from immigration) instead of tinkering to get re-elected again.

Thank you.