

**From:** [REDACTED]  
**To:** [Residential Tenancy](#)  
**Subject:** FW: Submission  
**Date:** Thursday, 27 July 2023 9:37:38 AM  
**Attachments:** [REDACTED]

You don't often get email from [REDACTED]. [Learn why this is important](#)

[CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.]

Dear Sir/Madam,

Further to my comments below I would like to add that not all Agents & Landlords are the horrendous people that the media likes to portray!!!

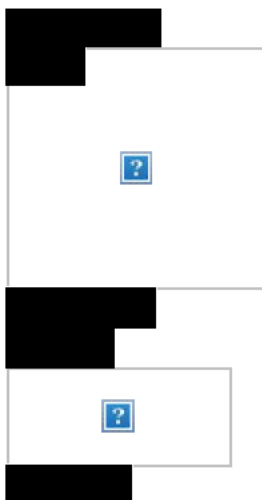
The media and many tenants would have you believe that ALL tenants are treated badly and that is DEFINITELY not the case.

To give you a couple of examples from our own rent roll, (apart from others which didn't work out) we have a couple of tenants that have fallen into arrears to the tune of thousands of dollars. This seldom happens straight away and mostly happens over a longer time frame as the with the "two steps forward and three back" scenario. There is no benefit to anyone if you evict a tenant who is basically a good tenant but is having temporary financial difficulties.

In one case the Tenant is a single mother and her grandparents came forward with a lump sum to catch up her arrears. She is now "on the straight & narrow" with her mother managing the funds & making the rent payments on time and the good Landlord is happy because their patience has been rewarded.

The second is as yet unresolved but the tenants are terrific and looking after the property by installing shrubs & trees etc. as well as keeping the interior very clean & tidy. A set of circumstances has arisen where her partner has become unable to contribute to the rent and she found herself badly in arrears. She was able to draw some superannuation to catch up but now with the partner still out of the picture until the middle of August she is in a desperate position again. The landlord is also now getting in a desperate position with her bank but is not taking action yet to proceed with an eviction because of the quality of the tenant. She is hoping that the situation can be resolved in coming weeks when the partner returns .

However, this situation could end with everybody losing. The Landlord could end up with having to sell the house or have it foreclosed on by the bank with the Tenant being evicted and we would lose a management with a good landlord and Tenant.



[REDACTED]

[REDACTED]

**From:** [REDACTED]

**Sent:** Wednesday, 26 July 2023 2:17 PM

**To:** residentialtenancy@customerservice.nsw.gov.au

**Subject:** Submission

### **IMPROVING NSW RENTAL LAWS SUBMISSION 26/7/2023**

"With renters experiencing one of the tightest rental markets in recent memory, the NSW Government is prioritising implementation of their election commitments to make renting in NSW fairer and more affordable and to provide more protection for renters."

So, who is going to make it fairer for Landlords?

**HAS ANY CONSIDERATION BEEN GIVEN TO THE FACT THAT THIS SITUATION HAS ARISEN BECAUSE THE INCREASE IN RENTAL CONTROLS TO BOTH ITS CURRENT LEVEL AND IMPENDING INCREASE IN CONTROLS HAS ALREADY PROMPTED NUMEROUS LANDLORDS TO DIVEST THEMSELVES OF THEIR RENTAL PROPERTIES DUE TO THE EROSION OF THEIR DISCRETION TO MANAGE THEIR PROPERTIES AS THEY WOULD WISH.**

"It is my property and is a major life asset which has taken a lifetime to acquire. That makes it serious business and therefore it should be up to my discretion as to how the property is used and who I permit to live in it."

If the Government wants to control housing rules for tenants, then they should provide social/community housing for these Tenants!!!

If you have an asset worth hundreds of thousands of dollars, would you allow someone else to make decisions overriding yours. There is a shortage of rental properties because Landlords rights are being eroded and as a consequence, they are selling the properties and creating a shortage of rentals

As per above, If the authorities take the discretion to manage my property away from me then I will sell the property and the tenants can find somewhere else to live or are you going to take away my right to sell my property as well

We all qualify incoming tenants so why should I have to justify my decision to an outgoing tenant. It is my property not theirs

I should not have to justify my decision to end a tenancy. There are times when a tenant is not satisfactory but it is difficult to justify a termination. Then a no grounds termination is the answer.

**"NO GROUNDS TERMINATIONS" ARE ACTUALLY IN THE TENANTS BEST INTERESTS. WHEN A "NO GROUNDS TERMINATION" IS NOT AVAILABLE THEN A LANDLORD WILL HAVE TO FIND A REASON TO TERMINATE A TENANCY AND IN MANY CASES THAT REASON FOR TERMINATION**

## **WILL BE NEGATIVE AND GO AGAINST THE TENANT WHEN A RENTAL REFERENCE IS SOUGHT FROM THE NEW AGENT/LANDLORD**

If I don't have the discretion to end a periodical tenancy then I will have no choice but to issue an "end of lease termination" at the end of every lease. So, when that happens where is your security of tenure for the tenant then

With regard to pets, I should not have to justify my decision, It is my property or my clients property and is a major life asset which has taken a lifetime to acquire. That makes it serious business and therefore it should be up to my/our discretion as to how the property is used and if I/we want to allow pets or not.

I have given permission for pets on numerous occasions in the past, both on our own rental as well as properties under management and in almost all cases the tenants ignore the guidelines' and do what they want. Outside dogs and cats are allowed inside without permission etc.

In one case one dog was permitted and the dog was not only allowed inside but the tenant had three dogs at the end of the lease, allowed them in the main bedroom and even after steam cleaning the 12-month-old carpet reeked that badly of dog it should have been replaced.

I have owned and managed too many properties where the dogs create a noise nuisance and damage the property as well. Things such as the dog digging huge holes in the yard, chewing on a door, scratch marks on a door because the dog was shut in a room. Properties full of fleas from cats as well as dogs living inside. Properties where the 12-month-old carpet reeks of dog even after it has been steam cleaned etc.

In one case where cats were kept inside and hidden when the property manager did the periodical inspections the condition of the house was so bad at the end of the lease, that where the cleaners emptied the water from their mop buckets onto the lawn, the lawn was fly blown the next day.

I have recently read with interest comments as reported in the article below.

<https://www.9news.com.au/national/rental-housing-crisis-australia-solutions-rent-cap-airbnb-supply-landlords-explained/ca7c3098-abc0-4a4a-a264-9502009deef4>

and I quote:-

*"Rent caps*

*Both Dr Chris Martin from UNSW and UTS's Professor Alan Morris endorsed a percentage cap on how much landlords can increase rent.*

*"If you're capping the rate of rent increases to a certain percentage amount, that is a perfectly sound way of regulating rents for existing tenancies," Martin, a senior research fellow in the City Futures Research Centre, told 9news.com.au."*

Well, I can tell you that is also a **"perfectly sound way to reduce the number of rental properties available to prospective tenants"**.

I am wondering how many rental properties they own, if any, and what experience these people have had as a landlord because it appears to me that they have no idea what ordinary landlords are faced with.

They suggest that Governments cap rent rises!!! Are Governments also going to cap Landlords expenses too!!!! NOT VERY LIKELY!!!! They refuse to cap electricity costs which cost Tenants and the general public at large exorbitant amounts of money so they are hardly likely to cap the input costs of Landlords.

Why is it they want to recommend a cap on rents but won't recommend a cap on electricity? Are they going to recommend a cap on the rise in building costs? They have risen in the vicinity of 30% to 40% over the last 2 or 3 years and yet we are expected to maintain properties to a reasonable standard for our tenants with capped rents and uncapped expenses!!!

To give an example, we own two properties with the one we used to live in now being a block of four flats. Our insurance costs for these properties were almost \$800 per month then the next year that increased to almost \$1000 per month and this year it has increased to \$1,129 per month. Our loan repayments on our home alone have gone up by approximately \$600 per month in the last 12 months. That is over \$7,000 per year that we no longer have available to us to spend on maintenance of our properties and that does not include the small loan we are still paying off on the rental property.

I am [REDACTED] and my wife is [REDACTED]. I would like to be able to retire some time but it's unlikely to be able to happen anytime soon. We were farmers up until 1992 and were victims of the unbelievable (we were paying 22.5%) interest rate rises of the late 1980's along with the crash of commodity prices and left farming because we were insolvent. Now when we were finally starting to "get on our feet" again we are again being squeezed by rising interest rates. We have very little in the way of superannuation and I regard our properties as our superannuation.

So, you are suggesting that a cap should be put on the earnings of our Superannuation along with others who have invested in residential property as their superannuation.

It is pretty obvious why there is a shortage of rental properties. Landlords are divesting themselves of these types of investment because "if you take the control of my property away from me then I will take that property away from you" by selling it and investing elsewhere. It is my property not the Governments or the tenants and I will make the decisions on how it is used not the Government.

I recently had a discussion with a member of my wife's extended family, who told me he and his wife had five rental houses. One of these houses was new and he rented it to a single mother. Her ex-partner came to visit. The ex-partner said this is a nice house and promptly punched a hole in the wall. The owner said the house was only a few months old and he had to carry out a repair on the wall. When he finished the repair, he promptly sold all five. This is just one story of many I could tell you but I don't have the time or space to do so in this submission.

Yes, there are avaricious Landlords out there and there is a lot of awful tenants too. Landlords are mostly fair dinkum people who, like my wife & I, are trying to provide themselves with a way to help their lifestyle and fund their retirement. In our case we rely on the rent from the rental property where we used to live, to pay the loan of the house we currently live in.

As an agent we have landlords in our small rent roll who actually look after their tenants and fix things when they need it. Sadly, in most cases the Tenant will not advise you of a problem so you can fix it until you carry out an inspection.

This email below was sent to all politicians in May last year pointing out just what is going on and what is likely to go on if Governments continue to interfere with the business of being a landlord.

*Dear Members,*

*I write to say that I have only just become aware of the Residential Tenancies Amendment (Tenant Protections and Flood Response) Bill 2022.*

*After reading this most dangerous piece of Legislation I would like to make the following comments and ask that you do all in your power to see that this amendment does not proceed please?*

*I disagree on the controlling of rent rises. There should not be any interference from government on rent rises or the frequency thereof either. Our property insurances increased by over 17% last year and this year they have gone up by about 20% as like all input costs, they are not controlled. Interest rates are on the rise and building costs are spiraling. There is no control on our input costs of rental properties such as Insurance coverage, interest rates, council rates, water charges and repair costs. Landlords have a responsibility to keep properties in a livable condition. Well, that will be impossible to do if rent rises are controlled and input costs are not.*

*When you put "no grounds terminations" together with controlled rent increases then Landlords will have no choice but to terminate tenancies at the end of the fixed term and seek a new tenant at the ruling market rent at that time. That will then completely remove the security of tenure that this legislation and recent amendments are trying to achieve. When legislation is then put in place to stop end of lease terminations then watch the massive reduction in availability of rentals which are already in short supply.*

*I would also like to comment that "no grounds terminations" are actually in the Tenants best interests. When a "no grounds termination" is not available then a landlord will have to find a reason to terminate a tenancy and in many cases that reason for termination will be negative and go against the Tenant when a Rental reference is sought from the new agent/landlord.*

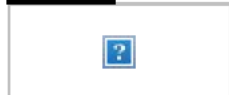
One other thing I haven't mentioned above is the frequency of rent rises. As usual the regulators and bureaucrats can't "see the forest for the trees" in that if the landlord cannot issue a rent rise at smaller interval such as six months, they have no choice but to issue a rent rise at DOUBLE THE RATE AT THE TWELVE-MONTH MARK. Eg. A rent rise of \$20 at the six-month mark and another \$20 or \$30 at the twelve-month mark is much easier for the tenant to manage than a huge lump sum rise of \$50 (or more) at the twelve month mark because they ease into the increase rather than have it "hit them between the eyes" in that lump sum. If you limit rent rises to every 2 years that then doubles again to \$100 or more and the poor old tenant receives a huge rental increase shock instead of modest rises over the same period.

So, I hope my comments above will help you understand why rents should not be capped and the frequency of rent rises should not be extended beyond the twelve months that they are now. In fact that time frame should be six months not twelve months as I have just explained.

Yours faithfully

[REDACTED]

Best Regards



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]