

Fair Trading Rental Law submission

My submission is in regard to landlords being able to recover costs from a tenant who abandons the property and leaves it damaged or in need of restoration.. When a court order is obtained for payment by tenant it is necessary to have a forwarding address so that the Sheriffs office can proceed. Where the tenant is self employed a wage garnishee cannot be used to recover debt and the only option is to employ debt collection agencies at an exorbitant cost to the landlord to try and locate the tenant. I have been informed that serving of notices by email is not currently used or recognised as a legitimate means of contact.

To locate tenants in these circumstances I believe making use of current available technology could locate wayward tenants very quickly and at relatively small costs. Mobile phone tracing & tracking software is currently available but is NOT legal in Australia. Similarly data from vehicle registrations, medicare and other government agencies could be made available to estate agents or whoever obtains a court order for that order to be enforced.

Naturally there are privacy issues involved in the above suggestions and safeguards would be needed. However in attempting to assist renters I believe the above suggestions if implemented could assists everyone involved in the rental business.