

Submission: Improving NSW Renting Laws

A home is more than a place to rest your head, it's a tangible source of safety and stability that constitutes a fundamental human need. I have lived in insecure housing arrangements for most of my life, which has had a profound and continuing psychological effect – it's time for more protections and rights for renters, and for more to be done to ensure that affordable housing is available for those that need it.

Ending unfair evictions

Renters deserve to live without fear of unfair eviction. Every time something in my share house needs repairs, we hold a house meeting to discuss if it is worth the potential ramifications before we contact our rental agency. We are afraid that they will raise our rent higher than we can afford or ask us to leave in retaliation.

Towards the end of our fixed-term lease we went without electricity in two out of three bedrooms for weeks as our rental agent did not respond to emails or answer our calls. We were concerned that we would be asked to leave if we caused a fuss, and none of us could afford to move.

We waited until our fixed-term lease ended to follow up because once we were on a rolling lease, we would have a 90-day notice period rather than 30 days. It took another two weeks for repairs to occur, meaning we had no heating for over a month during winter.

The current 30-day notice period at the end of a fixed lease is not sufficient in the current housing market - particularly for low-income households, people who may find it difficult to find housing or move due to disability or age, or people who may experience discrimination when searching for suitable housing (e.g. LGBTQI+ people).

Tenants should be provided with a reason for ending a tenancy. There should also be a requirement for landlords to demonstrate that this reason is genuine.

There should be a defined period where it is not permissible for the property to be put back on the market as a rental after a tenancy is terminated by a landlord for reasons beyond the control of a tenant.

Keeping pets in rental homes

Renters need and deserve to live somewhere that feels like home. Renters should be allowed to make simple choices to facilitate this, including temporary décor changes or having a choice to keep pets.

Landlords should only be able to refuse a pet by obtaining a Tribunal order allowing them to do so. This is a model like those that apply in Victoria, the ACT and the NT.

Many people have pets that provide them with significant emotional support and comfort, in some cases these pets are a lifeline.

Most pets do not fit the requirements to be registered as a support animal, but that doesn't mean that they don't fulfil an important role in emotional and physical wellbeing.

Rental affordability

It is not possible to focus on other elements of human wellbeing without knowing whether you will be able to keep a roof over your head, if it will be safe, and if you will have to trade other basic things like food or electricity to make that happen.

There should be fair limits on rent increases in NSW tenancy law. This should be attached to the property rather than the tenancy, to protect tenants from unfair eviction as a method of increasing rental income.

There are other essential services where cost is regulated to ensure accessibility for everyone. Fair limits on rent increases and rent setting should apply in housing too.

For my part, I am working and studying. Two of my housemates are also working and studying, and the other is struggling to make ends meet as a casual worker. None of us can afford a significant rent increase – and due to major and unreasonable increases in rent in our area there are no houses available that are in our price range, even with 4 of us sharing costs. If this happened, we would likely have to split up our household and shared property. This is hanging over our heads and has been a regular topic of discussion since we approached the end of our fixed-term lease.

According to Homelessness NSW's recent report there are currently 175,000 households on the wait list across Australia – which doesn't include the families like mine, who feel defeated by the system without ever applying.

Unfathomably, affordable housing is now even more difficult to find. As well as increasing protections for renters, we also need to look at solutions for the housing affordability crisis. These issues are inextricably linked.

The current system does not work. Home ownership is no longer something I feel I can aspire to as a solution. It is incredibly depressing to be 3 decades in to dealing with dodgy rentals full of mould, fighting for essential repairs, fearing my bond will be kept unfairly and looking over my shoulder in anticipation of an unreasonable rent increase

or notice to vacate without cause – when will landlords and their representatives be held accountable to a higher degree?