

# Submission to proposed new regulations for rental houses

**9 December 2019**

The reference to 'house' above does not capture all property types.

The proposed changes to the RTA do not deal with smokers and the damage (stains and toxic chemicals) they do to a property by smoking inside and the flow on health risks to others, e.g. smoking in common areas and toxic smoke pervading from a private flat into the common area and even subsequent rental applicants who don't smoke.

I am opposed to the following clauses:

## **15 Information which residential rental provider must not require rental applicant to disclose**

(d) a statement from a credit or bank account which has not been redacted;

The above clause is too broad. A bank statement is not useful if the name and all details have been redacted. The only thing that should be redacted is the bank account number.

Bank account statements are useful for a rental provider when a rental applicant has a lower income and/or no rental history so the statement needs to give the rental provider confidence that the rent and bond can be paid.

## **16 Information which the residential rental provider must disclose to rental applicant**

- (1) The onus should be on the rental applicant to find out the detailed information by calling the operator or using the internet. It should be like a contract of sale where only the name of the network operator and whether the service is connected is provided. A rental provider or any property buyer is not provided this information when they purchase a property nor do they have any control over tariffs, fees, and charges that would apply to rental applicants or anyone who resides at the property.
- (2) This may encourage less transparency as rental providers choose not to disclose issues to other owners and it may encourage the standards and rents to remain low if previous negative activities are disclosed and dissuade people from renting.

## **17 Amount of rent for which maximum bond does not apply**

The prescribed amount of \$900 is unclear. Is it weekly or monthly? The amount of rent per week does not correlate with or reduce the actual cost of repairs or replacement. In real terms, it is costly to repair/replace big items such as carpeting and kitchen cupboards etc. It may force rental providers to source second hand and inferior items which perpetuates the problem.

A low bond does not give rental applicants any incentive to look after a property and to leave it in the condition in which it was provided to them.

The minimum bond amount does not correlate with the amount of \$2,500 for emergency repairs which indicates that there is a general understanding that repairs are expensive: **32 Amount—urgent repairs by renter**

Rental applicants need to understand that repairs are expensive and that they need to look after the property.

### **23 Efficiency rating systems**

This is a burden to rental providers and agents and could force higher rents and quick and wasteful changeovers of appliances. Efficiency ratings and technology change quickly and for example, a heater or air con might be 12 years old but still in good and safe working order. Is the government encouraging a culture of waste by forcing rental providers to change systems over before the natural life cycle of the appliance ends? Rental providers are not given this information when they buy a property. The sale price of a property would reflect its general state and the general state of the appliances just as a rental property's rent will reflect its general condition and the general state of its appliances.

### **26 Modifications which can be made without residential rental provider's consent**

It is unclear who pays and if the rental applicant needs to remove these items and return the property to the condition in which it was provided? The rental applicant should do both of these things unless negotiated with the rental provider.

### **28 Modifications for which residential rental provider must not unreasonably refuse consent**

It is unclear who pays and if the rental applicant needs to remove these items and return the property to the condition in which it was provided? The rental applicant should do both of these things unless negotiated with the rental provider:

Suggest the following edit:

(e) **where there is no permanent window film**, installation of non-permanent window film for insulation and reduced heat transfer;

### **30 Requirements for gas and electrical safety check record keeping**

This will benefit electricians only who will charge rental providers hefty prices to do routine checks and to do any repairs. An electrical check is not needed if properties have appropriate and more recent switchboards which cut off when an event occurs or there is a short.

### **31 Rating compliance for residential rental provider's appliances**

This should apply when a residential rental provider replaces appliances which are getting more energy efficient all the time. It should not be retrospective as this could be costly and also force up rents as rental providers try to recoup the significant costs of meeting this obligation. It will also contribute to our waste problem and drive a culture of unsustainable living driven by over consumption and an expectation that we must have the latest appliance etc.

### **33 Compliance with efficiency systems for urgent **repairs** by renter**

This does not make sense. A non-compliant appliance may still be able to be repaired but not meet the energy compliant ratings in this section. This compliance would only apply if the appliance could not be repaired and needed to be replaced.

### **35 Compensation—sales inspections**

In principle this is OK, though it would be great if it could be linked to the presentation of the flat to encourage the rental applicant to present the property well.

### **49 Compliance with efficiency systems for urgent repairs by resident**

Same comments as clause 33 above.

## **Schedule 4**

### **13 Heating**

This section does not allow for wall mounted electric plug in radiant heating panels which are the only real option in many old solid brick buildings where it is not possible to install ducted or gas heating. Panel heating is getting quite efficient and cheaper to run all the time.