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Sent: Wednesday, 18 December 2019 11:33 PM
To: DJCS-CAV-rentalreforms (DJCS)
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Subject: My submission on unfair rental application questions

From: Gillian Milne [REDACTED]
Subject: My submission on unfair rental application questions My postcode: [REDACTED]

My submission:

The questions on rental application forms can open up a wide range of issues if they are not properly regulated. Renters may disclose information that is used to discriminate against them, that diminishes their rights or that breaches their privacy.

We welcome prohibitions on irrelevant questions in tenancy applications, however there are further items that should be included in the banned list.

Things we like:

We support the banning of the following kinds of questions on application forms:

Asking about an applicant's previous legal disputes or actions with a rental provider
Asking about an applicant's bond history or whether there has ever been a claim on their bond
Asking for an applicant's passport if there are other forms of ID
Asking for bank statements that show sensitive information
Asking for nationality or residency status (unless its required for community or public housing)
In relation to rooming houses, we support a prohibition on asking about an applicant's income before informing them how much rent is payable.

Things we dislike:

Questions about personal characteristics, history and that seek consent for actions that go beyond the rental application process should be banned. This includes:

Asking if an applicant is using a bond loan?

Asking an applicant why they left their last property
Asking about any information that could be used to discriminate against an applicant (these are listed in the Statement on Discrimination – see Regulations 14, 40, 55, 75.)
Asking an applicant to pay rent or bond before getting a residency/tenancy agreement.

Asking questions that would allow personal information to be given to third parties
Asking questions that could affect an applicant's legal rights (such as agreeing to be listed on a tenancy database)
Asking if an applicant smokes
Asking intrusive financial questions over and above what is needed to assess if you an applicant can pay the rent
Digital applications that demand irrelevant information and prevent submission of application without these fields being filled out should also be banned.

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