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From: [REDACTED]
Sent: Monday, 16 December 2019 12:51 PM
To: DJCS-CAV-rentalreforms (DJCS)
Cc: act@tenantsvic.org.au
Subject: My submission on Victoria's draft rental regulations

From: [REDACTED]
Subject: My submission on Victoria's draft rental regulations My postcode: [REDACTED]

My submission:
Anonymous submission please.

These changes are extremely positive for tenants in improving their rights - and it is really important that all changes are well publicised in different forms. I believe a number of issues that occur, particularly between real estate agents and tenants occur because tenants do not feel able to stand up for themselves, for fear of being considered a poor tenant and the ramifications from that. Consumer Affairs Victoria has a responsibility to educate everyone on their rights.

When my partner and I had issues with our agent during our recent tenancy, as educated professionals on stable and middle-to-high incomes, we felt able to challenge our agent on some issues we had, but it was not particularly productive. Their behaviour was inappropriate and problematic in a number of areas in the course of our tenancy and we felt like we had little power despite our endeavours to to challenge it. Examples of this are:

Condition report and keys not ready at the commencement of the lease.

Poor cleanliness of some parts of the property when moving in.

Changing the terms of payment during the contract.

Deducting incorrect amounts of rent and taking 10 days to refund the difference.

After giving notice to vacate, attempting to hold an open for inspection earlier than 14 days from the end of the lease (without asking if that would be acceptable first). When corresponding relation to this, the agent acknowledged this was in violation of the law as found on the CAV website but did not appear concerned.

Ignoring our advice that we could not replace lightglobes safely as there was a failure with the transformers, requiring a qualified electrician to attend to.

However, for people experiencing disadvantage, the ability to dispute incorrect policies as we did is considerably reduced, and ultimately it has meant that all people are not treated fairly under the law. When we purchased our home from the same agency, it was extremely apparent that their customer service to buyers was reasonably good, whereas they viewed tenants as a hassle and their concerns insignificant. In today's world where such a high proportion of society are, or will be renters for long periods of time this is not acceptable. The proposed changes, such as simplifying forms and ensuring minimum standards for properties, are beneficial for everyone, but tenants must know what is changing and public education and awareness campaigning is essential to ensure the changes have the desired affects.

Secondly, and on a different note - it is unacceptable that real estate agents can request information about applicants' criminal records - though the applicant does not have to provide it, by requesting that information it allows for more subtle discrimination in housing access, particularly in a competitive rental market. Though the Office of the Australian Information Commissioner (OAIC) states that real estate agents can only collect "personal information that is necessary for its functions or activities", if an applicant does not provide this information it reflects poorly and looks as though they have something to hide, especially in a competitive rental market. This is an issue I have seen in the course of my work in the homelessness sector, and preventing agents from asking this question is important to reduce housing discrimination and inequality, and prevent homelessness. Everyone deserves a safe place to live.

Kind regards

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This submission to the Victorian Government consultation on the RTA Regulatory Impact Statement was sent via Tenants Victoria's website. It represents the views of the author only and does not represent the views of Tenants Victoria.