

RENTERS RIGHTS

INTRODUCTION

Everyone deserves a home.

That means creating a tenancy system that gives renters secure, sustainable and long term rental housing, that they can turn into a home.

Instead, rental properties are treated as an asset and tenants as a tool for wealth accumulation. Renting is too often viewed through an outdated lens, that of a temporary phase on the way to home ownership.

The [ACT Greens have been improving renters rights in the ACT for many years now](#), and [especially watching renters backs through COVID impacts](#), but the system still isn't fair. Canberra is one of the country's most expensive cities to buy or rent a house, and more and more people are being locked out of the housing market, renting for most, if not all of their life.

Too many rental houses are of poor quality, and too many tenants are forced into short term leasing, kicked out for raising maintenance concerns, or because the landlord doesn't like them. Worse still, renters have almost no voice since the defunding of the Tenants' Union.

THAT'S WHY THE ACT GREENS WILL GIVE RENTERS SECURE, SUSTAINABLE HOMES, BY:

1. Changing the tenancy system so once you sign a lease, you can stay in your home
2. Making rentals more sustainable and affordable to live in
3. Making renting easier, by:
 - a. Streamlining the application process
 - b. Banning rent bidding
 - c. Properly funding advocacy services for tenants
 - d. Supporting people who face discrimination secure rental homes
4. Increasing the number of affordable rental properties in Canberra

1. CHANGING THE TENANCY SYSTEM SO ONCE YOU SIGN A LEASE, YOU CAN STAY IN YOUR HOME

The Greens will end no cause evictions, so if you sign a lease, you can stay in your home as long as you want.

Landlords won't be able to kick someone out of their home because they think they can get a higher rent from the next tenant, because they didn't like being asked to fulfill their legal obligation to repair their house or let someone have a pet, or because they don't particularly like their tenant.

Instead, they will require a 'just cause', meaning they will need to prove that they or someone in their family wants to move into the house, or that the tenants have actually violated the terms of the lease. This will give renters the right to stay in their houses for years unless the landlord has a genuine reason to terminate a tenancy or use the house for non-rental purposes.

This will create security of tenure for renters, and stop "retaliatory evictions".

2. MAKING RENTALS MORE SUSTAINABLE AND AFFORDABLE TO LIVE IN

Everyone deserves to live in a home that is comfortable and energy efficient.

Too many Canberrans, especially people on low incomes, have no choice but to rent drafty older properties with poor environmental performance. This leads to poor health, a less comfortable home and higher living costs.

A comprehensive review of existing research on energy efficiency in rental homes, recently published by the Australian Housing and Urban Research Institute (AHURI) has found what we already know: exposure to energy hardship is particularly likely when people who are vulnerable or on low incomes live in houses that are in poor condition.

As a result of Greens advocacy in the Assembly, the ACT Government is now in the process of developing minimum standards for rental properties, which will be rolled out by 2022. This will establish minimum standards for amenity, security, and environmental performance.

This is a great start, but the Greens think that more needs to be done on top of this. That's why we will establish a [\\$50 million targeted fund for improving the efficiency and sustainability of houses in the ACT](#). One of the key focus areas for this fund will be to fix up the lowest performing properties in the private rental market. The program will make funding available for sustainability and energy efficiency upgrades to these properties, such as draught sealing, insulation, glazing, efficient electric appliances, water saving measures and solar panels and batteries. The program will reduce household bills, reduce emissions, and improve comfort and living standards.

3. MAKING RENTING EASIER

A. MAKING IT EASIER TO APPLY FOR A RENTAL HOME

Some real estate companies use online services such as 1Form to process applications for rental vacancies. These forms can offer convenience for both landlords and renters, and are especially useful for people applying for multiple rental properties, as all of their information is saved with their profile.

Unfortunately, the questions asked on these forms can be very intrusive, and go over and above anything that an agent would reasonably need to know in order to make an assessment about who to rent a house to. The data on these forms can also be stored by companies and used for other purposes, such as marketing, and may be stored insecurely or overseas.

The Greens will work with landlords, the real estate sector, tenants, and tenant advocates to **develop a standard form for applying for a rental property**. We will ensure that this is sufficiently flexible, but does not overburden tenants with unnecessary or intrusive questions, while still providing landlords with all the information they reasonably need.

B. BANNING RENT BIDDING

Renting a house shouldn't be like buying one at an auction. Queensland and Victoria have both "banned" rent bidding, but their bans only apply to advertising a price range for a rental property, and prohibit agents from soliciting for higher offers. They can still accept them, which means that prospective renters can still be applying to rent a house that they have no hope of being offered, because someone else has upped the stakes by offering more.

The ACT Greens will ban rent bidding by prohibiting houses being rented at a higher price than advertised. This can be enforced by requiring that a copy of the rental advertisement be provided when the bond is lodged. Exemptions would be allowed in certain circumstances, for example if the property is not advertised because it's rented privately to a friend or via word of mouth.

C. PROPERLY FUNDING ADVOCACY SERVICES FOR TENANTS

In 2020 the Tenants' Union (TU) was sadly defunded by the ACT Government. Although Legal Aid has since been funded to provide a tenants' advice service, it has not taken on the role that the TU used to in systemic advocacy for renters and renters' rights.

ACT Shelter is the peak body in the ACT for housing advocacy - a small organisation committed to fighting for housing justice for people on low to no incomes. It is only funded enough to provide for one full time staffer. **The Greens will double the existing funding for ACT Shelter, and provide additional funding for rental advocacy services.**

D. SUPPORTING PEOPLE WHO FACE DISCRIMINATION SECURE RENTAL HOMES

Some people have trouble securing a rental property, even if they can afford it. They may suffer discrimination because they are students or want to live in a group, are Indigenous, have a large family, or have a poor credit or renting history. But everyone still needs a home. That's why **the Greens will establish a sub-leasing program with at least 100 properties made available to people who suffer discrimination in the rental market.**

Similar programs have operated interstate, and work by allowing not-for-profit organisations to lease a portfolio of rental housing on long-term leases, which they then sub-lease to people who need somewhere to live. The property owners are guaranteed a rental income over a period of time, and to have the property returned to them in good condition.

4. INCREASING THE NUMBER OF AFFORDABLE RENTAL PROPERTIES IN CANBERRA

The Greens will increase the number of affordable rental properties in Canberra by:

- building around 600 more dwellings specifically for affordable renting, and
- extending the land tax exemption scheme for affordable renting.

BUILDING AROUND 600 MORE DWELLINGS SPECIFICALLY FOR AFFORDABLE RENTING

The Greens have committed to a [\\$200m investment into new community housing](#) over four years through a range of mechanisms including:

- the provision of an appropriately scaled, predictable, and ongoing pipeline of low cost development land sold at book value for the provision of community / affordable housing stock;
- stock transfers of properties currently managed by community housing providers;
- debt forgiveness;
- rates exemption for Community Housing Providers managing social housing properties;
- funding for direct purchase or development of new and existing properties (at least 80% to be new build);
- planning incentives to encourage the development of affordable rental housing; and
- support and removal of barriers for community housing providers to access existing initiatives, such as finance through the National Housing and Finance Investment Corporation.

The Greens estimate this will deliver over 600 new affordable rentals for people in housing need. There will be a requirement for an average energy efficiency rating of 7 stars across all social and affordable rental housing that is purchased or constructed.

EXTENDING AND EXPANDING THE LAND TAX EXEMPTION SCHEME FOR AFFORDABLE RENTING

The [ACT Greens were proud to push through the Assembly](#) this term a [100% land tax discount to landlords who rent their homes as affordable rentals](#) through a community housing provider. This scheme enables private landlords who lease their properties affordably through community housing providers to pay no land tax as long as their property is rented at no more than 75% of market rent.

The scheme is currently available through both the YWCA's [RentWell](#) program and CHC's [HomeGround](#) real estate management arm.

This land tax exemption scheme is currently limited to 125 properties, and is due to expire in 2023. The Greens will make this exemption ongoing and remove the limit on the number of properties. This will enable investors and lessors to better plan and commit to provide ongoing affordable renting.