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5 September 2024

Ms Penny Carr
On behalf of the Make Renting Fair Alliance
Via email: info@makerentingfairqld.org.au

Rights for Queensland's renters

Dear Ms Carr,

Thank you for your letter of 12 August 2024, setting out the Make Renting Fair Alliance's priorities ahead of the 2024 state election.

Time after time, the Miles-Palaszczuk Labor government has trampled on renters' rights, and continually let down the 1.8 million Queenslander who vote. As the Queensland Greens' spokesperson for Housing, it has been disappointing and frustrating to see this.

The Queensland Greens' plan for Queensland is [here](#), and summarises all of our election commitments to date.

We have announced our plan to [freeze rents and guarantee lease renewals](#). We also recently collaborated with our Federal colleagues to announce plans for a National Renters Protection Authority.

The Greens are the only party standing up for renters in Queensland parliament. Since I was elected in 2020, I have used every parliamentary lever possible to hold the Miles-Palaszczuk government, and its abysmal track record on renters' rights, to account.

Right now, property investors and agents can increase rents by unlimited amounts and kick tenants out at the end of a fixed-term lease for any reason. 1.7 million Queenslanders rent and they are struggling in one of the most unaffordable and insecure rental markets Queensland has ever seen.

Labor and the LNP have abandoned renters in the middle of a housing crisis. Neither of the major parties has a plan to tackle surging rents. Property investor politicians like the Premier and Opposition Leader would rather see rents continue to climb out of control than take on rich investors, the real estate lobby, big banks and property developers.

Renters also know that if they raise issues about maintenance, repairs and minimum standards, they risk retaliation in the form of huge rent increases or being denied a lease renewal at the end of their existing agreement. Which is why we have been pushing for a guaranteed right to a lease renewal.

In the next term of government, my Greens colleagues and I will continue to push to:

1. Limit the amount that rents can be increased each year

The Queensland Greens have made an election commitment to [freeze rents and guarantee lease renewals](#). We will freeze rents for two years followed by a 1% cap on annual rent increases, and introduce guaranteed lease renewals.

Under our rent freeze plan, the rents of all Queensland residential tenancies will be frozen for two years, at no more than the weekly rent as at 1 January 2023. This would give renters breathing space and give wages a chance to catch up. This back-dating also means that real estate agents and landlords won't be able to raise rents before the legislation comes into action.

If a property is a new build, a new entry into the rental market or has been substantially renovated, then an investor would be able to rent the property at or below the median rent for that postcode and dwelling type (ie detached house, townhouse, unit).

At the end of the rent freeze period, rent increases will be capped and will only be allowed to be raised by a maximum of 1% every year.

Both the rent freeze and the long-term cap on rent increases would apply to the property, not the specific tenant or lease, meaning there would be no incentive to evict tenants in order to raise the rent.

I introduced legislation to Queensland parliament to enact a [rent cap](#) in 2011, and to enact a [rent freeze](#) in 2022. Both proposals were fully unsupported by the Labor government and the LNP.

2. Provide security and fairness to renters by ensuring tenants cannot be evicted simply because the fixed term of the agreement ends

Right now in Queensland, a tenant can be evicted for any reason simply because their lease is up. This means that tenants are insecure in their homes, and tenants who raise issues about maintenance, repairs, minimum standards or agent conduct risk being denied a lease renewal in retaliation.

Without a guaranteed right to a lease renewal, renters struggle to enforce any of their other rights, including minimum standards, maintenance and notice periods for inspections.

The Greens will require agents and landlords to renew all fixed-term leases unless they have a valid reason not to, such as:

- Unpaid rent.
- Unremedied breaches such as a failure to repair damage done to the property.
- The owner or their immediate family needs to occupy the property.
- The owner intends to undertake major renovations or demolitions on the property.

Landlords and agents relying on unpaid rent or unremedied breaches as a reason to refuse a lease renewal would need to provide evidence of the breach.

Landlords who rely on these other reasons to evict tenants and then fail to act in accordance with the reason given would be subject to heavy penalties.

Despite tinkering with language, the weak reforms that Labor introduced in the last term of parliament have done nothing to end no-ground evictions. The Greens will genuinely enact a guaranteed right to a lease renewal, and agents and landlords will no longer be able to rely on fraudulent pretences and no-ground evictions to evict tenants in the middle of a housing crisis.

During this term of parliament, I introduced legislation which would have genuinely ended no-grounds evictions in 2021. This proposal was fully unsupported by the Labor government and the LNP.

3. Include minimum energy efficiency standards for rental properties

In Queensland, minimum standards for rental properties do not include insulation or ventilation. In 2021, both my private member's bill and my amendments to Labor's rental reform bill attempted to ensure that prescribed minimum housing standards extended to these. The current legislation leaves Queensland renters to suffer in properties that aren't fit to deal with extreme heat or cold.

Extremes in weather, particular heatwaves, create a dangerous situation for renters who are often not safe or comfortable in their homes. For people with illness and disability, elderly people and small children, these kinds of temperatures can be dangerous.

With increasingly hot temperatures during the day and overnight, as we have seen even this winter, homes without ceiling fans, insulation and ventilation are essentially unlivable. Renters are particularly vulnerable, as they have little say in the structural makeup of their home. They are often unable to conduct modifications to their home which would provide ceiling fans, ventilation or insulation.

In February, I called on the Housing Minister to make ceiling fans, insulation, ventilation and energy efficiency measures¹ mandatory for all rental properties. Where a home is not energy efficient to a 6-star NABERS rating standard, the bedrooms and main living area should be air conditioned. Landlords should

¹ Community Sector Blueprint: National Framework for Minimum Energy Efficiency Rental Requirements - <https://static1.squarespace.com/static/602f0d14c4c0a77efc25e152/t/638400e8ae6155000101c616/1669595383325/Final+Community+Sector+Blueprint+-+Mandatory+Minimum+Rental+Standards.pdf>

be required to ensure that fans, ventilation and air conditioning units are in good working order. The *Residential Tenancies and Rooming Accommodation Act 2008* already gives the government the power to do this, and it could make the change easily via legislative instrument. Labor's stage 2 rental reforms failed to address this.

Providing insulation is an essential cost-of-living assistance measure for renters. Analysis by Renew suggests that insulation would save renters around \$500 a year on heating and cooling costs.²

In Victoria, rentals must have an energy efficient fixed heater in the main living area, and adequate ventilation. In the ACT, rental properties must have adequate ceiling insulation. Both of these initiatives are accompanied by financial support via grants or rebates. Any financial subsidies for landlords should be conditional on limiting rent increases.

Of course, to be effective, these measures would need to be accompanied by a rent freeze followed by a rent cap, and ending no-grounds evictions.

4. Make other changes to amend tenancy laws in Queensland

Since being elected in 2020, I've used every parliamentary lever possible to fight for renters' rights. My private member's bill, the *Residential Tenancies and Rooming Accommodation (Tenants' Rights) and Other Legislation Amendment Bill 2021* proposed the following, in addition to a cap on rents and an end to no-grounds evictions:

- Extended notice periods.
- Creating an offence for issuing a notice to leave on false grounds.
- Improved minimum standards for rental homes.
- Improved disclosure to prospective tenants.
- Banning inappropriate questions from being required of tenants.
- Giving tenants the right to keep a pet as a presumption, unless the lessor successfully applies to the Queensland Civil and Administrative Tribunal for an order refusing this on reasonable grounds.
- Allowing tenants to make minor modifications to a rental property without first obtaining the lessor's consent.
- Requiring the prompt forwarding of water bills by a lessor.
- Removing the right of a lessor to remove a resident under a rooming accommodation agreement without a Tribunal order, to bring the rights of tenants in rooming accommodation in line with tenants' rights in other residential rental accommodation.
- Requiring lessors to provide a fee-free payment method for rent.

² <https://renew.org.au/wp-content/uploads/2023/05/Renew-submission-Qld-rental-law-reform-2023.pdf>

As I'm sure you would understand, if the Greens find themselves with the balance of power, there is an enormous list of competing priorities, and the final decision on any negotiated outcome rests with the party as a whole.

We will keep advocating for change, and look forward to having more Greens in Queensland parliament to continue to fight for Queensland renters.

Kind regards,

A handwritten signature in black ink, appearing to read "Amy MacMahon". The signature is fluid and cursive, with the first name "Amy" and the last name "MacMahon" clearly distinguishable.

Amy MacMahon
Member for South Brisbane