



***RESPONSE TO THE REVIEW OF RESIDENTIAL TENANCIES AND ROOMING  
ACCOMMODATION ACT 2008***

**COTA Queensland**

**Thursday 3 January 2013**

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**On 19 December 2012 David Breen of the RTA provided COTA an  
extension to 7 January 2013 for this submission.**



## COTA Queensland

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## COTA Queensland – Council on the Ageing

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COTA Queensland is a state based organisation committed to advancing the rights, needs and interests of Queenslanders as they age. It aims to help create a more just, equitable and caring community in which older people are actively involved and empowered and have access to appropriate support, services and care.

COTA Queensland bases its policy principles on the World Health Organisation (WHO) policy pillars of Health, Security and Participation.

As one of the eight State and Territory COTAs that comprise the federation COTA Australia, our work is guided by five main policy principles:

- Maximising the social, economic and political participation of people as they age;
- Promoting positive views of ageing, rejecting ageism and challenging negative stereotypes;
- Promoting sustainable, fair and responsible policies;
- Protecting against and redressing disadvantage; and
- Protecting and extending services and programs that are used and valued by people as they age.

COTA's current policy and advocacy focus is on:

- health, aged care and HACC (Home and Community Care);
- housing and homelessness;
- transport;
- social participation (including age discrimination and human rights);
- energy and cost of living pressures.

## Queensland's Ageing Demographic Profile

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Queensland's demographic profile is ageing with 545,800 people aged 65 years and over (or 12.3% of the population) in 2009, an increase of 81,200 people since 2004. The age distribution is not even across the State with the Fraser Coast (18.9%), Toowoomba (13.6%) and Moreton region (14.7%) all having significantly higher proportions of older people.

- The most rapidly growing group of older people is those aged over 85 years, with women outnumbering men by 2 to 1;
- Aboriginal and Torres Strait Islander people aged over 55 years are expected to double over the next decade although their life expectancy is still significantly shorter than non-Indigenous Australians;
- The older migrant population is ageing more rapidly than the Australian born population with the cultural and linguistic backgrounds and their pre-and post migrations experiences varying enormously. Within this demographic, people from a refugee background, in particular, may have specific ageing experiences;
- People with an intellectual disability are living into their 60s and 70s, but with early onset age-related conditions such as dementia evident in their 50s; and

- The number of Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) people aged over 65 years is increasing as are their demands for services to meet their needs and lifestyles.

## Introduction

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COTA welcomes the opportunity to provide input to the Residential Tenancies Authority (RTA) review of the *Residential Tenancies and Rooming Accommodation Act 2008*. In addition to conducting our own research, including consultation with COTA members and friends, we have consulted with the following organisations to inform our views:

- the Tenants' Union of Queensland (TUQ);
- Q Shelter;
- Queensland Council of Social Service (QCOSS);
- Ozcare Aged Care and Housing Assistance (ACHA).

COTA recognises that the RTA has consulted with the key stakeholders Q Shelter and the TUQ and we recognise the experience and specialist knowledge of these organisations. We also recognise the expertise of QCOSS in matters to do with energy and water tenant consumption in particular and also broader social policy. We recognise the day-to-day practical experience of ACHA in responding to the needs of frail, older low income people who are renting tenure insecure accommodation, or are homeless and need assistance to find housing to meet their specific needs.

COTA has focussed our response on our areas of knowledge and understanding of the experiences of older people who are renters, particularly those in the private rental sector (PRS) but also those in public and community housing. These knowledge areas relate to affordability, security of tenure, safety and standards. The needs and interests of older people in the private rental sector (PRS) in particular almost always take on an increased sharpness and dimension by comparison with other renters.

## People who Rent Their Home

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More Australians, and Queenslanders, are renting for longer periods and rental housing is no longer the tenure of transition to home ownership. Rental housing is now a mainstream housing tenure. A third of Queenslanders rent their homes and this is higher than the national average. Most renters live in the PRS.

More than a quarter of all Queensland renters spend more than 30% of their income on rent. For tenants who receive Commonwealth Rent Assistance (CRA), that is, those on fixed and low incomes, the percentage is far higher. Most Australians who live in severe housing stress are tenants in the PRS.

Secure housing occupancy - the capacity of households to stay in their home for reasonable periods if they want to do so, provided they meet their obligations - is linked with significant social outcomes including education, employment, health (including mental health), family functioning and social inclusion. By comparison with both social rental housing and home ownership, the Australian PRS is characterised by insecure occupancy. Queensland tenancies in the PRS typically begin with a fixed term tenancy of six or twelve months followed by periodic tenancies that can be ended without grounds by giving two months notice. This arrangement is not conducive to the social inclusion of tenants in community and broader society. Without grounds eviction contributes directly to social exclusion.

By contrast, international experience indicates that insecure occupancy is not a necessary feature of the PRS (Hulse, 2011). The greatest barrier to secure rental occupancy is the inclusion of 'without grounds' termination of tenancy. In COTA's view, 'without grounds' tenancy termination should be ended.

## Older People who Rent their Home

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The myth that older Australians are well housed is under challenge. Eighty two percent of Australians aged 65 and older live in home ownership, including those who still have mortgages. But 14.5 percent of older people are renters. Of this percentage, half live in social housing (public and community housing) and half live in the private rental sector, ie approximately seven per cent of Australians aged 65 and older live in social housing and approximately seven per cent live in private rental. The 14.5% of Australians aged 65 and over who were renters in 2006 is an increase from 2001 when 12.1 percent of older people were renters (Housing for the Aged Action Group, 2011). Generally speaking, Queensland has a higher proportion of private renters and a lower proportion of public housing tenants across the different age groups than other States.

Additionally, significant numbers of older people are dropping out of home ownership - and home ownership for low income earners in the 45 to 60 age group is also declining. This means that in ten to twenty years time, the numbers of 65 year olds and over living in rental, especially in private rental, will have increased disproportionately. Older single women are particularly vulnerable. The difference

between living in one's own home and living in rental housing is often the difference between living with a reasonable standard of living and living in poverty.

Successive Australian governments have provided significant direct and indirect assistance to support home ownership. As a result Australian social policy has allowed the age pension to be set at relatively low levels by comparison with other countries. The assumption has been that older, low income people will have relatively low housing costs because they own their own homes outright (that is, do not have mortgages) and can therefore survive on smaller pensions. But there is a growing body of evidence pointing to the difficult lives of an increasing number of older Australians for whom rental housing, while not their tenure of choice, is an ongoing tenure.

Older people who do not own their own homes are particularly vulnerable in the search to locate and keep affordable, safe, secure and appropriate housing. In the context of contracting investment in public housing, plus the absence of priority social housing allocation for older people, more people are being forced into the private rental market as they age. Estimates indicate the number of people aged 65 and older living in low-income rental households will increase from 195,000 in 2001 to 419,000 in 2026 (Andrew Jones et al, May 2007) with the largest proportional increase in the numbers of people aged 85 and over.

Homelessness and housing services are reporting an increase in older people presenting for assistance who have no (recent) history of homelessness. For older people, the nexus between the risk of homelessness and living in the PRS is clear. All PRS renters live in an insecure tenure, the vulnerabilities increase for older people.

The numbers of older people experiencing homelessness have been increasing as a proportion of the total homeless population for some time. Between 2001 and 2006, older people had the greatest increase in homelessness of all age groups (Housing for the Aged Action Group, 2011). For those aged 55 - 64 years, homelessness increased by 36% in this period, for those aged 65 years and older the rate increased by 23% (as a contrast, the rate for those aged 12 - 18 years actually declined in this period).

COTA uses the Hanover definition of 'housing crisis' to mean "when a person's tenure is considered unsustainable, unaffordable or insecure" (Hanover, 2011). This means that virtually all older people in the PRS live in housing crisis. The PRS must become more responsive to older renters' housing needs. Alternatives include premature entry to residential aged care and further increases in homelessness amongst older people. Reformed residential tenancy legislation provides one avenue of addressing some of the barriers to older people being able to live happily in the PRS.

## Tenancy Advice and Advocacy Services

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In July 2012 the Queensland Government decided to de-fund the Tenant Advice and Advocacy Service (TAAS), a program funded by a small percentage of the interest earned on tenant bond money. A few months later the Government also withdrew funding for social rental housing and private rental housing policy work under TAAS. TAAS provides assistance to more than 80,000 Queensland tenant households every year. Tenants depend on being able to access information, advice and advocacy around tenant rights and responsibilities to maintain their rental housing safely and lawfully - and often to maintain it at all. Being able to access advice can mean the difference between homelessness and maintaining one's tenancy. Being able to access these services is of particular value to those tenants who are the most vulnerable, including older tenants. If it is maintained, the de-funding of TAAS will directly contribute to increased homelessness of older Queenslanders.

COTA recommends that full funding be restored to the TAAS program and that the funding level be reviewed in the context of increased numbers of PRS tenants and increasing levels of housing stress experienced by PRS tenants. The *Residential Tenancies and Rooming Accommodation Act 2008* should guarantee continued TAAS funding through a reasonable percentage of Queensland tenant bond interest.

## EXECUTIVE SUMMARY

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COTA does not support any changes to residential tenancy legislation which will adversely affect older renters' housing security, housing affordability or housing safety. Nor do we support those proposals which may increase older renters' rates and risk of homelessness. Changes to tenancy law need to enhance tenants' lives and at the same time protect lessors' investment. Our responses below reflect this approach.

COTA is particularly concerned by proposals to reduce 'without grounds' notice periods for tenants to terminate tenancies. Recent research conducted by the Tenants' Union of Queensland (Tenants' Union of Queensland, 2012) found that 60 percent of participating households who were evicted without grounds were unable to move to a new home within the prescribed time (two months). ACHA reports that in their service delivery, they need the current two months to find appropriate housing for their clients and any reduction would adversely affect their capacity to deliver the service.

In fact, international evidence indicates that without grounds tenancy terminations can be removed from the legislation provided adequate exemptions are provided to protect lessor interests. COTA recommends the withdrawal from the legislation of 'without grounds' tenancy termination.

COTA strongly recommends the restoration of funding to ensure a strong and viable TAAS program, able to deliver its much needed services and provide policy advice to Government.

COTA has particular concerns about safety and standards in privately rented properties. We know that the lack of housing standards provided in the *Residential Tenancies and Rooming Accommodation Act 2008* results in disputes about maintenance and repairs. We know these disputes frequently lead to without grounds termination of tenancy. We also know that older people, and others, will frequently not pursue repairs and maintenance issues because they fear retaliatory eviction. Older people on fixed, low incomes are often terrified that if they are evicted they will be unable to find alternative housing. As people age and become less agile and more frail, safety and standards become increasingly important.

The tragic death of a baby in a rental property, where her parents, the tenants, had repeatedly but unsuccessfully asked for property repairs to be undertaken, has alerted the community to the importance of safety standards in the PRS. The Queensland Coroner's Court made a number of recommendations in September 2012 to reform the *Residential Tenancies and Rooming Accommodation Act 2008* as a result of this sad event. COTA recommends strongly that these recommendations are implemented in their entirety. COTA is aware the Tenants' Union of Queensland has developed detailed proposals on this matter.

From our own Community Development work with public housing tenants, COTA is aware of bullying incidents and intimidatory behaviour that occur between tenants. This is of particular concern to older women and to older men who may have other vulnerabilities eg they come from a culturally and linguistically diverse background or they have particular health issues. Although these behaviours could be said to impact tenants' rights to privacy and quiet enjoyment of their homes, public housing tenancy managers appear to believe they have few options to manage the issues.

From our consultation with ACHA, we are aware this problem is not restricted to public housing but occurs in community housing as well. As one service provider said "Social housing is no longer a safe option for older people - many of our clients feel terrorised". While COTA does not support Options 1.24 (a) and 1.24 (b), we would welcome the opportunity to work with Government and other stakeholders to consider problem resolution in this regard.

<b>Options</b>	<b>Comments:</b> Which of these options do you support? Are there any other options you would support (including 'no change')?
<b>1.1 Holding and key deposits s59</b>	
<b>Option 1.1(a):</b> Remove existing holding and key deposits provisions from the Act; and	COTA supports both options in the interests of simplifying procedures and because tenants have reported difficulty in recovering key deposits.



<p><b>Option 1.1(b):</b> Prohibit taking of fees or deposits or any money before the tenancy agreement is signed.</p>	
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**1.2 Tenant’s obligations s188(3)**

<p><b>Option 1.2:</b> Amend section 188 on tenant obligations to provide that the tenant is responsible for negligent and intentional as well as malicious damage to the rental property by themselves or their guests.</p>	<p>COTA does not support the proposed change.</p> <p>The Act does not provide a clear distinction between negligent damage and normal wear and tear.</p>
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**1.3 Maximum rental bond amounts s112, s146**

<p><b>Option 1.3:</b> Allow for an additional amount of bond, proposed as one week’s bond, to be charged for pets, premises that have a pool or which are fully furnished.</p>	<p>COTA does not support an increase in bonds because tenants are responsible under current legislation for returning properties to their original condition at the end of a tenancy. Any bond increase would also be a significant affordability issue for older PRS tenants living on pensions.</p> <p>Additionally, COTA does not support additional bond charges for swimming pools and furnishings as rent levels, and therefore size of bonds, already reflect these.</p>
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**1.4 Maximum rental bond amounts – caravan parks s112, s146**

<p><b>Option 1.4:</b> Increase the maximum bond for caravan parks from two weeks to four weeks rent, in line with general tenancies.</p>	<p>COTA is opposed to this proposal.</p> <p>Many older people live in caravan parks because of the perception that they are more affordable than other rental housing and also because caravan parks suit many older people's lifestyles. Increasing caravan park bonds would create an additional barrier for low income tenants.</p> <p>COTA notes there are other differences in legislative treatment of caravan park and the review does not suggest other alignments. To pluck out one issue in isolation lacks consistency.</p>
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**1.5 Timeframe for lodgement of bonds ss116-119**

<p><b>Option 1.5:</b> Extend the timeframe for lodgement of bonds from 10 to 14 calendar days.</p>	<p>COTA has no objection to this change.</p>
<p><b>1.6 Increase in penalty units – non-lodgement of bond ss116-119</b></p>	
<p><b>Option 1.6:</b> Increase the penalty units for non-lodgement of bond from a maximum of 40 penalty units (currently \$4,400) to 60 penalty units (\$6,600).</p>	<p>COTA supports this proposal.</p> <p>It is disappointing that many lessors do not lodge bonds - COTA is hopeful that this change will encourage compliance. If it does not, other measures will need to be considered.</p>
<p><b>1.7 Duty to pay rental bond instalments under residential tenancy agreement ss117-118</b></p>	
<p><b>Option 1.7:</b> Require part payments received from a social housing lessor/agent to be lodged with the RTA within three months of the first payment being received for either a general tenancy or a rooming accommodation tenancy.</p>	<p>COTA supports this proposal.</p> <p>There seems to be no reason to continue the current practice.</p>
<p><b>1.8 Rent payment methods – rent cards ss83-84, ss98-99</b></p>	
<p><b>Option 1.8:</b> Amend the Act to provide that tenants must be offered the option of a fee-free way of paying rent other than for charges to their own financial institution.</p>	<p>COTA strongly supports this proposal.</p> <p>Current practice represents an unjustifiable increased financial burden on tenants.</p>
<p><b>1.9 Receipts and other records s88, s102</b></p>	
<p><b>Option 1.9:</b> Amend the relevant sections to ensure receipts are required for rent payments made by cash and cheque.</p>	<p>COTA strongly supports this proposal.</p> <p>The issuing of receipts is standard business practice.</p>
<p><b>1.10 Receipts and other records s88, s102</b></p>	

<p><b>Option 1.10:</b> Remove s 88(6) and s102(6) and clarify a rent payment record is required regardless of the payment method.</p>	<p>COTA supports this proposal.</p> <p>Rent payment records should be standard business practice. COTA also recommends that lessors/agents provide tenants with copies of rent payment records on a regular basis.</p>
<p><b>1.11 Electricity charging s171(3)</b></p>	
<p><b>Option 1.11:</b> Require lessors and agents to disclose as part of the proposed agreement before the tenant is committed to the tenancy, any information about on-supply arrangements for electricity and bulk hot water where use of the supplier is a condition of the tenancy.</p>	<p>COTA supports this proposal.</p> <p>Additionally clear information needs to be provided to tenants about the implications of entering into an on-supply arrangement.</p>
<p><b>1.12 Water service charges s166</b></p>	
<p><b>Option 1.12(a):</b> Allow the lessor to pass on the full cost of water consumption charges for individually metered premises, regardless of whether premises are water efficient.</p> <p><b>Option 1.12(b):</b> Clarify that water consumption cost can be passed on for part billing periods by apportioning charges on the basis of meter readings.</p> <p><b>Option 1.12(c):</b> Require the lessor to pass on any water charges to the tenant within 6 months of receiving the bill from the</p>	<p>COTA strongly opposes Option 1.12 (a).</p> <p>This option will have significant increased tenant costs. It also removes any encouragement for lessors to be socially responsible in the use of water.</p> <p>COTA believes the current provisions should be maintained and 'reasonable use' should be defined in the Act.</p> <p>COTA supports Option 1.12 (b).</p> <p>Water charges should be passed on to the tenant within a month of the provider receiving the bill. There appears to be no justifiable reason to delay this.</p>

provider.	
<b>1.13 Entry – windows for inspection entry times s196</b>	
<b>Option 1.13:</b> Increase the window of entry for an inspection by the lessor/agent from two hours to three hours.	COTA believes the current provision of a two hour window is reasonable and should not be increased. Tenants are entitled to be present and they have lives and commitments to conduct so they should not be expected to have to wait for more than two hours.
<b>1.14 Entry to common areas – rooming accommodation s257-265</b>	
<b>Option 1.14:</b> Require that rooming accommodation providers must either specify standard entry times in the agreement for entry to common areas (e.g. for cleaning), or to issue an entry notice to occupants or by displaying in a public area.	COTA supports this proposal.
<b>1.15 Abandonment and goods left behind ss355-365</b>	
<p><b>Option 1.15:</b> Change the current provisions for dealing with abandoned goods and documents to:</p> <ul style="list-style-type: none"> <li>• continue to allow immediate disposal of goods that are dangerous, perishable or where the combined market value is less than \$1,500</li> <li>• otherwise allow the lessor/agent to issue 'disposal notices' informing the former tenant/s that goods will be disposed of after 14 days (in the case of goods not subject to immediate disposal or that are not personal documents) or 90 days (in the case of personal</li> </ul>	<p>COTA supports the continuation of provisions to dispose of dangerous and perishable goods. However, most older tenants are pensioners for whom \$1,500 is a significant value so we do not support the immediate disposal of goods with a combined value of less than \$1,500. It is also problematic that no independent assessment of the value of goods is provided for.</p> <p>The assumption in these sections is that tenants have 'abandoned' their property because they no longer wish to live there. Many apparent 'abandonments' are because of unplanned incidents eg hospital admissions.</p> <p>The loss of personal documents can have huge negative repercussions on people's lives and provisions need to ensure this does not happen. COTA notes the claim that the Public Trustee has sometimes not accepted personal documents. COTA believes this needs to be addressed. The Public Trustee should accept personal documents.</p>

<p>documents) after the day on which the notice is given, unless they are first claimed</p> <ul style="list-style-type: none"> <li>• allow the lessor/agent to dispose of goods (other than personal documents) after the disposal notice period by selling them or in any other lawful manner. Any proceeds from the sale of goods may only be used to offset the costs of removing, storing and selling the goods. The lessor/agent must forward any remaining money from the sale of the goods to the Public Trustee within 10 days. The proceeds cannot be used to offset rent owing or other money that may be owed by the tenant.</li> <li>• allow the lessor/agent to dispose of personal documents, after 90 days by offering them to the Public Trustee or returning them to the authority that issued the documents and if refused, to dispose of them in any other lawful manner as long as it does not result in personal information about a tenant or other person becoming publicly available.</li> </ul>	
<p><b>1.16 Longer term tenancies s195, s258, ss277-291</b></p>	
<p><b>Option 1.16:</b> Amend the Act to reduce frequency of inspections and allow longer notice periods to end a tenancy without</p>	<p>COTA supports the proposal to reduce the frequency of general inspection entries when a tenant has been living in the property for more than two years.</p> <p>COTA supports the withdrawal of 'without grounds' tenancy</p>

<p>grounds when the tenant has been in the premises for more than two years.</p>	<p>terminations. Exemptions such as sale of premises where contract of sale requires vacant possession (in a periodic agreement) and lessor requiring the property for their own or immediate family's housing can easily be defined in the Act.</p>
<p><b>1.17 Co-tenancies s125, s277, s430</b></p>	
<p><b>Option 1.17(a):</b> Amend the Act to provide that an application for a bond refund can only be made after the end of the tenancy or if the departing co-tenant's share of the bond has been paid by a new incoming tenant or the remaining tenants.</p> <p><b>Option 1.17(b):</b> Extend the grounds for ending a tenancy to include death of a co-tenant.</p>	<p>COTA is strongly opposed to the proposal in Option 1.17 (a).</p> <p>If this proposal is implemented, a tenant may have to wait years to recover their share of the bond. People on low incomes cannot afford to do this as they are likely to need their bond to pay for the next rental bond.</p> <p>COTA supports the proposal in Option 1.17 (b).</p>
<p><b>1.18 Immediate eviction in rooming accommodation due to serious breach or failure to leave s454, s456</b></p>	
<p><b>Option 1.18(a):</b> Remove the immediate eviction provisions and replicate the moveable dwelling park provisions for the rooming accommodation sector to provide police with a power to issue a Nuisance Direction as a warning or requiring the resident to leave their accommodation for up to 24 hours.</p> <p><b>Option 1.18(b):</b> Remove the immediate eviction provisions and amend the Act to require a Tribunal order for eviction from rooming accommodation and issue</p>	<p>COTA supports the proposals outlined in Options 1.18 (a) and 1.18 (b).</p> <p>The first option provides protection to other residents and to service providers. The second option ensures that self-eviction by providers is outlawed and due process through QCAT must be entered into.</p>

<p>a Warrant of Possession for failure to leave or serious breach.</p> <p><b>Option 1.18(c):</b> Remove the immediate eviction provisions and allow the rooming accommodation provider to exclude a resident for a period of time and allow the resident to apply to the Tribunal for an order to be re-instated in the tenancy.</p>	<p>COTA does not support Option 1.18 (c) because it is inconsistent with other provisions of the Act. If a tenant is in breach of the conditions of tenancy, evidence of this should be provided to QCAT before the tenancy is terminated.</p>
<p><b>1.19 Notice periods – without grounds terminations in fixed term tenancies s291</b></p>	
<p><b>Option 1.19(a):</b> Reduce the notice period required when issuing a <i>Notice to leave</i> without grounds from two months to one month when issued by the lessor while retaining the two week notice period required by the tenant.</p> <p><b>Option 1.19(b):</b> Establish the same notice period of one month for both lessors and tenants.</p> <p><b>Option 1.19(c):</b> Abolish the without grounds provision so that a lessor can only end a tenancy for specific grounds. Extend the current grounds to end a tenancy to include for the lessor to move into the property and the lessor to renovate the property.</p>	<p>COTA does not support Option 1.19 (a) or Option 1.19 (b). Please see our Introduction above and the sections headed 'People who Rent Their Home' and 'Older People who Rent Their Home' above.</p> <p>COTA supports Option 1.19 (c).</p> <p>International experience shows this practice works in the interests of tenants and lessors.</p>
<p><b>1.24 Social housing reforms</b></p>	
<p><b>Option 1.24(a):</b> Amend s345 objectionable behaviour to expand on</p>	<p>COTA does not support Option 1.24 (a).</p> <p>For social housing tenants, their homes are increasingly the</p>

<p>the range of matters the Tribunal should consider in assessing whether a termination order for objectionable behaviour is issued. Such matters might include that the Tribunal should not require the lessor to identify an alternative housing option for the tenant or not refuse an order on the grounds that the lessor is a social housing provider.</p> <p><b>Option 1.24(b):</b> Consideration might be given to providing for the development of an Acceptable Behaviour Agreement for departmental tenants as a condition of the tenancy where this is warranted by the past or current behaviour of the tenant. Failure to enter into an agreement or serious or persistent breaches of the agreement would be grounds for termination of the agreement by the department.</p> <p><b>Option 1.24(c):</b> Introduce provisions to transition the tenancy agreement from a State Tenancy Agreement to a General Tenancy Agreement without the need for re-signing agreements. Also provide</p>	<p>'tenure of last resort'. For older people on pensions, having to move from social housing to the PRS (assuming they can get into the PRS) will mean at least three things:</p> <ol style="list-style-type: none"> <li>1. Having to pay rents they are simply unable to pay without severe hardship including possible inadequate dietary intake, cessation or unacceptably reduced use of electricity and/or gas, exacerbated social exclusion and isolation;</li> <li>2. Insecure occupancy resulting in deleterious health outcomes and exacerbated social exclusion and isolation; and</li> <li>3. Having to live in premises that are age-unfriendly eg premises that have steps where a ramp is required but the lessor won't provide one.</li> </ol> <p>These things need to be considered when termination of tenancy applications are made to the Tribunal.</p> <p>COTA does not support Option 1.24 (b).</p> <p>Increasingly, social housing allocations are made only to those people with multiple and complex needs. The Act already provides adequate grounds to terminate tenancies on the grounds of behaviour that impacts negatively on others. The problem appears to be one of proactive tenancy management, support for tenant participation and training for housing staff in making and supporting appropriate referrals.</p> <p>As indicated above, however, COTA does have significant concerns with the issues that underlie the proposals in Options 1.24 (a) and 1.24 (b) and would welcome a partnership approach to their resolution.</p> <p>COTA supports Option 1.24 (c). We are aware, however, that public housing tenants whose homes may be subject to management transfer to community housing organisations have not been adequately informed or consulted on the changes. COTA strongly recommends that public housing tenants be consulted and that they must agree to tenancy management changes before they are implemented.</p>
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<p>for transitional arrangements in the agreement to phase out exemptions in the State Tenancy Agreement that do not apply in other tenancies.</p>	
<p><b>1.25 Standard of premises s185</b></p>	
<p><b>Option 1.25(a):</b> Amend the Act to require initial or periodic inspections of rental properties.</p> <p><b>Option 1.25(b):</b> Amend the Act to require the lessor/agent to provide copies of property inspection reports, for example pest inspections and building certifications, to the tenant or prospective tenant on request.</p>	<p>COTA strongly supports both options. We further recommend the adoption of the Coroner's recommendations regarding the Diefenbach case, September 2012.</p>

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