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### Bodies corporate affected by more tenant rights

One year after the initial "[Open doors to renting](#)" campaign, the Department of Housing and Public Works (HPW) finally released the [Regulatory Impact Statement](#), outlining its proposals in regards to changing tenancy laws. Some of the proposed changes in stage 1 will have an adverse impact on bodies corporate and members are urged to provide submissions back to HPW by 28 December 2019 to alert them to the consequences of the proposed legislation.



The key areas of proposed change are:

#### Renting with pets

The proposal is that owners cannot refuse pets unless they have good reasons to do so, but owners could apply to QCAT for orders that their property remains pet-free.

During the consultation process, SCA (Qld) has urged HPW to consider bodies corporate as well as the BCCMA, and we are pleased to see the proposal that reasonable grounds for refusal would include:

- an unacceptable risk to the condition of the property or to health and safety;
- the rental property is unsuitable for the type or pet; or
- keeping a pet would contravene a law or managed community by-law or rule.

#### Housing quality and minimum housing standards

Minimum housing standards are proposed, relating to:

- weatherproofing and structural soundness
- plumbing and drainage
- security
- the standard of repair of fixtures and fittings
- control of pests and vermin
- ventilation
- lighting and privacy
- cooking and food preparation facilities.

Failure to provide these standards could result in rent reduction.

SCA (Qld) sees some issues with common property elements as the Department proposes to "allow a property manager to authorise emergency repairs to the equivalent of four weeks rent if they are unable to contact the property owner." This may impact the scheme's other lot owners if the emergency repairs include areas of common property. QCAT repair orders are proposed to be enforceable by the Residential Tenancies Authority through prosecution.

#### Minor modifications

Alterations that can be reversed, do not permanently alter the rental property, and do not require building approvals would be allowed under the proposed changes.

In addition, if owners do not respond within 7 days to requests made in relation to modifications to personalise or improve the amenity of the property, energy and water efficiency modifications or other alterations such as satellite television dishes, tenants will be allowed to proceed.

SCA (Qld)'s concern would be if these allowed modifications were extended to common property areas.

#### Managing tenancies

The final key proposal would prevent the ending of tenancies without grounds, which is a major change and may lead to "tenancies for life". The proposal would limit valid reasons for a landlord ending the tenancy to:

- if the owner or their immediate family needs to move in
- if significant repairs or renovations have to be made
- if it's been sold and vacant possession is required

## What next?

SCA (Qld) has been advised that the draft legislation will be released in autumn and that stage 2 will include information disclosure requirements and the mechanisms of renting such as bonds, privacy, and dispute resolution between managers and tenants.

Our Legislation Committee will provide a submission and any interested members who would like to join our committee are invited to [express their interest](#).



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