

RENTAL LEGISLATION CHANGES 2022 - FACT SHEET

Departments Web Link: [Rental law reform | Department of Communities, Housing and Digital Economy](https://www.chde.qld.gov.au/about/initiatives/rental-law-reform)
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(chde.qld.gov.au)

Extract below from the Departments website link, copied on the 14/3/22.

Rental law reform

Housing Legislation Amendment Act 2021

The Housing Legislation Amendment Act 2021 (HLA Act) amends the Residential Tenancies and Rooming Accommodation Act 2008 to progress Stage 1 of Queensland's rental law reform.

The amendments deliver rental law reforms to improve safety, security and certainty for the Queensland rental market and aim to strike the right balance between renters and rental property owner interests for all parties to have:

- *more certainty about their tenancy arrangements by encouraging greater transparency and accountability about intentions and decision making*
- *confidence their rental property is safe, secure and functional by strengthening repairs and maintenance obligations and prescribing Minimum Housing Standards*
- *certainty about how renters experiencing domestic and family violence can manage their tenancy arrangements to improve their safety without bearing the costs of the violence used against them*
- *frameworks to support negotiations about renting with pets and encourage more pet-friendly rental accommodation in Queensland.*

What happens next?

There will be a staggered approach to the commencement of the new measures.

This will provide time for renters, property owners and property managers to understand the new rights and obligations, and to prepare for them to come into effect.

A longer transition period for the prescribed Minimum Housing Standards will support rental property owners to plan and budget for any work required for their rental property to comply with the new legislation.

What's changing

Domestic and Family Violence (DFV) protections

From 20 October 2021

The temporary regulatory measures that were introduced under the COVID-19 residential tenancies response have become permanent.

Renters experiencing DFV:

- *can leave immediately (after giving 7 days notice) and access any bond contribution they made*
- *will have break lease fees capped at 1 week's rent*
- *are not liable for property damage caused by DFV*
- *any remaining co-renters can be asked to top-up the bond by the property owner or manager*
- *can change the locks to the property without requiring the owner's consent to ensure their safety*
- *must provide documentation to support their claim and property owners, managers and their employees must not disclose this information (except where permitted) and may be subject to penalties if they do so.*

Ending tenancies fairly

From 1 October 2022

Changes under the ending tenancies fairly reforms include:

- *removal of 'without grounds' as a reason to end a tenancy*
- *new grounds for property owners to end tenancies, including the end of a fixed-term agreement, need to undertake significant repair or renovation, change of use or sale or preparation for sale of the rental property requires vacant possession*
- *new grounds for renters to end tenancies, including the property is not in good repair, or does not comply with the Minimum Housing Standards.*

Renters can continue to end an agreement 'without grounds' and both renters and property owners must provide appropriate notice for the ground (reason) they are using to end the agreement.

Property owners can seek an order from the Queensland Civil and Administrative Tribunal (QCAT) to terminate the tenancy for significant or serious breach of the lease by a tenant.

Renters can apply to QCAT for an order to set a notice to leave aside if they believe it has been issued in retaliation for them enforcing their rights.

Renting with pets

From October 1 2022

Changes making it easier for renters to have a pet include:

- a renter can seek the property owner's permission to keep a pet, and property owners can only refuse a request on identified reasonable grounds, such as keeping the pet would breach laws or by-laws
- the property owner must respond to a request for a pet in writing within 14 days, or consent is implied
- the property owner's consent may be subject to reasonable conditions such as the pet has to be kept outside. A rent increase or a pet bond are not reasonable conditions.

Minimum Housing Standards

From 1 October 2022

Strengthened repair and maintenance obligations will commence from 1 October 2022 to support the staggered introduction of Minimum Housing Standards from 1 September 2023.

Tenants (residential tenancies) will have 7 days to complete and return the entry condition report and tenants and property managers can authorise emergency repairs up to the equivalent of 4 weeks rent.

Minimum Housing Standards will apply to new leases entered into from 1 September 2023 and all tenancies from 1 September 2024.

Renters can have confidence their rental property is safe, secure and functional through prescribed Minimum Housing Standards which require:

- the premises to be weatherproof and structurally sound
- fixtures and fittings to be in good repair and not likely to cause injury to a person
- locks on windows and doors
- the premises to be free of vermin, damp and mould
- privacy coverings
- adequate plumbing and drainage
- functioning kitchen and laundry facilities (where supplied).

Link to whole Amended ACT of Legislation: [Housing Legislation Amendment Act 2021](https://www.legislation.qld.gov.au/view/pdf/asmade/act-2021-019/lh)

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If you'd like to discuss this further, please contact us!

Our Property Management Team would be pleased to hear from you.