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Ind (TM)--Independent (Tania Mihailuk)

LEGISLATIVE COUNCIL

Residential Tenancies Amendment (Domestic Violence Reform) Bill 2025

First print

Proposed amendments

No. 1 **Damage to premises—investigations by Secretary**

Page 6, Schedule 1. Insert after line 5—

[8A] Section 65BA

Insert after section 65B—

**65BA Damage to premises by alleged perpetrator of domestic abuse—
 investigation by Secretary**

- (1) This section applies to damage to residential premises—
 - (a) for which a tenant would have been vicariously responsible under section 54(1) if section 54(1A) were not in force, and
 - (b) for which no tenant is vicariously responsible because of section 54(1A).
- (2) On application in writing by a landlord, the Secretary may cause an investigator to investigate whether a person, other than a tenant—
 - (a) has caused the damage to the residential premises, and
 - (b) has, without reasonable excuse, refused or failed to repair, or satisfactorily repair, the damage.
- (3) The application may be made if—
 - (a) the landlord has given written notice to the person to repair the damage, and
 - (b) the notice contains particulars of the damage, and
 - (c) the person has, without reasonable excuse, refused or failed to repair, or satisfactorily repair, the damage, and
 - (d) the application is accompanied by the fee, if any, prescribed by the regulations.
- (4) The Secretary may give a written order to the person requiring the person to take the steps specified in the order to ensure the repairs specified in the order are carried out, rectified or completed.
- (5) The order may be given if the investigation is completed and the Secretary is satisfied the person—
 - (a) has caused the damage to the residential premises, and

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- (b) has, without reasonable excuse, refused or failed to repair, or satisfactorily repair, the damage.
 - (6) Sections 65B(5)–(8) and 65D and Part 9 apply to an order under this section as if—
 - (a) the order were a tenant rectification order, and
 - (b) the person subject to the order were a tenant.

No. 2 **Domestic Abuse Assistance Fund**

Page 15, Schedule 1. Insert after line 13—

[22A] Section 226A

Insert after section 226—

226A Domestic Abuse Assistance Fund

Parliament recommends that a Domestic Abuse Assistance Fund should be established under this Act and adequately funded—

- (a) to financially assist tenants who are victims of domestic abuse—
 - (i) to obtain alternative residential premises, including by assisting with a rental bond, and
 - (ii) to relocate to the premises, and
- (b) to financially assist landlords for losses from damage caused to residential premises because of domestic abuse.