

**Submission
No 5**

RESIDENTIAL TENANCIES AMENDMENT (PROHIBITING NO GROUNDS EVICTIONS) BILL 2024

Organisation: Women's Community Shelters

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Residential Tenancies Amendment (Prohibiting No Grounds Evictions) Bill 2024

Women's Community Shelters has been invited to submit to the NSW parliamentary inquiry on the Residential Tenancies Amendment (Prohibiting No Grounds Evictions) Bill 2024.

The Select Committee is inquiring and seeking public input into:

- a) The provisions of the Bill with particular reference to:
 - I. The grounds for which an eviction is reasonable.
 - II. The appropriateness of evidence requirements to support reasonable grounds or a penalty scheme for those who falsely claim a reasonable ground; and
 - III. Any unintended consequences, including on housing affordability and availability, for renters and owners.
- b) A jurisdictional comparison of no grounds evictions policies.

This submission will address the impact on clients and staff within our shelter network.

Women's Community Shelters strives to collaborate with government and community to create a more equitable and compassionate housing system. Our vision is a world free from family and domestic violence and homelessness, and we help women and children flee unsafe situations and aim to exit them into safe, secure and permanent housing. We are concerned with the issue of no-grounds evictions and the detrimental effects they have on shelter clients (women and children) as well as staff supporting these very vulnerable clients.

Under current laws in NSW, a landlord can evict a tenant without grounds with just 30 days' notice at the end of their fixed-term lease, or with just 90 days' notice during an on-going lease. Situations where tenants can be asked to leave without any specific reason pose a significant threat to the stability and security of many vulnerable individuals, particularly women and children who rely on community housing providers and social/affordable housing for safety and support.

No-grounds evictions impact Women's Community Shelters' clients:

No-grounds evictions can lead to an increase in homelessness, or fear of homelessness, as has been demonstrated from several reports across the state¹. Women who are evicted without cause often struggle to find alternative accommodation, especially if they are dealing with other challenges such as domestic and family violence, financial instability, or mental health issues. This can lead to an increased demand for refuges or temporary accommodation, which are already stretched thin in terms of resources and capacity.

The fear of eviction can discourage women from reporting issues or requesting necessary repairs in their rental properties. This can lead to substandard living conditions, negatively affecting their physical health and emotional wellbeing.

¹ Tenants' Union of NSW Survey Report, "A constant worry: Renters confront the impact of unfair evictions" April 2024

The lack of housing stability caused by no-grounds evictions can have long-term effects on women's ability to secure employment, maintain social connections, and access essential services such as healthcare and education. Women and children can be forced to move away from their established community, support network and existing employment.

The housing crisis currently impacting NSW has a significant impact on renters. Now more than ever, women and children need a safe and stable home to help break the cycle of abuse and trauma.

As a specialist homelessness service working in the domestic and family violence space, our shelters are not required to capture data regarding reasons that women and children require shelter services, other than for the reason that they experience family and domestic violence. In other words, the primary reason our clients will be exiting the home is because of domestic and family violence. However, anecdotally, we know that shelter clients (and staff) have been affected by no-grounds evictions. In fact, some of our shelter managers have entered into the NSW Department of Communities and Justice Client Information Management System that some of our clients (13% in 2023 and 9% so far in 2024) have presented to shelter due to 'housing crisis (e.g. eviction).

Older women especially are impacted by homelessness, growing by almost 40% between 2011 and 2021². The impacts of no-grounds evictions will therefore affect many women, many of which are in the over 55's cohort.

Women's Community Shelters supports the reform of Sections 84 and 85 of the Residential Tenancies Act, which should be removed and replaced with justifiable reasons to evict tenants from their homes, with those reasons being: The landlord or a member of their immediate family wants to move into the premises for a reasonable length of time, 2. The premises are to be extensively repaired and/or renovated such that the agreement cannot reasonably continue, 3. The property is to be put to a different use.³

Giving tenants adequate reasons for evictions supports wellbeing, safety and stability for women and children in NSW.

No-grounds evictions impact the Women's Community Shelters' workforce:

While no-grounds evictions are no doubt detrimental to shelter client welfare, one cannot ignore the impact that they may have on the workforce.

Women's Community Shelters relies heavily on skilled workers to support women and children fleeing domestic and family violence, and recruitment and retainment of staff has been challenging as the educated and experienced workforce is currently experiencing a shortfall. Many of the long-term child and youth workers and case support workers employed by our shelter network rely heavily on having their place of work located within a reasonable distance

² Australia Institute of Health and Welfare, 'Specialist homelessness services annual report 2022-23', February 2023

³ Tenants' Union of NSW, Ending 'no-grounds' evictions in NSW, briefing on reform required", April 2023: <https://files.tenants.org.au/policy/230413-Ending-no-grounds-evictions-TUNSW-briefing-reforms-required.pdf>

to their homes. Further, workers in the social care sector are not considered 'essential' workers, as such, they may be more exposed to issues surrounding no-grounds evictions and have less opportunity for social and affordable housing.

Workers experiencing rental insecurity are faced with difficult choices to make about employment, amongst many other challenges. Workers who are evicted from their homes need to spend time and money to locate other habitable accommodation, and include unforeseen moving costs, and this creates pressure for them in their workplace.

Beyond the financial costs, several reports have documented the anxiety and health impacts of eviction, as well as the increased risk of homelessness.⁴ Emotional stress can affect focus and productivity at work. WCS provides a flexible work environment, however support workers often need to be on-site to carry out their work duties, which is difficult if they experience housing instability. Women's Community Shelters is dedicated to the wellbeing of staff and clients, housing instability makes this more challenging.

In light of these concerns, WCS urges the NSW government to consider the impact of no-grounds evictions on women and children affected by domestic and family violence and homelessness, and to advocate for stronger tenant protections. Stable housing is a fundamental human right and a crucial foundation for individual wellbeing and community health.

Furthermore, several jurisdictions have fully or partially banned no-grounds evictions, including Victoria, Queensland, ACT and South Australia. The UK, Scotland and New Zealand have banned no-grounds evictions for several years.⁵ NSW government has an opportunity to align with other states and countries for this very important reform.

WCS would welcome the opportunity to appear as a witness or to further support the Committee with its inquiry. We believe WCS can offer a unique perspective, based on our diverse experience in delivery of both crisis and meanwhile use projects to support women with children and mature single women experiencing homelessness or DFV.

Thank you for the opportunity to provide a submission to the committee on this matter.

⁴ Tenants' Union of New South Wales, Special Report "Eviction, Hardship and the Housing Crisis" February 2022: <https://files.tenants.org.au/policy/2022-Eviction-Hardship-and-the-Housing-Crisis-TUNSW.pdf>

⁵ Parliament of New South Wales, Parliamentary Research Service, "Residential tenancy law reforms: no grounds evictions", June 2024: <https://www.parliament.nsw.gov.au/researchpapers/Documents/Residential%20tenancy%20law%20refor%20ms%20no%20grounds%20evictions.pdf>