

**Submission
No 43**

**RESIDENTIAL TENANCIES AMENDMENT (PROHIBITING NO GROUNDS
EVICTIONS) BILL 2024**

Organisation: Domestic Violence NSW

Date Received: 24 June 2024

24 June 2024

Dear members of the Select Committee on the Residential Tenancies Amendment (Prohibiting No Grounds Evictions) Bill 2024,

**Re: Tenancies Amendment (Prohibiting No Grounds Evictions) Bill 2024
Endorsement of Tenant's Union NSW submission**

I am writing on behalf of Domestic Violence NSW (DVNSW) and the more than 180 specialist domestic and family violence (DFV) services we represent across NSW.

The proposed reforms to end 'no grounds' evictions seek to ensure that tenancy agreements can only be terminated for valid and contestable reasons – strengthening renter's confidence and protections to assert their rights. The Bill parallels the intentions of the NSW Government's proposed reforms to eviction provisions, which were discussed through the Improving NSW Rental Laws consultation in the second half of 2023.

The private rental crisis has reached a critical level and the number of people likely to rent through their lifespan, is increasing. For victim- survivors of DFV, the lack of affordable and accessible rental properties forces a choice between homelessness or remaining with a violent perpetrator. With a lack of crisis and transitional housing, victim-survivors who leave a violent home are living in unsafe and unsuitable dwellings such as cars, couches or tents. Victim-survivors who find a rental property do not have a secure tenancy and experience significant costs associated with no-grounds evictions, and disruption to education, employment, access to services vital for recovery and wellbeing. and the risk of again being homeless. The proposed reforms assist victim-survivors escaping violence, including dependent children, to maintain long-term, sustainable tenancies, prevent unreasonable evictions and improve their safety and wellbeing.

Domestic Violence NSW endorse the submission from Tenants Union NSW to Select Committee, including their six key recommendations:

1. **Introduce additional genuine reasons for eviction:** Ensure all evictions require a valid, contestable reason. Introduce new valid grounds to ensure landlords can still end tenancies for these reasons. These grounds should be limited to:
 - Landlord or immediate family moving in
 - Demolition and reconstruction of a property
 - Change of use
2. **End no grounds evictions:** Remove the provisions for eviction for 'no grounds' for all renters, i.e. renters in periodic tenancy agreements and in fixed term tenancy agreements. Specifically remove the termination provisions at section 84 and 85 of the Residential Tenancies Act.
3. **Evidence requirements:** Require landlords to provide documentary evidence for all termination grounds and empower renters to challenge insufficient evidence.
4. **Penalties and compensation:** Introduce a tiered penalty system for false or misleading use of eviction grounds and allow tenants to seek compensation for wrongful evictions.
5. **Temporary bans on re-letting:** Implement temporary bans on re-letting to prevent misuse of eviction grounds.

6. **Tribunal discretion:** Ensure the Tribunal has discretion to decline termination if it deems the eviction unreasonable or disproportionate.

In relation to Recommendation 4, DVNSW further asserts that these penalties must be significant in order to deter landlords from intentional false or misleading use of eviction grounds.

Thank you for considering our letter endorsing Tenants Union NSW's submission. If you have any questions, please contact Elise Phillips, Acting CEO on [REDACTED] or [REDACTED], Policy and Advocacy Officer on [REDACTED].

Yours sincerely,

[REDACTED]

Elise Phillips,
Acting CEO, Domestic Violence NSW.