

**Submission
No 41**

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

Organisation: Women's Legal Service NSW

Date Received: 28 June 2024

28 June 2024

Legislative Assembly Select Committee on the Residential Tenancies Amendment (Prohibiting No Grounds Evictions) Bill 2024

Chair

6 Macquarie St

Sydney NSW 2000

By email: nogroundsevictionsbill@parliament.nsw.gov.au

Dear Chair,

Legislative Assembly Select Committee on the Residential Tenancies Amendment (Prohibiting No Grounds Evictions) Bill 2024

1. Women's Legal Service NSW thanks the Legislative Assembly Select Committee for the opportunity to comment on the *Residential Tenancies Amendment (Prohibiting No Grounds Evictions) Bill 2024* (the Bill). We are overwhelmed by the number of requests to comment on a range of issues and respond briefly to reaffirm our support for the end of 'no grounds' evictions.
2. Women's Legal Service NSW is a specialist accredited women-led community legal centre that aims to achieve access to justice and a just legal system for women in NSW that has been operating for over 40 years. We seek to promote women's human rights, redress inequalities experienced by women and to foster legal and social change through strategic legal services, community development, community legal education and law and policy reform work. We prioritise women who are disadvantaged by their cultural, social and economic circumstances. We provide specialist legal services relating to domestic and family violence, sexual assault, family law, discrimination, victims support, care and protection, human rights and access to justice.
3. We endorse the Tenants' Union of NSW (**TUNSW**) submission.
4. We agree with the TUNSW that the Bill

aims to enhance the security and stability of residential tenancies by eliminating 'no grounds' evictions. Reforms to end 'no grounds' evictions seek to ensure that terminations of tenancy agreements are conducted on genuine and contestable grounds, improving fairness and transparency in the rental market. The Bill's intentions are in this way are closely aligned with those expressed by the NSW Government about their proposed reforms to eviction provisions consulted on through the Improving NSW Rental Laws consultation in the second half of 2023.

5. Ending 'no grounds' evictions will also strengthen protections for renters who are victim-survivors of gender-based violence by providing them with increased housing security which will help them keep themselves and their children safe.



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6. In summary, we support the Tenants' Union of NSW recommendations which we summarise below:
 - 6.1 Prohibiting 'no grounds' evictions for renters on fixed term and periodic tenancy agreements by repealing sections 84 and 85 of the *Residential Tenancies Act*;
 - 6.2 Requiring all evictions to have a genuine, contestable reason by introducing new grounds for evictions which are limited to the landlord or an immediate family moving in, demolition and reconstruction of a property and change of use;
 - 6.3 Requiring landlords to provide documentary evidence for all evictions and empowering renters to challenge insufficient evidence;
 - 6.4 Introducing a tiered penalty system for the false or misleading use of eviction grounds and allowing renters to seek compensation for wrongful evictions;
 - 6.5 Implementing temporary bans on re-letting to prevent the misuse of eviction grounds; and
 - 6.6 Ensuring the NSW Civil and Administrative Tribunal has the discretion to refuse to terminate a tenancy agreement if it deems the eviction unreasonable or disproportionate.

If you would like to discuss any aspect of this submission, please contact [REDACTED], Senior Solicitor, or [REDACTED], Law Reform and Policy Coordinator on [REDACTED].

Yours faithfully,

Women's Legal Service NSW

Philippa Davis
Principal Solicitor