

**Submission  
No 27**

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

**Organisation:** National Association of Renters' Organisation  
**Date Received:** 27 June 2024



26 June 2024

To: The Select Committee on the Residential Tenancies Amendment (Prohibiting No Grounds Evictions) Bill 2024

Dear Committee Members,

I am writing on behalf of the National Association of Renters' Organisations (NARO), a federation of State and Territory based Tenants' Unions and Tenant Advice Services across Australia. Our membership comprises Tenants Queensland, the Tenants' Union of New South Wales, the Tenants' Union of Tasmania, Tenants Victoria, Circle Green Legal Centre WA, and the Darwin Community Legal Service.

We are the country's leading voice representing the interests of people who rent their homes in our respective jurisdictions, and are experts in the application of residential tenancy law. Collectively, we resource, co-ordinate or directly provide advice regarding more than 80,000 tenancy issues each year across Australia.

Many of us were invited to make a submission to the Select Committee for the opportunity to provide a submission to the inquiry. For the Committee's consideration we provide, attached, our comprehensive report, [\*The National Nine: Principles for Strengthening Renters' Rights\*](#). Below we highlight a number of relevant key points.

**Stability and security for people who rent their homes**

Housing stability is crucial for the well-being of individuals and the broader community.

'No-grounds' (also known as no reason evictions in other Australian jurisdictions) generate significant instability, adversely affecting renters' mental health, financial stability, and social networks. The stress and financial burden of moving, already one of life's most challenging events, are compounded when the move is forced, leading to broader social and economic repercussions for individuals and the wider community. The true cost of eviction is profound and long-lasting.

The implications for renters of the existence of no-cause evictions in relation to asserting their rights have been well documented over the past fifty years. In 1976, the Commission of Inquiry into Poverty recommended that landlords should not be permitted to end tenancies in retaliation against tenants who seek to enforce their legal rights: "Any other stance would render many

substantive reforms worthless, as tenants are unlikely to insist on their legal entitlements if the price is eviction".<sup>1</sup>

The most significant impact of no-cause provisions is often invisible rather than explicit. A landlord may never serve a no-cause notice but the mere existence of such provisions creates a chilling effect on renters asserting their rights. This invisible power imbalance keeps tenants from raising issues at all.

### **The Problem with "End of Fixed Term" Provisions**

Additionally we highlight that terminations because of or at the end of a fixed-term lease without a valid reason are 'no grounds' or no reason evictions and, as with 'no grounds' eviction during a periodic tenancy, offer landlords' a perfect opportunity for retaliation. Tenants' Queensland has demonstrated that where 'end of fixed term' provisions remain as part of renting laws they continue to undermine renting households' security and stability and deter them from enforcing their rights for fear of eviction at the end of their fixed-term agreement. The power imbalance persists. There is no fair justification for terminating merely because a fixed-term agreement has ended. Fair and legitimate grounds must exist and be contestable.

### **Good reform can be achieved**

Evidence from the ACT, where just cause terminations have been successfully implemented, shows that increased tenant security can be achieved without prompting a mass exodus of landlords. Recent AHURI research, looking at the impact on supply following reforms in Victoria and NSW, has similarly demonstrated tenancy law reform has little to no impact on supply in the private rental sector.<sup>2</sup> The ACT's experience, along with similar reforms in track in the UK and in New Zealand, demonstrates that tenancy law reform aimed at eliminating no-cause evictions is both necessary and feasible.

### **Addressing Hardship**

To address the financial hardship that often accompanies forced moves, we propose that landlords cover the moving costs where the landlord initiates the end of a tenancy (eviction) and the renter is not at fault (no breach has occurred). This measure would alleviate some of the financial burdens and stress associated with unplanned relocations.

### **Conclusion**

Removing no-grounds termination provisions and ensuring evictions are based on fair and legitimate grounds is essential for enhancing the stability and security of renting households. This change is both necessary and achievable.

---

<sup>1</sup> Australia. Commission of Inquiry into Poverty and Sackville, Ronald. *Law and poverty in Australia* Canberra: Govt. Printer, 1976. Web. 28 July 2023 <http://nla.gov.au/nla.obj-1928657120>, accessed 24 June 2024, p80

<sup>2</sup> AHURI (2022) *Improving tenancy laws hasn't stopped rental investment*, <https://www.ahuri.edu.au/analysis/news/improving-tenancy-laws-hasnt-stopped-rental-investment>, accessed 24 June 2024

**Appendix:**

The 2023 NARO Report, "The National Nine: Principles for Strengthening Renters' Rights," is provided as an appendix to this submission. The points highlighted above are drawn from this comprehensive report.

Thank you for considering our submission.

Sincerely,



Penny Carr, Convenor  
National Association of Renters' Organisations (NARO)  
CEO, Tenants Queensland

Endorsed by,  
Jennifer Beveridge, CEO, Tenants Victoria  
Ben Bartl, Principal Solicitor, Tenants' Union of Tasmania  
Alice Pennycott, Principal Lawyer - Tenancy, Circle Green Community Legal Centre  
Melisa Coveney, Principal Solicitor, Darwin Community Legal Service  
Leo Patterson Ross, CEO, Tenants' Union of NSW

Attachment

[National Nine - Principles for Strengthening Renters' Rights, National Association of Renters' Organisations](#)