

FACT SHEET

Residential Tenancy Amendment Bill 2015

The *Residential Tenancy Amendment Act 2013* was passed by the previous Parliament late in 2013. This Amendment Act contained a range of reforms including the changes to notice periods, the creation of special rules for social housing and the expansion of the role of the Residential Tenancy Commissioner.

This Amendment Act was to commence on proclamation, which did not occur prior to the calling of a State election. It therefore fell to the current government to proclaim this legislation.

Following further consultation with various stakeholders, the State Government determined that, although the Act as a whole provided a range of beneficial reforms to the *Residential Tenancy Act 1997*, there were several provisions that brought an unnecessary burden onto property owners. The Minimum Standards section and the provision relating to the display of photographs were excluded from the proclamation of the Act on 1 October 2014 pending minor amendment.

The *Residential Tenancy Amendment Act 2015* seeks to restore a better balance between the rights of property owners and tenants by two changes.

Firstly, the minimum standard relating to cooking elements has been amended to require a premise with three or more bedrooms to have at least three cooking elements, and all smaller premises to have at least two cooking elements.

Secondly, the restriction on the publication of photographs of a tenanted property has been limited to applying to photos, film or video recordings that identify the tenant or another person. The provision thereby protects the privacy and security of the tenant while not placing too great a restriction on the owner's ability to sell or let the property.

The Bill also contains provisions remedying several earlier drafting oversights. Section 39 has been amended following a drafting oversight in the 2013 Bill which inadvertently affected a tenant's ability to issue a notice of termination.

The provision in the 2013 Amendment Act relating to the installation of locks following a family violence order has been widened to include Police Family Violence orders.