1. This submission proposes the introduction of a Bill which addresses issues identified during extensive reviews of Queensland’s two rental laws – *the Residential Tenancies Act 1994* (Tenancies Act) and the *Residential Services (Accommodation) Act 2002* (Accommodation Act). The Tenancies Act regulates accommodation such as rented houses, flats and moveable dwellings which are self-contained and where the tenant has exclusive possession. The Accommodation Act regulates rooming-style accommodation.
2. The submission proposes to consolidate the legislation into one Act. There will be no change in the current framework of rights and responsibilities of owners and tenants or residents in each sector. The remainder of the changes generally strengthen protections for tenants, but in consideration of the impacts on lessors and providers.
3. There will be minor changes to some Accommodation Act provisions to align them with the Tenancies Act provisions for consistency. A further change is the introduction of penalties for breaches of new provisions where appropriate. There have also been minor wording changes to clarify ambiguity, including removing the requirement for the tenant to occupy the premises as an indication for the tenancy to continue and requiring lessors or agents to give a copy of any relevant body corporate by-laws to a tenant, rather than just inform the tenant.
4. New provisions for mortgagees in possession take into consideration other legislation which gives mortgagees (such as a bank or financial institution) the right to possession and formalises the processes to terminate the tenant’s occupation and clarifies the tenant’s obligations within that framework (such as to whom the tenant must pay rent, and any liabilities the tenant has to the former owner).
5. A new provision has been developed to ensure the Department of Housing’s new product “tenancy guarantees” was not caught by maximum bond limits.
6. Cabinet approved that the Residential Tenancies and Rooming Accommodation Bill 2008 be introduced into the Legislative Assembly.
7. *Attachments*
* [Residential Tenancies and Rooming Accommodation Bill 2008](attachments/Residential%20Tenancies%20and%20Rooming%20Accommodation%20Bill.pdf)
* [Explanatory Notes](attachments/Residential%20Tenancies%20and%20Rooming%20Accommodation%20Bill%20EXPNOTES.pdf)
* [Public Benefit Test](attachments/PBT%20RTRA%20Bill.pdf)