



STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

Mr Peter Cain MLA (Chair), Dr Marisa Paterson MLA (Deputy Chair), Mr Andrew Braddock MLA

Inquiry into Annual and Financial Reports 2020-2021
ANSWER TO QUESTION TAKEN ON NOTICE
23 February 2022

Asked by Mr Andrew Braddock MLA on 23 February 2022: Mr Brett Monger took on notice the following question(s):

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In relation to:

MR BRADDOCK: I am interested in the Tenancy Advisory Services. What are the key issues that are arising when people contact that service; what are the volumes of inquiries, not just for the last financial year, but also how it is looking going into the 21/22 year; and what measures could help prevent those issues arising in the first place? If you could please take those on notice, Mr Monger.

Mr Monger: Yes. Mr Braddock, I can tell you some of the numbers that we have got. The TAS calls for the period from 1 March to 30 June last year was 1,231. The number of TAS calls in 2020/21—or tenancy advice service calls—was 4,100. And right at the moment we are tracking at 2,500 calls for the current year, which equates to roughly 4,000 calls this year. But I will take the substance of the calls and issues on notice.

Dr John Boersig, Chief Executive Officer, Legal Aid Commission (ACT):

The answer to the Member's question is as follows:—

Legal Aid ACT's Tenancy Advice Service (TAS) assists tenants with every kind of legal issue arising at the beginning, during or at the end of their tenancy agreements. Current key issues are rental arrears, bond disputes and evictions.

There are several measures that could help prevent these issues arising:

- The creation of a register for leases similar to the one that the state of Victoria has implemented. The register would discourage landlords from engaging in unlawful practices and make them more accountable when they do engage in such practices.
- Enforcing penalties prescribed by legislation. Section 23 of the *Residential Tenancy Act 1997* requires lessors, or their agents, to deposit the bond received. The section provides that the lessor or their agent who does not deposit the bond commits an offence punishable with 20 penalty units. The enforcement of this section through the establishment of a regulatory enforcement body would certainly discourage landlords and real estate agents from unlawfully retaining their tenants' bond without depositing it with the Territory.
- Better landlord and real estate agents' education. Disputes often arise due to landlords and real estate agents being ignorant as to the rights of their tenants under legislation. Further education could reduce these scenarios.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature: 

Date: 9/3/22

By the Chief Executive Officer, Legal Aid Commission, Dr John Boersig