Property Owner's Association of NSW Inc.
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POA SUBMISSION ON RENTAL REFORMS CONSULTATION – 27 JANUARY 2026

Trina Jones
NSW Rental Commissioner
NSW Fair Trading
Level 5, McKell Building
2-24 Rawson Place,
Sydney, 2000

Hello Trina,

I would just like to reinforce some of the comments that I made it at your presentation regarding the proposed changes.

As I mentioned during the presentation many items included in the proposed bill are already legislated in other domains. This includes the requirement for installation and annual maintenance smoke alarms and many other aspects of fire safety. Similarly earth leakage protection [RCDs] on switchboards Is a mandatory requirement. Also, regarding security and deadlocks these have been requirements of the insurance industry for many years. Deadlocks have been banned due to fire safety measures allowing occupants to evacuate in a rush. Structural integrity of residential premises is covered under the auspices of the BCA. Energy efficiency of residential premises is stipulated in the Basix Requirements when lodging a DA For proposed developments.

There does not seem to be any benefit in repeating/duplicating legislation of which the same is already covered in other legislation.

The requirement for habitable premises is agreed however definitions of what is reasonably clean can vary throughout the community and needs to be carefully defined. This is one of the most litigious areas of rental management and cause of disputes leading to petty arguments between tenancy stakeholders that end up at NCAT because the word "reasonable" is used so much in legislation.

The proposal to increase urgent repairs undertaken by tenants to $2500.00 seems excessive. Why is this figure necessary? and how and why was the figure

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proposed quantifiable? A figure of $1500.00 would cover most types of repairs that could be considered urgent. As I mentioned urgent repairs needs to be clearly defined. There is no reason why landlords and agents cannot organise urgent repairs since they would have trades people they regularly utilize and engage frequently who would probably be familiar with the premise.

There have been numerous occasions when tenants have called out electricians due to no electricity supply, and it has subsequently become known there's a power outage has affected many premises and the electrician called out cannot do anything about it.

I also mentioned that in my extended strata buildings affairs, toilet blockages especially in high rise residential buildings are often due to blockages in the sewer stack piping [which corrodes internally] which is a common property issue and requires Owner's Corporation resolution. This is well beyond the scope a plumber urgently requested to investigate. Secondly it also needs to be defined, should it be the tenant's fault for a blockage (happens all the time) that they need to pay for the call out charges and take responsibility. Eg we have had many instances where kids' toys, sanitary objects and even food scraps have been flushed down the toilet found by CCTV scanning the sewer lines.

The dollar amounts outlined in your proposed penalties in some cases seem excessive. I would be most interested in seeing some statistics, broken down by the nature of the contraventions, on the number of cases where landlords or their agents have contravened what most would consider normal requirements. Though we can see vast amounts of penalties being imposed on landlords, where is the counterbalance of this legislation with no penalties or fines being imposed on tenants for any breaches, neglect or damages caused?

The investor owners of property generally want to keep their properties in very good condition to be able to attract good tenants and command a reasonable rent.

This unnecessary over governance of the tenancy Act and heavy penalising of accommodation providers takes away the desire in investing in residential property, will lead to decrease in rental stock as so already occurring in states like Victoria who also over legislated leading to a mass sell off of investment property. Latest statistics on bond lodgements has seen a reduction of -4% in last QTR and this trend will continue. Such a decline in rental stock would have an

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adverse effect for tenants with further rising rents leading to a worsening cost of living in times where we need some financial relief.

Overall, there is an imbalanced review of this tenancy legislation. There is nothing in it for the accommodation providers, nothing positive about it that makes property purchasing any easier, all we can see from this is an increased scope to penalise and fine those who supply accommodation. Seems Government is out to revenue raise not fix a housing problem. This legislation and ongoing tweaking of it is not solving the big problem of lack of supply and affordability, in fact its doing the reverse and hurting the renters of NSW who are going to be hit hard financially. A very disappointing approach.

Please keep POANSW informed of future proposals and changes to the any property related legislation.

Thanking you,

Simon Ruben & John Gilmovich
Strata & tenancy experts – The Property Owner's Association of NSW