

Modernising the Residential Tenancy Act 1997 Discussion Paper

City of Hobart Submission

June 2026

Introduction

This submission is provided to assist the Consumer Building and Occupational Services (CBOS) with the review of the *Residential Tenancy Act 1997* (the Act).

The City of Hobart (the City) welcomes the opportunity to provide a submission on the *Modernising the Residential Tenancy Act 1997* Discussion Paper. The City recognises the Act as a critical component of Tasmania's housing system, governing the relationship between tenants and property owners and influencing housing availability, affordability and quality.

The City's role in the rental regulation matters addressed by the *Residential Tenancy Act 1997* and this Discussion Paper is primarily indirect and complementary, through local planning, building, public health, community wellbeing and place-based housing responsibilities rather than direct regulation of tenancy relationships.

Given this remit, the City's submission is provided at a high-level, focusing on broad system outcomes rather than detailed positions on specific regulatory settings.

Hobart continues to experience significant housing affordability pressures, low vacancy rates, and increasing demand for diverse housing types. The City therefore strongly supports reform that:

- Improves housing security and outcomes for tenants
- Maintains confidence for property owners and investors
- Supports an increase in the quality and diversity of housing supply and tenure options
- Aligns with broader housing and planning objectives

Council supports the Government's stated objective of achieving a balanced, fair and sustainable tenancy framework that avoids unintended impacts on rental supply.

Key principles the City considers essential:

- The system should provide clarity certainty for both tenants and property owners
- Reforms must be evidence based in their rationale for reform that would likely lead to a substantial reduction in rental supply or creation of a deterrent to investment
- Regulatory changes should be proportionate, clear and enforceable
- The success of progress of phased in transitions should consider the impact of reform across the whole housing system, not just the rental sector (e.g. housing register demand and the rates and household composition of home ownership)
- Reforms should be aligned with National Cabinet commitments and broader housing policy
- Rental Tenancy Act reforms should be considered alongside other relevant reform processes, including changes to the development standards and uses within the Tasmanian Planning Scheme and the Commonwealth Government's proposed changes to investment property taxation and the NDIS.
- Achieving improved tenant protections and housing outcomes will require a combined approach across tenancy law, planning system reform and housing supply initiatives.

The City supports reforms that:

- Strengthen tenant protections through clear, fair and workable rules, while providing enough certainty to maintain investor confidence and protect long-term rental supply.
- Support bond portability in principle to reduce upfront costs and improve mobility for renters. Portable bond systems, now being adopted in New South Wales, Victoria and South Australia, allow tenants to transfer their bond between properties instead of paying a second bond while awaiting a refund. In tight rental markets, this can reduce a significant barrier to moving into more suitable or affordable housing. Challenges include administration, dispute handling when properties overlap, and ensuring owners are protected from legitimate claims. These can be managed through clear digital processes, time limits, and dispute safeguards.
- The City supports minor, low-cost consumables repair and maintenance responsibilities for tenants, but core maintenance of the building and essential services should remain the owner's responsibility.
- The City supports reforms that improve outcomes for:
 - people experiencing family and domestic violence
 - tenants with disability
 - households at risk of homelessness

The City encourages the Government to consider:

- Evidence and precedents that provide a holistic picture of the impacts of current legislation and potential reform on the broader housing system, tenant participation and the economic impact of affordable, safe and secure rental accommodation on local prosperity.
- Evidence examples or practical experience should include, but is not limited to:
 - Housing supply and rental availability in Greater Hobart, including trends in investor participation, rental vacancy and re-letting times.
 - Short stay accommodation conversion impacts, including evidence of dwellings diverted from long-term rental, and any displacement effects and neighbourhood impacts.
 - Older housing stock condition and retrofit feasibility, including typical upgrade costs and practical constraints in heritage and older buildings (e.g., insulation, heating upgrades, window safety constraints).
 - Housing churn and stability indicators (e.g., frequency of moves, lease non-renewals, involuntary moves) and the knock-on effects for community wellbeing, workforce retention, and demand for support services.
 - Crisis accommodation turn-away figures, duration and pathway issues, noting extended stays in crisis accommodation are increasingly common and should be reflected in the regulatory settings.
 - The capacity of the regulatory system, including the Tasmanian Civil and Administrative Tribunal and the Residential Tenancy Commissioner, to implement actions for the proposed settings in a timely and consistent manner.
 - Interstate precedents including policy settings, staged adoption approaches, incentives and other support and guidance provided to landlords and tenants.

The City recommends:

- The City recommends standardisation of forms where possible with clearly defined permitted fields and supporting guidance, for tenants and owners, alongside flexibility for genuinely necessary supplementary information that is tightly constrained and justified.
- That any reforms be stress-tested for supply impacts and phased with appropriate transition periods and practical pathways for compliance.

The City supports the Government's initiative to modernise the *Residential Tenancy Act 1997* and recognises its importance in shaping housing outcomes across Tasmania.

Council encourages a balanced, evidence-based and carefully staged reform program that:

- improves tenant protections
- maintains rental supply and investment confidence
- supports housing quality and diversity
- aligns with broader housing system objectives

The City looks forward to continuing to work collaboratively with the State Government on housing and planning reforms.