

RESIDENTIAL TENANCIES AMENDMENT BILL 2015

Introduction and First Reading

Bill introduced, on motion by **Mr P.T. Miles (Parliamentary Secretary)**, and read a first time.

Explanatory memorandum presented by the parliamentary secretary.

Second Reading

MR P.T. MILES (Wanneroo — Parliamentary Secretary) [12.11 pm]: I move —

That the bill be now read a second time.

This bill will amend the Residential Tenancies Act 1987 to simplify notification processes for lessors prior to inspecting residential premises and provide more options for lessors when contacting tenants about the storage of abandoned goods left behind after the tenant has vacated the property. Amendments will relieve administrative burdens on government by increasing the range of options for serving documents and transitioning prescribed forms to forms approved by the Commissioner for Consumer Protection.

The bill accords with the government's plan to reinvigorate regulatory reform, and complements the Licensing Provisions Amendment Bill 2015, the Disposal of Uncollected Goods Amendment Bill 2015 and the Obsolete Legislation Repeal Bill 2015. Together, the four bills demonstrate the government's ongoing commitment to reduce unnecessary regulation and ensure that legislation in force remains efficient and effective.

The Residential Tenancies Act 1987 regulates the relationship between lessors and tenants under residential tenancy agreements. This bill introduces four important amendments to the act, improving outcomes for both lessors and tenants. Firstly, the bill will simplify the notification process when a lessor wishes to enter a property. Most entries occur for the purpose of inspecting the property or for showing the property to prospective tenants or purchasers. The requirement to negotiate a time prior to issuing a notice of proposed entry is costly for property managers as they often have to make repeated efforts to contact a tenant to negotiate a suitable time. This makes it difficult for property managers to organise their activities in an efficient manner. The bill resolves this by allowing a property manager or lessor to notify a time by sending a notice to the tenant in an approved form and encouraging negotiation between lessors and tenants if the proposed time is unsuitable. This is expected to increase efficiency and reduce costs for property managers and lessors.

Secondly, the bill will provide an increased range of options for lessors to contact a former tenant about abandoned goods. Currently, when a lessor has to store a tenant's goods that have been left at the premises after the tenant has vacated, the lessor must send a notice to the tenant's forwarding address and place a notice in a newspaper circulating throughout the state. This can be a costly exercise, and is largely an ineffective way of notifying former tenants as fewer and fewer people refer to newspapers for this type of information. The amendment will allow for other more effective means of notifying former tenants such as sending a notice electronically or posting on a website. Other methods will also be provided for in the regulations. This amendment is expected to result in more tenants actually receiving notice about the storage of their goods and how to retrieve them, as well as reducing advertising costs for property managers and lessors.

Thirdly, the bill provides an increased range of options for parties to a residential tenancy dispute to serve documents on other parties, especially to serve notices on persons whose address is unknown. This means more people—in particular, tenants—will receive direct notification of proposed proceedings in the court and other important notices under the act. Currently, when a person's address for service of notices is unknown, the Residential Tenancies Act 1987 requires that a notice be published in a daily newspaper circulating throughout the state. The Magistrates Court spends time and money publishing notices about pending court applications in newspapers, as do many lessors and property managers. This is an outdated means of notification and it is unlikely that many people read the newspaper to check for such notices. The bill provides for regulations to prescribe options in addition to advertising in a newspaper, such as placing a notice on a website. This proposed amendment will save the courts an estimated \$165 000 a year. Lessors and property managers will also benefit from savings in this area.

Lastly, the bill will transition the requirement of using prescribed forms to having some forms approved by the commissioner. Routine forms will be improved by this change, such as a notice to former tenants about disposal of goods and a notice of intention to dispute an application for the disposal of bond money. This will save government time and alleviate administrative burden by reducing the workload currently placed on the Parliamentary Counsel's Office and the Executive Council when a change is required to a form. Together, these amendments will benefit tenants, lessors and property managers, as well as government.

The bill is another example of the government's commitment to reducing red tape and making life easier for the community and business, as well as reducing costs and saving time within government. Apart from the initiatives

contained in this bill, the Department of Commerce has been a leader in implementing such efficiencies. Some of the key achievements over the past several years, which I would like to note, include the incremental reform of retail trading hours in Western Australia, which has been a key policy reform area for the government. Reforms over recent years have greatly benefitted the community and the economy through the introduction of extended weeknight and Sunday trading for general retail shops and relaxing ownership rules and staff numbers in small shops, delivering greater choice, flexibility, fairness and competition for Western Australian consumers and retailers. Other key achievements include reducing the regulatory burden and costs on occupations, with the removal of licensing requirements for hairdressers and travel agent businesses, and making changes to a number of acts within the consumer protection portfolio to reduce business costs and the administrative burden on motor vehicle sales and repairer businesses, fuel wholesalers, employment agents, land valuers, real estate agents and settlement agents, by dispensing with requirements for certain notifications and confirmation of local government approvals to be provided when applying for a business licence. Motor vehicle dealers and repairers have also benefitted from the Department of Commerce undertaking credit history checks for licence applications and renewals.

Also in consumer protection, the BondsOnline system was implemented in August this year to enable property managers and tenants to transact with the bond administrator online in real-time. The system greatly reduces the amount of time and effort, and therefore costs, associated with the deposit and disposal of tenant security bonds.

In January this year, the Building Commission introduced a restricted permit system for certain types of plumbing work—for example, the changeover of a hot-water system to be undertaken by qualified electricians, saving licensing costs and providing consumers with more choice in selecting a tradesperson to undertake this type of work. In May this year, the requirements for drainage plumbing inspections were made more flexible due to new camera technology, which allows an inspection to be made after installation, instead of plumbers having to wait for an inspection before being able to complete works.

I commend the bill to the house.

Debate adjourned, on motion by **Mr D.A. Templeman**.