

HOUSING JUSTICE: FAIRER TENANCY LAWS

Recommendation: The next NSW Government should protect renters by replacing no-grounds evictions provisions in tenancy law with 'reasonable grounds' evictions.

THE ISSUE

Unfair tenancy laws are failing to provide adequate protection for renters to have stable and healthy places to call home at a price they can afford. Many landlords are evicting renters who can't afford higher rents by exploiting 'no grounds' termination provisions in NSW tenancy laws.

Under sections 84 and 85 of the [NSW Residential Tenancies Act 2010](#) a tenant can be forced out of their home without being given a reason. This means renters can, and do, get evicted for asking for basic repairs or questioning a steep increase in the rent. This power imbalance means that people do not request their legal right to live in a safe, well maintained home environment.

The power and ability of landlords to evict tenants for 'no reason' lacks transparency and, even if not exercised, undermines the rights of renters to maintain a stable home. This hurts vulnerable people and those on the lowest incomes the most. But it does not have to be this way.

THE SOLUTION

NSW rental laws must be changed to provide greater protection and security to renters in our state. Removing the 'no grounds' evictions provisions in NSW tenancy law and replacing them with 'reasonable grounds' would mean that renters can have greater security and live without fear of being unfairly forced from their home. This must include removing provisions that allow an eviction simply because a 'fixed term' agreement has come to its end.

This change would not stop landlords from terminating a rental agreement when there is a genuine reason to do so, such as when a tenant fails to pay rent or to look after a property, or when a landlord sells or moves into a property. What constitutes 'reasonable grounds' should be determined through community consultation.

Several other Australian jurisdictions, including Victoria and Queensland, have recently updated their tenancy laws to remove no grounds evictions. Landlords must now provide a valid reason, such as returning to live in the property, for asking a tenant to vacate a property during a lease.

As part of its election campaign, NSW Labor has committed to introduce changes to no-grounds evictions laws and replacing them with a requirement for landlords to provide reasonable grounds for ending a lease.

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>30%



of households - around 2 million people - rent their homes in NSW.¹

Between 20% and 30% of renters in NSW move because the landlord has terminated the lease agreement.²

Eviction costs the average renter more than \$4,000.³

Read our full NSW 2023 Election Statement and recommendations at: <https://bit.ly/VinniesHousingJustice>

¹ *We Need To Make Renting Fair In NSW*, Make renting fair, <https://rentingfair.org.au/>

² Tenants' Union of NSW (2022) *Eviction, Hardship, and the Housing Crisis*, Sydney.

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