



Minister for Fair Trading  
Minister for Citizenship  
Minister Assisting the Premier on the Arts

**Virginia Judge MP**

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4 November 2009

## **MINISTER LAUNCHES PUBLIC CONSULTATION ON TENANCY LAW REFORMS**

Minister for Fair Trading, Virginia Judge today released for public consultation the most significant reform package to NSW residential tenancy laws in the last 20 years.

Ms Judge said the draft *Residential Tenancies Bill 2009* has been updated to reflect two decades of growth within the property and tenancy markets.

“There are more than 644,000 individual leases in the private rental market in NSW, currently regulated by laws that date back to the 1970s and 80s,” Ms Judge said.

“The Government is determined to get the balance right between the interests of tenants and landlords.

“As well as modernising the legislation, the reform package is designed to build a framework for the future which better protects tenants and offers landlords greater certainty.”

Ms Judge said the draft Bill was the result of a comprehensive review of the tenancy law.

“I am keen to have an ongoing conversation with all members of the community on the proposed initiatives,” she said.

“Fair Trading has developed a new feedback channel on its website, so comments can be lodged by any stakeholder, landlord or tenant on the sections of the Bill that interest them most.

“There is also a plain English fact sheet and guide to sections of the Bill, which contains more than 100 amendments, making it easier to navigate.

“I encourage anyone with an interest in residential tenancy laws to have their say, including Mum and Dad investors, tenants and people thinking of entering the investment property market.”

Key proposals include:

- **Increasing** the notice period for ‘no grounds’ tenancy terminations from 60 to 90 days and giving landlords more certainty in the Tribunal process\
- **Shortening** the time it takes for landlords to have an application heard in the Consumer, Trader and Tenancy Tribunal when tenants fall into rent arrears and helping tenants to save their tenancy by guaranteeing they won't be evicted if they catch up on rent arrears within a time agreed with the landlord
- **Allowing** tenants to break leases early without penalty in certain situations, including when they need to move into a nursing home
- **New** provisions to deal with shared housing and co-tenant disputes, including domestic violence situations

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- **Greater** flexibility with regard to minor alterations, allowing tenants to make minor or cosmetic changes at their own expense with safeguards for landlords to seek compensation where work is not carried out satisfactorily.

The draft Bill comes four months after Parliament passed the *Residential Tenancies Amendment (Mortgagee Repossessions) Bill 2009*.

“That was a very well received initiative which protects tenants whose homes are repossessed by a mortgagee after the landlord defaults on their loan,” Ms Judge said.

“Given the sheer number and importance of these reforms, I expect the draft Bill to spark a great deal of public debate and a large number of submissions.

“I will continue active consultation with the Tenants’ Union, the Real Estate Institute, the NSW Federation of Housing Associations, the Property Owners’ Association, and other key stakeholders, but it is important that the public has its say,” Ms Judge said.

“I will carefully consider all feedback and submissions with a view to introducing the Bill into Parliament early next year,” she said.

The consultation period runs from today until 18 December.

The draft Bill is available from Fair Trading’s website at [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au). Hard copies are available by calling Fair Trading on **13 32 20**.

As well as contributing through the online feedback channel, comments and submissions can be sent to Fair Trading by post, fax or email:

Email: [policy@services.nsw.gov.au](mailto:policy@services.nsw.gov.au)

Fax: 02 9338 8990

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Editor’s Note: Please see attached fact sheet