

13 November 2019

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Dr Jennifer Buckley
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Dear Dr Buckley

RESIDENTIAL TENANCIES LEGISLATION AMENDMENT BILL 2019

The Law Society Northern Territory (**Society**) appreciates the opportunity to provide a submission about the *Residential Tenancies Legislation Amendment Bill 2019 (Bill)*.

The Society was consulted and made written submissions to the government's Discussion Paper - Review of the *Residential Tenancies Act 1999 (Discussion Paper)* prior to the Bill being introduced to Parliament. The Society is disappointed that the Bill provides only limited reform and notes this missed opportunity to provide real reform and bring the Northern Territory in line with other jurisdictions. The omission of provision supporting victims of domestic violence is disappointing.

The Bill generally provides for:

- A rebuttable presumption in favour of keeping pets
- Clarifies that a property report can be made entirely in writing or partly in writing and partly by images
- Replaces the definition of 'notice of termination' and replaces it with 'notice of intention to terminate' and provides for the form of that notice
- Provides for reasonable means that a landlord can use to give effect to an order for entry made by the Northern Territory Civil and Administrative Tribunal while prohibiting physical contact between persons
- Facilitates the temporary location of Housing tenants and the uptake of new tenancies agreements to enable the rollout of the Government's public housing replacement program

All but the provision relating to the relocation of Government's public housing tenants were raised in the Discussion Paper.

The Society generally supported the policy positions that were included in the Discussion Paper. However, the Bill does not go as far as we sought in our responses to the Discussion Paper.


The Society supports the presumption in favour of pets and the process outlined in the Bill. However, we suggest the Bill be amended to clarify that the taking of a Pet Bond is prohibited as such matters are generally addressed by conditions such as keeping a pet outside and additional requirements such as flea treatments, etc. on vacating the premises. We recommend the Bill not be silent on the matter.

The Society supports the amendments that allow the property report to be wholly in writing or partly in writing and partly in images. We also recommend the Regulations be amended to prescribe the information that is required to be included in condition reports to avoid ambiguity and to standardise the requirement.

With the commencement of this legislation should come a thorough communications plan outlining the changes. One issue to highlight, for example, would be the fact that landlords and tenants need to be aware that they need get or give written permission to have fish in an aquarium on the premises.

Should you have any queries in relation to this response, please do not hesitate to contact me.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Kellie', with a large, sweeping flourish extending to the right.

KELLIE GRAINGER
CHIEF EXECUTIVE OFFICER
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