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## NATIONAL TENANCY LAW UPDATES 2024

Many Australian states have updated their tenancy laws over the last twelve months. Here is a wrap of revised legislation.

### South Australia

From July 1st 2024, the following new rules apply for South Australian rental properties:

- Landlords will need prescribed grounds to terminate or not renew a tenancy
- The notice period to end a fixed tenancy will increase from 28 days to 60 days
- Tenants will be allowed to have pets in rental homes (with clear guidelines)
- Tenants' information will be better protected
- Rental properties will have to comply with minimum housing standards
- Additional options will be provided for victims of domestic violence.

According to the [Premier's office](#), the changes aim to improve security for tenants facing record low vacancy rates while still ensuring landlords' rights are protected.

### Western Australia

In WA, as of the 29th of July, 2024, rent increases will only be allowed once every 12 months. To add to this:

- For periodic rental agreements (with no end date), a minimum 12-month time frame between rent increases will apply, regardless of when the agreement was signed.
- For fixed term rental agreements signed on or after 29 July 2024, the minimum 12-month time frame between rent increases will apply.
- For fixed term rental agreements signed before 29 July 2024, the minimum 12-month time frame between rent increases will apply once the current fixed term ends.
- To increase the rent, an agent or landlord must provide a Notice to tenant of rent increase (except where the rent is calculated based on the tenant's income to give at least 60 days' notice of a rent increase. The notice includes details of the amount of the increase and the day it will take effect.

Other changes include:

- A landlord can place 'reasonable conditions' on having a pet – for example a bird must remain in a cage, or the carpets must be professionally cleaned at the end of the tenancy.
- A landlord or agent can use the pet bond in addition to the regular bond to clean mess and fix damage a pet has caused.
- Minor modifications will be allowed in most cases, however tenants must seek permission.
- Disputes over tenants' rights to have a pet, and make minor changes to a property will no longer have to go to court. The Commissioner for Consumer Protection will hear from both sides and rule on these disputes as an independent authority.
- A streamlined bond release process will be much simpler and prevent disputes from going to court.

Visit [commerce.wa.gov.au](https://commerce.wa.gov.au) for more information.

### Queensland

[Queensland's Stage Two Rental Reforms](#) came into force in June 2024. There is a long list of changes that include the following:

- Applying rent increase frequency limits. Rents can only be increased once every 12 months. This period attaches to the property, not the tenancy, so the limit applies regardless of whether there is a change of tenant or lessor.
- Banning rent bidding so agents or landlords can't accept an offer above the advertised price
- Requiring 48 hours notice for entries other than general inspections, safety checks and emergencies
- Protecting renters' privacy by developing a prescribed form for rental applications and requiring that personal information be stored and destroyed securely
- Limiting re-letting costs based on the time remaining on a fixed-term lease
- Requiring property owners or their agents to pass on utility bills promptly and disclose financial benefits they receive from any rent payment methods they offer
- Giving renters a fee-free option to pay rent and choice about how to apply for a rental property
- Capping all rental bonds and requiring that claims against rental bonds be substantiated.

These are in addition to other reforms introduced in 2023. Future changes may be introduced over the coming months, such as a portable bond scheme, a Rental Sector Code of Conduct and a framework for parties to agree on installing modifications necessary for safety, security or accessibility in rental properties.

### **New South Wales**

In NSW, the Minns Government is attempting to bring in changes, including banning '[no grounds evictions](#)' so landlords have to provide a specific and genuine reason for asking tenants to move out.

The Government is also pushing for renters to no longer have to pay for [background checks](#) when they're applying for a rental property.

### **Victoria**

New [tenancy laws](#) and minimum rental property standards were introduced in 2021 and there are more potentially to come.

Current standards cover 14 categories including locks, heating, specific requirements for kitchens and bathrooms, natural light, structural soundness and ventilation. If passed, [new minimum standards](#) will also mandate the provision of ceiling insulation, draught proofing, hot water efficiency and more.

### **Other states**

In the ACT, [new laws have closed a loophole](#) that previously allowed landlords to increase rents beyond the current legal limit if elements of the tenancy change, such as a tenant moving to a month-to-month agreement, or when a housemate moves out. In addition to this, the [Housing and Consumer Affairs Legislation Amendment Bill 2024](#) delivers on several measures, including:

- Allowing victim-survivors of domestic and family violence to end tenancies quickly and without penalty
- introducing mandatory break-lease fee clauses that limit the amount tenants must pay if they end a tenancy early
- Streamlining rental processes for tenants and landlords in share-housing situations.

Tasmania doesn't have major changes this year, but up for discussion at the moment are legislation to allow tenants to keep [pets in rentals](#), and to [make minor modifications](#) without the landlords' consent.

Finally, Darwin's most recent residential tenancy law updates banned rent bidding and extended notice times for lease terminations to 60 days for fixed-term and periodic leases. Landlords can no longer charge fees for lease breaks and compensation for early lease terminations will be capped. Meanwhile, renters must pay four weeks' rent if they break a lease less than halfway through a term.

**Want help to find a quality rental property and work with a property manager who understands your rights? Get in touch with your local [Professionals](#) office today.**

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## IS AUSTRALIA SWITCHING TO A BUYER'S MARKET?

The property market in Australia has favoured sellers for the last few years, with prices rising exponentially during the pandemic then settling into a steady growth trajectory due to a lack of supply, shortage of new homes being built and surge in migration.

Even rising interest rates failed to quash price increases during 2023 and early 2024, but it looks like the second half of 2024 may be a different story.

### Recent property statistics in Australia

[CoreLogic reported](#) in early August that overall home values rose by 0.5% in July. However, prices declined in three capital cities over the most recent quarter.

Melbourne home values receded by 0.9%, while Hobart and Darwin experienced respective drops of 0.8% and 0.3%. Meanwhile, Sydney's growth eased to 1.1%, a marked difference from the 5% quarterly rise experienced a year earlier.

Perth, Adelaide and Brisbane are the cities bucking the downward trend. Thanks to low supply and high demand, these popular destinations are still catching up to the higher prices of other major capitals, so growth rates remain between 3.8% and 6.2% for the quarter.

### Is Australia switching to a buyer's market?

The answer to this is "yes and no".

A buyer's market happens when there are more homes available for sale than there are people interested in purchasing them. This typically results in lower property prices and gives buyers greater leverage in negotiations.

In a buyer's market, home buyers have the advantage of being choosy and making a purchase on their own terms. Sellers may experience a longer wait for offers and may not witness the bidding war they were hoping for. It doesn't mean it's impossible to sell a home, just that the experience is different.

Whether or not a home is in a buyer's market depends on location, property type and the competition in the area. For example, unit prices are steadily rising at the moment as buyers find themselves unable to afford their ideal home so the same suburb can potentially be a seller's market for units and a buyer's market for houses.

The current market in Australia can be described as 'multi-speed', with different results being experienced in different parts of the country.

### Is now a good time to sell?

According to CoreLogic, "The underlying mismatch between housing supply and demand looks set to support housing prices through the second half of the year, however there does seem to be some rebalancing (of prices) underway."

With this in mind, it's a good time to consider selling. Depending on your location, it could be a good idea to list your home before the market loses any more momentum. Then, when you become a buyer yourself, you can take advantage of less-than-buoyant prices.

If you're thinking of selling and not sure if the timing is right, the best thing you can do is speak with a real estate professional who can provide advice about your specific location and property, and share their insights about current demand and sale outcomes.

**Want advice about whether to list your home for sale before the end of 2024? Reach out to your local [Professionals](#) office today.**



## HOW TO GET INTO YOUR NEW HOME BY THE END OF THE YEAR

If you've been house hunting since the start of the year, you might be feeling frustrated because the months have flown by and you're yet to secure your dream home.

As 2024 enters the home stretch, the pressure to find the right place can feel intense. Take a look at some tips to make your vision a reality before Christmas.

### Broaden your geographic search

One of the best ways to increase your chances of finding a home is to expand your search area. While it's fine to have a preferred suburb or neighbourhood, nearby areas can reveal hidden gems that meet your needs.

Broader searches can also lead you to discover emerging neighbourhoods with potential for future growth, often at more affordable prices. Keep an open mind and explore different suburbs; you might find a neighbourhood that surprises you.

Some buyers even decide to invest out of area instead of buying a place to live in. To get a foot on the property ladder they buy a home to lease in a nearby town or district, then rent where they want to live. Once their investment has grown in value, they can sell and take the next step on the property ladder.

### Change your criteria

Sometimes, being too specific in your search criteria can limit your options. Re-evaluate your list of must-haves and see if there are any areas where you can be flexible.

For example, if you've been adamant about having a certain number of bedrooms, consider whether a slightly smaller property could work for you, especially if it offers other features that suit your lifestyle. Similarly, reconsidering the need for certain amenities or accepting a home that requires a bit of renovation can open up more possibilities.

You may have scrolled past homes that are actually a great fit so follow your local real estate agent's lead if they contact you about a place they think might be suitable; they could recognise your ideal home before you do (agents have a knack for that kind of thing).

### Boost your budget (if you can)

While it might not be an option for everyone at this point in time, increasing your budget can significantly broaden your potential home choices. Review your finances to see if there's room to stretch your budget, perhaps by adjusting your deposit amount, reducing your living expenses or exploring different financing options. Additionally, you may qualify for grants or incentives that can provide extra financial support so ask your mortgage broker how much room you have to move.

### Get to know your local real estate agent

Building a strong relationship with property professionals in the area where you want to buy can be invaluable.

Agents often have access to properties before they hit the market and can provide a heads-up about upcoming listings that suit your criteria. By communicating your wish list clearly and regularly checking in with them, you can stay ahead of the competition and get early access to new opportunities.

Even if you miss out on a home and it has sold before you have had the chance to consider your offer, give the agent a call. They could have the next one ready for its buyer.

When you're ready to buy, your agent can also offer advice on making a competitive offer and negotiating so you don't miss out.

### Shop during school holidays and long weekends

School holidays can be a good time to win the fight for property, as many families head out of town and the competition may not be so fierce. With fewer buyers actively searching, you might find more opportunities to view homes without being surrounded by other people. If the seller is after a quick sale, you'll be able to seize the day.

Finding a new home before the end of the year requires flexibility and a 'think outside the square' approach. Keep an open mind and stay persistent; and remember real estate agents are your friends; it's their job to match homes with buyers so the more they know about what you want, the better placed they are to help you.

**Need help to find a home before Christmas? Reach out to your local [Professionals](#) team.**



## HOW TO ASK YOUR TENANTS TO MOVE ON

As a landlord/investment property owner, you rely on your tenants as much as they rely on you.

Great tenants are worth their weight in gold but even if they don't cause you any trouble, there may come a time when you need to ask them to move out. While this is possible, there are rules you have to adhere to.

### How to evict tenants in Australia

The easiest way to ask tenants to vacate your investment premises is to wait until their contract is almost up and let them know you don't plan to renew it. In this case, you will have to issue your request in writing and provide the right amount of notice.

Notice periods vary depending on the length of the rental agreement in place and the state your property is based in. For example, [in Victoria](#), when a fixed-term agreement of 6 months or more (but not more than 5 years) is ending, you must give notice 90 days before the end of the initial fixed-term agreement. For the [end of a fixed term agreement in Queensland](#), the minimum notice is two months.

Notice must include clear details about when the tenancy agreement ends and when the tenant is expected to move out. A reliable property manager can help ensure you provide a letter that is compliant with legislation in your state.

The rules change if your tenant has breached their contract or failed to pay their rent as agreed. In this case, different rules apply for different locations and circumstances, for example [14 days notice for a general breach in contract](#) for Queensland renters.

### Evicting a tenant with 'genuine reason'

Evicting a tenant can be tricky if you do not provide the right reasons. For example, you may find yourself in hot water if your eviction request is in response to a tenant asking for reasonable repairs, requesting to have a pet or challenging a proposed rent increase.

As recently reported, the [NSW Government has proposed new legislation](#) to end the practice of no-grounds evictions. If the changes go ahead, if you decide to end a lease in NSW, evidence must be provided along with a termination notice and fines may apply if the reasons for the eviction aren't genuine.

Genuine reasons include:

- The renter breaching the lease, damaging property or failing to pay rent
- The owner selling the property
- The owner making repairs, renovating or demolishing the home (rules apply to how quickly you can re-lease the property after you have asked someone to move out so you can renovate)
- The property no longer being used as a rental
- If the renter has previously been eligible for an affordable housing program but this has changed
- If the renter was previously a student in student accommodation but their status has changed

### Avoid an unfair eviction penalty

Asking your tenants to leave is acceptable, but the rules about the process and requirements can be confusing, even if you have a genuine reason.

This is why it makes sense to work with a qualified and experienced property manager. Enlist the support of a professional who can confirm your reasons are legally valid, help you give notice in the appropriate way and negotiate terms if you need to end an agreement in unusual circumstances.

**Need help to manage or evict a tenant? Reach out to your local [Professionals](#) representative for property management advice today.**



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