

Submission: Modernising the Residential Tenancy Act 1997

1. Overview

Housing is one of the most significant determinants of wellbeing in later life. Secure, affordable, accessible and appropriate housing supports health, independence, social connection, participation and dignity. Conversely, insecure or unsuitable housing can compound health problems, increase reliance on services, contribute to financial hardship and isolation, and reduce older people's ability to age well in their communities.

Older Tasmanians are a diverse group. Many own their homes, but a significant and growing number rent in the private market, live in social or community housing, reside in shared or supported accommodation, or experience housing insecurity. Older renters may be living on fixed or low incomes, managing disability or chronic health conditions, caring for others, experiencing family violence or elder abuse, or facing barriers to digital participation. For these reasons, residential tenancy law reform is highly relevant to COTA Tasmania's work.

COTA Tasmania supports the intent of modernising the Residential Tenancy Act 1997 to ensure Tasmania's tenancy laws are fair, practical, contemporary and responsive to current housing pressures. We recognise the importance of balancing tenant protections with the need to maintain rental supply. However, this balance must not be interpreted as requiring older renters to bear unreasonable levels of insecurity, unaffordability or poor-quality housing in order to preserve owner confidence.

A fair tenancy system should provide property owners with clear, workable rules and appropriate protections for their property, while also recognising that tenants are renting homes, not simply purchasing a service. For many older people, disruption to housing can have serious and long-lasting consequences.

2. About COTA Tasmania

COTA Tasmania is the leading advocacy and policy organisation for older Tasmanians. We work to advance the rights, interests, and wellbeing of people as they age and to ensure that their voices and experiences inform government policy, legislation, services and community decision-making.

Our work is informed by engagement with older people across Tasmania, including through consultations, surveys, community conversations, our Policy Council, and partnerships with government, community organisations, and service providers. Housing consistently emerges as one of the most important issues affecting the wellbeing, independence and financial security of older Tasmanians.

COTA Tasmania approaches housing policy from the perspective that older people should be able to live in safe, affordable, accessible, and appropriate homes, with genuine choice and sufficient security to remain connected to their communities. This includes older homeowners, private renters, social housing tenants, people living in shared or supported accommodation, and those experiencing - or at risk of - homelessness.

3. Why this matters

Tasmania's ageing population and changing housing market make this review particularly important. ABS 2021 Census data shows Tasmania's median age was 42, compared with 38 nationally, and that people aged 65 years and over made up about one in five Tasmanians. The same Census recorded 57,762 rented households in Tasmania, or 26.4 per cent of occupied private dwellings, with more than one-third of renter households paying more than 30 per cent of household income in rent. These figures confirm that rental housing is a mainstream issue, including for older Tasmanians, not a marginal or temporary concern.

Although home ownership remains common among older Tasmanians, it cannot be assumed that all older people own their home outright or have secure housing. A growing number are entering or remaining in retirement as private renters, while others rely on social housing, live in shared accommodation, or move between different housing arrangements as their health, finances, and personal circumstances change.

Anglicare Tasmania's 2024 policy brief, *Housing Security for Older Tasmanians*, similarly identifies increasing housing insecurity among older Tasmanians and links this to the lack of affordable and appropriate housing. It calls for action to ensure housing supply meets current and projected need, supports people to age in place in their community, and improves physical and mental health and wellbeing.

Older renters can face particular disadvantages in a highly competitive market. Many live on fixed or modest incomes and have limited capacity to absorb repeated rent increases, moving costs, bond payments, or unexpected expenses. They may also experience age discrimination, difficulty using online-only application systems, limited access to suitable and affordable properties, or reluctance to assert their rights because they fear losing their tenancy.

The consequences of housing disruption can also be more severe in later life. Moving may involve substantial physical, financial, and emotional strain. It can sever established relationships with neighbours, health providers, home, and community care services, shops, transport, and informal support networks. For an older person with disability, frailty, or chronic illness, the loss of an accessible or appropriately located home may place their health and independence at risk and, in some circumstances, contribute to premature entry into residential aged care.

Housing insecurity is not confined to the private rental market. Older people in social housing, boarding premises, crisis accommodation, supported accommodation, and shared living arrangements also require clear rights, fair processes, and protection from arbitrary displacement. Tenancy legislation must be capable of responding to the diversity of these arrangements and to the additional vulnerability that may arise from disability, cognitive impairment, caring responsibilities, family violence or elder abuse.

The review therefore presents an important opportunity to ensure Tasmania's tenancy laws recognise housing as more than a commercial transaction. For tenants, the property is their home and the foundation of their safety, health, independence, and participation in community life. Reform should seek to prevent avoidable housing insecurity, provide accessible and enforceable rights, and support older people to age safely and with dignity in the communities of their choice.

4. Summary of recommendations

COTA Tasmania recommends that the Tasmanian Government:

- Strengthen the Act to provide fairer, clearer and more accessible protections for older renters and other vulnerable tenants.
- Introduce standardised rental application processes and strong privacy protections, including limits on unnecessary personal information, clear data destruction requirements, and safeguards around digital application platforms.
- Support portable bonds, bond instalments and more flexible bond contribution arrangements to reduce barriers to securing housing, particularly for people on fixed or low incomes, drawing on emerging models in Victoria and NSW.
- Strengthen protections against excessive or unreasonable rent increases, including consideration of property condition, maintenance, accessibility, energy efficiency, previous increases, and prevailing local affordability, together with appropriate hardship or transitional mechanisms for tenants at risk of severe hardship or homelessness.
- Prohibit the soliciting or acceptance of offers above the advertised rent to reduce pressure on applicants, close the 'voluntary offer' loophole, and improve transparency.
- Mandate staged minimum energy efficiency standards for rental properties, with an implementation pathway that protects tenants, while allowing reasonable time and support for owners to comply.
- Give the Residential Tenancy Commissioner clear powers to order rectification where properties do not meet minimum standards.
- Expand tenants' rights to make minor, reversible modifications that support safety, accessibility, ageing in place, disability access, and energy efficiency, including safeguards against unreasonable refusal by private landlords.
- Strengthen protections for tenants experiencing family and domestic violence, including elder abuse where relevant; and ensure prescribed professionals include health, social work, family violence, aged care, disability, and community service professionals.
- Ensure tenancy laws explicitly require disability, frailty, cognitive impairment, caring responsibilities, and vulnerability to be considered before orders for vacant possession are made.
- Reform inspection and right-of-entry provisions so that tenants with a demonstrated history of good tenancy are not automatically subject to three-monthly inspections.
- Require genuine and reasonable grounds to end fixed-term tenancies or, at minimum, significantly strengthen notice periods and protections against retaliatory or unfair eviction.
- Ensure any transition of social housing tenants from underutilised properties includes strong safeguards, genuine consultation, appropriate alternative housing, local connection, accessibility, health and wellbeing considerations, and review rights.

- Support transfer of appropriate tenancy matters to TASCAT, provided processes are accessible, low-cost, timely, and supported by advice and advocacy services.
- Ensure all reforms are supported by accessible information, plain English guidance, non-digital communication options and adequate resourcing for tenants, owners, advocates and decision-makers.

5. Detailed Comments

The following comments address those matters in the Discussion Paper of greatest relevance to older Tasmanians.

Tenancy law cannot solve Tasmania’s housing crisis on its own. Increased supply of affordable, accessible and age-friendly housing remains essential.

However, tenancy law can reduce avoidable harm by ensuring renters are treated fairly, have enforceable rights, and are not displaced without good reason or due process.

5.1 *Regulatory balance*

COTA Tasmania supports a balanced tenancy framework, but notes that “balance” must recognise the very different consequences tenancy decisions can have for each party. For property owners, tenancy regulation affects investment, property management, and financial risk. For tenants, it affects the security, safety, and continuity of their home.

For older renters, the loss of a tenancy may mean losing access to health providers, home care arrangements, public transport, community networks, pets, gardens, neighbours, and local supports. In some cases, it may precipitate early entry into residential aged care or crisis accommodation.

The Act should therefore strike a balance by providing clear and reasonable obligations for property owners, while ensuring tenants have:

- protection from unfair or retaliatory eviction;
- reasonable certainty about rent and tenancy continuation;
- access to safe, healthy and accessible housing;
- effective remedies where standards are not met;
- protection from unnecessary intrusions into their home; and
- access to simple, affordable and timely dispute resolution.

Reforms should be assessed not only by their impact on rental supply, but also by their impact on health, wellbeing, homelessness risk, service demand, and the ability of people to age in place. In this sense, secure and appropriate housing should be understood as part of preventive health policy: a stable home can prevent avoidable deterioration, reduce crisis service use, and support independence for longer.

5.2 *Tenancy applications and privacy protections*

COTA Tasmania supports the introduction of a single standardised rental application form and stronger privacy protections.

Older renters may be particularly uncomfortable with intrusive data collection, online-only application platforms, repeated requests for sensitive personal information, or processes that require digital confidence and access.

People applying for rental properties should not be required to provide more information than is genuinely necessary to assess their capacity to meet tenancy obligations.

A standard application process would improve consistency and transparency. It should limit the collection of sensitive information and prohibit requests for unnecessary documents or information, including information about past disputes, detailed bank transaction histories, health information, age-related information, or personal circumstances not relevant to the tenancy.

COTA Tasmania supports requirements for timely destruction of personal information for unsuccessful applicants and former tenants, and rights to access and correct information. These protections should apply not only to owners and agents, but also to third-party rental application platforms and any digital tools used in assessment.

Importantly, non-digital application pathways must remain available. Older people who are not online, have low digital confidence, cannot afford devices or data, or are concerned about scams and privacy must not be excluded from applying for rental housing.

5.3 Bonds and financial barriers

The upfront costs of securing a rental property can be prohibitive for people on fixed or low incomes. Older renters may have limited savings and little ability to recover financially from unexpected moving costs, rent increases or bond delays.

COTA Tasmania supports in principle:

- a portable bond scheme;
- the option to pay bonds by instalment;
- greater flexibility in who may contribute to a bond; and
- streamlined bond processes that remain procedurally fair.

Portable bonds would reduce the double-bond burden that occurs when tenants need to secure a new tenancy before their previous bond has been returned. This is particularly important in a tight rental market where tenants may have to act quickly to avoid homelessness.

Other jurisdictions provide useful models. Victoria has legislated a Portable Rental Bond Scheme so eligible renters can transfer an existing bond to a new rental property rather than paying a second bond while waiting for the first to be refunded. NSW is also developing Smart Rental Bonds, which will allow renters to transfer a bond between rental homes while preserving landlord security through government-backed processes. Tasmania should consider a model suited to MyBond and Tasmanian conditions.

It is important that a portable bond system includes a non-digital pathway so that tenants who lack digital access or confidence are not disadvantaged or excluded.

Bond instalments should be available to all tenants who need them, not only social housing tenants, provided owners are not unfairly exposed to risk and the arrangements are transparent. The ability for family members, charities, community organisations, or other trusted parties to contribute to a bond should also be simplified.

Any changes to uncontested bond claims must preserve procedural fairness. Both tenants and owners should have access to each other's evidence and a reasonable opportunity to respond before determinations are made. Older tenants may need additional time or assistance to respond to formal notices, particularly where notices are digital or legalistic.

5.4 Rent and affordability

Rent affordability is one of the most significant issues facing older renters. Many older Tasmanians rely on the Age Pension, Commonwealth Rent Assistance, superannuation drawdowns, part-time work, or modest savings. These income sources often do not keep pace with private rental costs.

COTA Tasmania supports strengthening the criteria used to assess whether a rent increase is unreasonable. Comparable market rent should not be the only meaningful benchmark in a market already affected by scarcity and affordability pressure.

In assessing whether an increase is unreasonable, consideration should be given to:

- the condition, amenity and maintenance history of the property;
- whether the property meets minimum standards;
- its accessibility and suitability;
- its energy efficiency and likely running costs;
- the scale and frequency of previous increases;
- comparable rents for genuinely similar properties; and
- prevailing local affordability and availability.

These factors would provide a more complete and transparent basis for determining whether an increase is justified.

COTA Tasmania also supports consideration of more predictable limits on rent increases, including a link to CPI or another transparent benchmark. While any mechanism would need to be carefully designed, older renters need greater certainty to plan household budgets.

Where a rent increase is likely to cause severe hardship or place a tenant at risk of homelessness, the tenant should have access to an appropriate hardship, review, or transitional mechanism. Relevant circumstances may include age, disability, serious illness, caring responsibilities, family violence, elder abuse, sudden income loss, or the absence of suitable alternative housing.

Such a mechanism should not necessarily determine the market value of the property, but should provide a fair and practical response to the consequences of the increase for the tenant.

COTA Tasmania also supports giving the Residential Tenancy Commissioner or TASCAT power to order temporary rent reductions where a property is significantly damaged or partly unusable, including following disaster or extreme weather. Tenants should not be required to pay full rent for a home that cannot be fully or safely used.

COTA Tasmania supports making severe hardship provisions permanent.

Severe hardship should include circumstances such as serious illness, disability, sudden income loss, family violence, elder abuse, death of a household member, the need to move into care, loss of informal care, or circumstances where the tenant can no longer safely occupy the property.

COTA Tasmania supports prohibiting both the soliciting and acceptance of offers above the advertised rent. In a highly competitive rental market, so-called “voluntary” offers may not be genuinely voluntary. Older people and low-income applicants can be disadvantaged where applicants feel pressured to offer more than advertised in order to secure a home. Victoria has moved to ban acceptance of above-advertised offers, and other jurisdictions including South Australia, NSW, Queensland, and Western Australia have acted to restrict rent bidding. Tasmania should adopt a clear prohibition that prevents rent bidding from simply moving from overt solicitation to implied pressure or private ‘voluntary’ offers.

5.5 Minimum standards, energy efficiency, repairs and modifications

Safe, healthy, and energy-efficient housing is essential for older people. Poor-quality housing can worsen chronic illness, increase falls risk, contribute to respiratory and cardiovascular problems, and increase social isolation where people cannot afford to heat or cool their homes.

COTA Tasmania supports the introduction of staged minimum energy efficiency standards for rental properties. Heating, insulation, draught-proofing, ventilation, and efficient appliances are not luxury issues in Tasmania’s climate. They are health, affordability, and liveability issues.

We recognise that owners may require time, guidance and, in some cases, financial support or incentives to comply. Standards should therefore be phased in, clearly communicated, and supported by practical implementation pathways. However, concerns about cost should not prevent progress towards basic standards that protect health and reduce energy hardship.

Consideration should also be given to mandatory disclosure of relevant energy-efficiency features at the time a property is advertised or offered for rent, enabling applicants to make informed decisions about likely running costs.

COTA Tasmania also supports giving the Residential Tenancy Commissioner clear powers to order property owners to bring properties up to minimum standards.

Enforcement should not rely solely on infringement notices. Tenants need practical remedies that result in unsafe or substandard conditions being fixed.

COTA Tasmania also supports placing technical standards in regulations, provided this does not reduce scrutiny or transparency. Regulations may allow standards to be updated as technology and evidence changes, but tenants and owners must be able to easily understand their rights and responsibilities.

COTA Tasmania strongly supports expanding tenants’ rights to make minor, reversible modifications that improve safety, accessibility, disability access, ageing in place, and energy efficiency.

The Act should distinguish between very minor reversible measures that may be made without consent, and safety or accessibility modifications for which consent is required but must not be unreasonably withheld. For older tenants, small modifications can make the difference between remaining safely at home and needing to move. This is particularly important where reduced mobility, falls risk, frailty, or disability mean that simple safety measures may prevent injury, loss of confidence and further decline.

Where modifications are minor, reversible, professionally installed where necessary, and do not compromise safety or structural integrity, tenants should not face unreasonable barriers.

Requirements to “make good” at the end of a tenancy should be proportionate. In some cases, modifications may improve the property and should not automatically need to be removed. Where restoration is genuinely required, the Act should enable practical arrangements to be agreed upfront, including the use of relevant disability, aged care or home modification funding where available. The NDIS, for example, can take account of removal costs for funded modifications in rental properties where this is required by the landlord. The Government should also consider whether a targeted incentive or support scheme could assist private landlords with appropriate accessibility modifications or make-good costs, reducing a common barrier to consent.

COTA Tasmania also supports clarification of repair and maintenance responsibilities, but cautions against shifting responsibilities to tenants where this may create safety risks. Older tenants should not be expected to undertake tasks that may involve climbing, working at height, handling electrical components, or performing physically demanding maintenance.

For example, gutter cleaning should not be made a tenant responsibility unless it is genuinely safe, accessible from ground level, or otherwise low risk. Even then, exemptions should apply where a tenant’s age, disability, health condition, or mobility makes the task unsafe.

Repair timelines should reflect the impact on health and safety.

Boarding houses, supported accommodation, and shared living arrangements often house people with limited alternatives and higher vulnerability, so consistency should not result in weaker protections.

5.6 Family violence, elder abuse, and vulnerable tenants

COTA Tasmania supports stronger protections for tenants experiencing family and domestic violence. These protections should also be implemented with an awareness of elder abuse, including abuse perpetrated by adult children, partners, relatives, carers, or others in a relationship of trust.

Tenants experiencing violence or abuse should be able to end a tenancy quickly and without financial penalty, remove their name from tenancy databases where damage or arrears relate to violence, and make safety-related changes such as locks and security improvements.

The category of prescribed professionals should be broad enough to include:

- doctors and nurses;

- social workers;
- psychologists and counsellors;
- family violence workers;
- sexual assault service workers;
- police;
- lawyers and community legal centre staff;
- aged care assessment or support workers;
- disability support professionals;
- housing and homelessness workers;
- financial counsellors;
- elder abuse service providers; and
- other appropriately qualified community service professionals.

COTA Tasmania also supports reforms that ensure disability, frailty, cognitive impairment, mental health, caring responsibilities, and other vulnerabilities are considered in tenancy matters, particularly before orders for vacant possession are made.

Specialist Disability Accommodation and supported accommodation should be clearly covered by appropriate protections.

Residents should have clear occupancy rights, accessible complaints pathways, and protections from arbitrary displacement.

5.7 Quiet enjoyment, inspections, and right of entry

A rental property is a person's home. Older tenants, like all tenants, should be able to enjoy privacy, dignity, and quiet enjoyment.

COTA Tasmania supports reform of entry and inspection provisions to better reflect the tenant's right to feel secure in their home. Regular inspections can be stressful, particularly for older people, people with disability, people with trauma histories, people experiencing anxiety, and people who have lived in a property for many years without issue.

Tenants with a demonstrated history of positive tenancy should not automatically be subject to three-monthly inspections. A more proportionate approach could allow less frequent inspections where a tenant has a good record, while preserving the owner's ability to inspect where there are reasonable concerns. This would also reduce unnecessary administrative burden for owners and agents, allowing effort to be focused on higher-risk or more complex tenancy matters.

Entry provisions should be clear, respectful, and enforceable. Tenants should receive adequate notice, be able to negotiate reasonable times, and have accessible options for communication.

5.8 Crisis accommodation

COTA Tasmania recognises that crisis accommodation is increasingly being used for longer periods due to housing shortages. Where people remain in crisis accommodation for extended periods, lack of tenancy protections can create uncertainty and vulnerability.

COTA Tasmania supports greater clarity around the definition of crisis accommodation and the rights of residents. If exemption periods are extended, this should not result in people living for many months or years without basic rights, safeguards, or avenues for review.

A separate framework may be appropriate, provided it balances flexibility for crisis services with minimum rights for residents, including safety, privacy, procedural fairness, complaints pathways, and protection from arbitrary exclusion.

Older people experiencing homelessness, family violence, elder abuse, or housing crisis may have complex needs and should not be left in legal uncertainty.

5.9 Ending tenancies and security of tenure

COTA Tasmania supports stronger security of tenure. Ending a tenancy is not a minor administrative matter for older people; it can have profound consequences for health, wellbeing, finances and social connection.

COTA Tasmania supports requiring genuine and reasonable grounds to end a fixed-term tenancy. The mere expiry of a fixed term should not, on its own, be sufficient to displace a tenant who has met their obligations and wishes to remain.

Valid grounds might include genuine sale, substantial renovation, owner or immediate family occupation, serious breach, or other clearly defined circumstances. Any grounds should be specific, evidence-based, and subject to review.

If the Government does not proceed with prescribed reasons for ending fixed-term tenancies, COTA Tasmania recommends significantly longer notice periods and stronger protections against retaliatory or unfair eviction, particularly for older tenants and people at risk of homelessness.

COTA Tasmania supports amending the Act to ensure orders for vacant possession are granted only where reasons are genuine and just. Decision-makers should be required to consider proportionality, hardship, vulnerability, availability of alternative accommodation, disability, health, age, caring responsibilities, and the conduct of both parties.

Protections against retaliatory action should apply whether a tenancy is ended by notice, an application for vacant possession, or a refusal to renew a fixed-term agreement.

Tenants should be able to challenge a notice to vacate where it appears linked to a complaint, repair request, assertion of legal rights, disclosure of poor conditions, or request for reasonable modifications.

Break-lease fees should be fair, transparent and proportionate. COTA Tasmania supports capping break-lease liability using a sliding scale, with discretion to reduce liability in cases of hardship, family violence, illness, disability, entry into aged care, or other significant life changes.

5.10 Social housing and underutilisation

COTA Tasmania recognises the need to make the best use of scarce social housing. However, moving an older tenant from an underutilised property can have serious consequences and must be handled with care.

Bedroom numbers alone should not determine underutilisation. A home may appear underutilised based on bedroom numbers, but still be highly appropriate because of accessibility, proximity to health care, informal support, public transport, community connection, pets, garden use, safety, or the tenant's long-term attachment to place.

Specific examples include where additional rooms are needed for equipment, home care, overnight support, family carers or other purposes associated with health, disability and ageing in place. Relocation is not simply a change of bricks and mortar; for many older tenants it may mean the loss of neighbours, informal supports, familiar services, gardens, pets, transport routes and community connection built over many years.

If the Act is amended to allow social housing providers to transition tenants from underutilised properties with fewer than four bedrooms, strong safeguards should apply. These should include:

- genuine consultation with the tenant;
- consideration of age, disability, health, trauma, grief, caring responsibilities and community connection;
- consideration of whether the current home has accessibility features or supports ageing in place;
- an offer of suitable alternative housing before any move is required;
- location within the tenant's community or support network wherever possible;
- protection from increased housing costs;
- assistance with moving costs, utilities and practical relocation needs;
- adequate notice;
- access to advocacy and advice;
- review and appeal rights; and
- exemptions where relocation would cause significant hardship.

Downsizing should be supported and encouraged where tenants wish to move, but compulsory relocation should be a measure of last resort.

5.11 Regulatory matters and dispute resolution

COTA Tasmania supports transferring appropriate tenancy matters to TASCAT if this provides a more accessible, specialist, and timely forum than current arrangements.

However, accessibility must be central to design. Tribunal fees, evidentiary requirements and hearing procedures should not create barriers for people on low or fixed incomes, and parties should be able to participate effectively without legal representation.

Processes should be low-cost, plain English, available through non-digital channels, and supported by advice and advocacy services. Older tenants may need assistance to understand notices, gather evidence, participate in hearings, or respond within timeframes.

COTA Tasmania does not support orders for vacant possession being made through overly administrative processes that do not provide robust procedural fairness. Decisions that may result in homelessness or serious hardship should remain subject to strong safeguards, independent review, and consideration of vulnerability.

If the Residential Tenancy Commissioner is given additional powers, including any role in abandoned premises or compliance orders, these powers must be accompanied by clear procedural protections, accessible notices, review rights, and practical guidance.

5.12 *Digital access, automated decision-making, and tenant screening*

Digital technology is increasingly used throughout the rental process, including advertising, applications, identity verification, communication, property inspections, issuing notices, and assessing prospective tenants. While digital systems may improve efficiency, they can also create significant barriers for older people and others who have limited internet access, digital confidence, suitable devices, or capacity to use online platforms.

Tenants and applicants should not be disadvantaged or excluded because they cannot use a particular website, application, or digital service.

Non-digital options should remain available at every significant stage of the tenancy process, including applying for a property, paying or transferring a bond, receiving notices, responding to claims, and accessing complaints or review mechanisms. Information and assistance should also be available by telephone, in hard copy and through appropriate community services.

The increasing use of automated tools, algorithms, and artificial intelligence in rental applications and tenant screening creates additional concerns about transparency, privacy, fairness, and discrimination. Applicants should be informed where automated decision-making is used, provided with meaningful information about the factors considered, and given the right to request review by a person with authority to reconsider the decision.

Automated screening must not use age, disability, or proxies for protected attributes in ways that result in unlawful discrimination or unfairly disadvantage particular groups. Particular care is required where systems rely on employment history, income source, digital activity, rental history or other indicators that may indirectly disadvantage older people, people with disability or people receiving government income support.

Property owners and agents should remain responsible for decisions made using third-party rental platforms, automated screening services, or artificial intelligence. They should not be able to avoid accountability by attributing an unfair or discriminatory decision to a platform, service provider, or algorithm.

Appropriate privacy, record-keeping, audit, complaints, and review mechanisms should apply to digital and automated systems used in residential tenancies.

Applicants and tenants must be able to understand and challenge decisions that affect their access to housing, and technology should not be used in ways that weaken existing legal protections or create new forms of exclusion.

5.13 *Additional matters*

COTA Tasmania encourages the Government to consider the following additional issues:

- *Accessible information*

Tenants and owners need plain English guidance about rights and responsibilities. Information should be available in hard copy, by phone, online, in accessible formats

and through community organisations. Digital-only information will not reach all older Tasmanians.

- *Pets*

Pets can be especially important for older people's wellbeing, companionship, and mental health. Recent reforms allowing tenants to keep pets should be implemented in a way that is practical, accessible, and not undermined by unreasonable conditions or indirect barriers.

- *Deceased tenants*

The Act already provides that a tenancy ceases on the death of a sole tenant and does not vest in the tenant's heirs or successors. However, this does not remove the need for clear, compassionate and practical processes for what happens next. Guidance should address communication with family, executors, or support people, access to the premises, management of personal possessions, rent or occupation fee issues, bond processes, timeframes, and the position of any remaining occupants or carers. This is an area where clarity can reduce distress for families, while also giving owners and agents workable rules.

- *Reasonable wear and tear*

Clearer definitions of reasonable wear and tear would reduce disputes and may be particularly relevant for long-term tenants, including older people who have lived in a property for many years.

6. Conclusion

COTA Tasmania supports modernisation of the Residential Tenancy Act 1997 to create a fairer, clearer, and more contemporary framework for Tasmania's rental housing system.

For older Tasmanians, housing security is central to health, independence, dignity and participation.

A secure and suitable home enables people to maintain connections with family, neighbours, health services, transport, community organisations and informal supports. Conversely, housing instability can have serious and lasting consequences, including financial hardship, worsening health, social isolation, homelessness and premature entry into residential aged care.

The Act should therefore do more than regulate transactions between owners and tenants. It should recognise the home as the foundation of a person's safety, wellbeing, and capacity to remain part of their community.

Reform should support safe and secure ageing in place, reduce avoidable housing stress, provide accessible and enforceable rights, and ensure that people are not displaced without genuine reason, fair process, and proper consideration of hardship and vulnerability.

COTA Tasmania recognises that tenancy reform must be practical and that rental supply is an important consideration. However, maintaining owner confidence should not require tenants, particularly those on low or fixed incomes, to accept unreasonable insecurity, unaffordable rent, poor-quality housing, intrusive practices, or inaccessible processes.

A balanced framework must give appropriate weight to the very different consequences that tenancy decisions can have for each party.

Particular attention should be given to the needs of older renters, people with disability, carers, victim-survivors of family violence and elder abuse, people living in social or supported housing, and those at risk of homelessness. Reforms should also be supported by clear guidance, non-digital pathways, effective enforcement, accessible dispute resolution, and adequately resourced advice and advocacy services.

COTA Tasmania urges the Government to use this review to strengthen housing security, improve minimum standards, reduce unfair barriers, and ensure Tasmania's tenancy laws are responsive to the realities of an ageing population and a constrained housing market.

We would welcome the opportunity to provide further input as detailed legislative proposals are developed.