

Healthy Homes for Renters submission re: Modernising SA's renting laws

Thank you for the opportunity to weigh in on South Australia's rental laws. Healthy Homes for Renters is a national collaboration of more than 100 organisations and close to 3,000 individuals, working together to ensure that minimum energy efficiency standards for rental homes are implemented in all states and territories across Australia.

Healthy Homes for Renters (HH4R) supporters want state and territory governments to commit to the implementation of a framework for minimum energy efficiency standards for rentals that is mandatory, enforceable, and inclusive of all people who rent their homes.

In November 2022 the HH4R collaboration published [The Community Sector Blueprint: a National Framework for Minimum Energy Efficiency Rental Requirements](#). The Blueprint, which has been endorsed by more than 80 community organisations, draws upon the expertise of our members and supporters across issues relating to energy efficiency and rental standards. The Blueprint takes a principles-based approach and provides an outline of key characteristics that should be present in the National Framework for Minimum Energy Efficiency Rental Requirements being produced by federal, state and territory governments, due to be released in early 2023. We encourage the South Australian government to refer to the Blueprint throughout this RTA review process.

Introducing minimum energy efficiency standards will not only reduce household energy costs¹ and reduce residential emissions², it will also make people healthier and save the state government money within the health system. A recent report released by Sustainability Victoria showed that per person for every \$1 spent on energy efficiency \$10 was saved in the health system.³

More and more evidence shows that substandard, energy deficient homes lead to poorer health for the people who live in them. To address this, the World Health Organisation recommends a healthy temperature range inside homes of between 18°C and 22°C.⁴ Prolonged exposure to high temperatures outside of this recommended healthy range can lead to cardiovascular disease,

¹ QCOSS, *Choice and Control? The experiences of renters in the energy market*.

<https://www.qcross.org.au/wp-content/uploads/2019/05/QCOSS-Choice-and-Control-the-experience-of-renters-in-the-energy-market.pdf>

² Climate Council of Australia, *Tents to Castles: Building Energy Efficient, Cost-Saving Aussie Homes*.

<https://www.climatecouncil.org.au/resources/tents-castles-building-energy-efficient-cost-saving-aussie-homes/>

³ Sustainability Victoria, *The Victorian Healthy Homes Program: Research Findings*, August 2022.

<https://assets.sustainability.vic.gov.au/susvic/Report-Energy-Victorian-Healthy-Homes-program-research.pdf>

⁴ World Health Organization, *WHO housing and health guidelines*.

<https://www.who.int/publications/i/item/9789241550376>

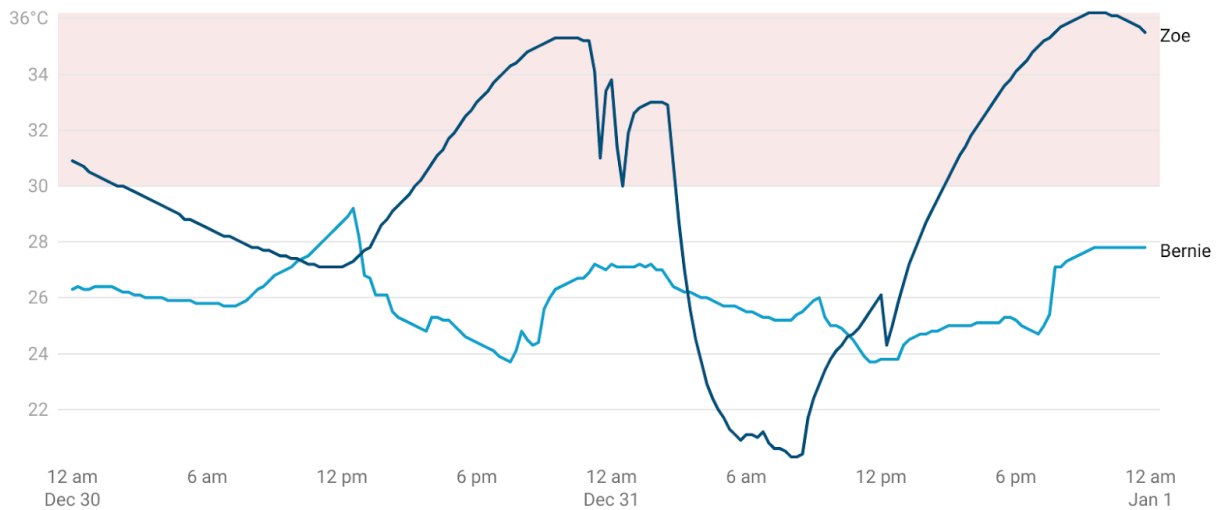
respiratory disease, and cerebrovascular disease.⁵ High temperatures are also linked to increased mental health presentations at emergency departments, suicide risk and, instances of family and domestic violence.⁶ Exposure to temperatures below the healthy range recommended by the WHO leads to mental ill-health, respiratory illness, and death. About one in fifteen deaths in Australia is attributable to winter cold.⁷

Renters have homes that are less energy efficient on average. In addition, renters are denied agency to make changes that would make their homes healthier and less expensive to heat and cool. Currently, South Australia has no minimum standards for energy efficiency in rental homes, and this review of the Residential Tenancy Act is an opportunity to change that and improve the quality of life for the 1 in 3 households that rent in South Australia.

Through summer Better Renting, as part of the HH4R collaboration, tracked indoor temperatures in rental homes across Australia, working with 'Renter Researchers' who kept tracking devices in their bedrooms (including 10 Researchers in SA). From this, we learnt some things about renters' experiences of summer:

- Rental homes were above 30°C about an hour a day on average; night-time temperatures were high enough to impair sleep almost 50% of the time.
- We have a detailed analysis of the December Adelaide heatwave showing indoor temperatures for 2 researchers, with one Researcher's home reaching a high of 36°C

Indoor temperatures, Adelaide, 30-31 December 2021



Source: Better Renting • Created with Datawrapper

⁵ Better Renting, *Hot homes: Renter Researchers' experiences of summer 21-22*. www.betterrenting.org.au/renter_researchers_summer21-22

⁶ Doctors for the Environment Australia, *How Climate Change Affects Mental Health in Australia*. <https://www.dea.org.au/wp-content/uploads/2021/10/Report-How-Climate-Change-Affects-MentalHealth-in-Australia-v3-1.pdf>

⁷ Gasparrini, A. et al. *Mortality risk attributable to high and low ambient temperature: a multicountry observational study*. *The Lancet* 386, 369–375 (2015)

This research was conducted again over winter of 2022 and once again the findings for renters in South Australia were staggering. You can see this in the table below.

- Renter’s homes in South Australia were below the WHO healthy temperatures nearly 80% of the time over winter
- 50% of homes in South Australia were below this number 90% of the time
- The average minimum temperature of homes in South Australia was just 12.0°C, 6°C lower than the lowest recommended healthy temperature.

State/territory	Time below 18°C (%)	% of Researchers below 18°C at least 90% of the time	Avg. Min. Temp. (°C)
NSW	85.1	50	10.5
Vic.	80.2	50	9.8
SA	79.2	50	12.0
WA	56.5	8	12.9
Tas.	91	50	7.5
Qld	28.6	0	14.8
ACT	88.3	38	7.4
NT (Darwin)	0	0	20.2
NT (0870)	89.5	50	7.1
Australia	75.1	38	10.8

Case studies from South Australian renters:

Over our time working on these issues, we’ve connected with renters in South Australia who have shared their experiences of living in substandard homes and having to make the hard choice between heating and cooling their home, or having money to pay for groceries and bills.

These are a few of the stories we have heard;

Emily

Emily rents her home in regional SA with her two children. Emily has been forced to make some tough choices this winter, sacrificing the health of her and her children and going without heaters or facing panic-attack-inducing power bills.

“At night I struggle to breathe from the air being cold if I don’t put the heater on. I have a congenital heart defect and I really struggle with regulating my temperature. I stress constantly about how I will pay the electricity bill from using the heater.”

“I have panic attacks about the power bill. I try to avoid using the heating and feel like I have failed and made a stupid mistake when I do use it and I am going to pay for it later when I can’t afford the bill. I feel I am living beyond my means by using heating.”

Alicia

Alicia is a single mother, renting with her child in Elizabeth Park. This winter was one of the coldest she’s experienced in her home. Alicia avoided using half of her house during winter, choosing to spend most of her time in her lounge room where she has heating that makes the room tolerable, but not warm.

“It’s been very cold, colder than I have ever experienced. It has been hard to get warm and stay warm. I use a heater and dual aircon to keep warm. I practically sit on my heater to warm up. The dual aircon warms only the lounge room but is still not warm enough for me.”

“I try to stay in the front half of my house as that’s where the heating is. My toilet and bathroom are often damp. I have been wearing jumpers and multiple quilts and blankets to stay warm.”

Zoe

Zoe moved to Australia from the Middle East six years ago, despite being here for a number of years she still hasn’t adjusted to the poor quality of rental homes and her experiences during summer. When it starts to get hot, Zoe has to escape her home to avoid the heat.

“I have a totally different routine for hot days. On the days before the hot day, I try to cook and do all the housework and shopping. I prepare my breakfast, lunch and snack for the hot day. On a hot day (above 33 degrees) I wake up early in the morning, I have a shower, I take my stuff and I go to a library.

I come back in the evening around 7 or 8 or alternatively 3 or 4 if I am tired. I turn the aircon on to cool the room down. I might be able to use a desk fan and let the aircon have some rest! In the time of sleeping, I turn the aircon on, set up my temporary bed in the lounge room and sleep in that. I turn the aircon off the next morning when I am about to leave home.”

These are just three stories from renters across South Australia but 1 in 3 households are renting. That’s hundreds of thousands of households suffering in substandard homes, with similar or even more compelling stories to share.

Responses to discussion paper:

We have responded to questions that are relevant to the scope of the Healthy Homes for Renters collaboration.

1. Longer Tenancies

Should the RTA include a requirement for landlords to provide a prescribed reason for the termination of a periodic lease or the non-renewal of a fixed term tenancy agreement, and if so, what should these prescribed reasons be?

The RTA should allow the termination of a lease **only with a good cause**. If landlords are able to serve no cause evictions, including at the end of a fixed term tenancy agreement, renters will not be able to exercise their rights as tenants under the RTA. This will also make minimum rental standards less effective, as landlords will find it easier to get away with non-compliance.

6. Housing standards and retaliatory evictions

Should the RTA include further complimentary provisions to those proposed under Section 1 of this paper to ensure tenants can exercise their rights without the risk of a retaliatory eviction or rent increase?

As stated above, the RTA should serve to protect renters against retaliatory evictions. Lack of this protection puts renters at risk and effectively stops them from asserting their rights as tenants.

Should the RTA impose minimum energy efficiency standards in rental properties?

Housing is an essential service. Landlords who make the choice to provide this service should be required to ensure that their property meets minimum standards that will make the home healthy and safe to live in. The introduction of minimum energy efficiency standards is how this can be implemented.

The *Community Sector Blueprint* outlines how states can implement minimum energy efficiency standards. It does not support the notion that replacing broken appliances with new energy efficient appliances is a sufficient measure.

Both Victoria and the ACT have now introduced a features-based minimum energy efficiency standard, with Victoria requiring a fixed energy efficient heater in the shared living room of all rental homes, and the ACT introducing a minimum standard for ceiling insulation from April 2023. The South Australian Government should consider the options laid out in the *Community Sector Blueprint* and engage with the sector and renters on this.