

Response to question on notice

Questions on Notice Paper No 9

5 September 2025

Question No. 550

Ms Chiaka Barry MLA: To ask the Attorney-General —

1. Are there any plans to expand the issues covered by the minimum rental standards; if so, can you provide the details.
2. Is there any consideration of including standards for mould management.
3. Is there any consideration of specific standards and expectations being imposed to address black mould, given that it is a serious problem in Canberra with serious health consequences, and there have been many examples raised of agents and landlords blaming and evicting tenants and conducting inadequate remediation of outbreaks.
4. When can we expect any changes to the minimum standards to be implemented.

TARA CHEYNE MLA - The answer to the Member's question is as follows:

1. Section 19A of the *Residential Tenancies Act 1997* provides that a regulation may prescribe minimum standards for premises made available for occupation under a residential tenancy agreement including in relation to the following matters: physical accessibility, energy efficiency, safety and security, sanitation and amenity. The Residential Tenancies Regulation 1998 currently prescribes minimum housing standards for ceiling insulation.

The ACT Government is committed to delivering the National Cabinet Better Deal for Renters reforms, including phasing in minimum quality standards for rental properties.

In 2024, the ACT Government conducted public consultation on YourSay on minimum standards for rental properties and occupancy laws. The consultation included a survey on whether the ACT should introduce minimum standards for the following: locks for doors and windows, ability to screen visitors (e.g. through a suitably placed window, peephole, security chain or intercom system), window coverings (e.g. blinds or curtains), flyscreens for windows, structural soundness, electrical safety, draught proofing, mould and damp, lighting, kitchen standards, bathroom standards, a reasonable supply of hot and cold water for the laundry and the supply of external rubbish and recycling bins. The listening report for this consultation was published on YourSay in June 2025.

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The survey on minimum standards for rental properties attracted a high level of interest, with 733 participants completing the survey. Landlords made up the majority of respondents, with respondents also including current tenants, real estate agents, former and prospective tenants and landlords, as well as general members of the public.

For some matters in the survey, there was clear support from the majority of respondents for certain minimum standards to apply. This occurred in matters that addressed basic amenities such as lighting, toilets, provision of external waste collection bins, as well as kitchen, laundry and bathroom facilities. The majority of respondents agreed that these were a basic requirement and that all rental properties should ensure these are available and in good working order.

The Government is currently considering the results of public consultation, including potential additional minimum standards for the ACT and when they could be implemented.

2. The YourSay survey sought views on a minimum standard for the property to be free from mould and damp caused by, or related to, the building structure (i.e. not due to the tenant's use of the property). 76.2% of landlords and 98.9% of tenants surveyed supported this measure. The Government is actively considering this reform and the potential timing of implementation.
3. The YourSay consultation referred to mould and damp in general, rather than black mould specifically. During consultation, some submissions raised the impact of thermal comfort, including being free from mould and damp, on the health and wellbeing of tenants. These submissions highlighted that temperature and humidity control can improve chronic conditions such as asthma and other respiratory and cardiac illnesses, and that homes with better thermal control, free of mould and damp are cheaper to run and can reduce stress and anxiety for tenants. As discussed above, the Government is actively considering minimum standards for properties to be free from mould and damp caused by, or related to, the building structure. This would include all types of mould including black mould.
4. As discussed above, the Government is actively considering the results of recent public consultation on minimum standards for the ACT and when they could be implemented.

Approved for circulation to the Member and incorporation into Hansard.



**Tara Cheyne MLA
Attorney-General**

Date: 3/10/25

This response required 5hrs to complete, at an approximate cost of \$529.52.