



Submission in response to the Modernising the Residential Tenancy Act
1997 Discussion Paper – April 2026

July 2026

Acknowledgement of Country

We acknowledge the Palawa and Pakana as the traditional, original and continuing custodians of Lutruwita/Tasmania and the continuing connection that Tasmanian Aboriginal People have to the land, sea, sky and waterways. We pay our respects to Elders past and present.

About Us

The Youth Network of Tasmania (YNOT) is the peak body for young people aged 12-25 years and the non-government youth sector in Tasmania. YNOT works to empower young people to share their views, contribute to decisions that impact their lives and actively participate in their communities.

Our Vision

A Tasmania where all young people are valued.

Our Purpose

To amplify the views, rights, and leadership of young people in Tasmania.

Introduction

YNOT welcomes the opportunity to respond to the Modernising the Residential Tenancy Act Discussion Paper (April 2026).

YNOT is the peak body representing young people aged 12–25 and the non-government youth sector in Tasmania. We work to uphold the rights, safety and wellbeing of children and young people, ensuring their voices meaningfully shape policies, systems and services that affect their lives. Our purpose is to amplify young people’s leadership, ensuring they are not only heard but actively influence decisions that shape their futures.

Our response to the Discussion Paper has largely been informed by young Tasmanians (12-25) and our members in the youth sector. In preparation for this submission, we conducted a focus group consultation and individual interviews. YNOT’s policy and advocacy work on youth housing and homelessness in Tasmania draws upon international human rights frameworks (including the UN Convention on the Rights of the Child). Our response further engages with existing reports on housing in Tasmania, research, and residential tenancy legislation in other jurisdictions.

In consultations across the state in recent years, we have listened to young people’s lived experiences with housing and homelessness. In 2024 housing and homelessness was identified by young people as the priority topic for the Tasmanian Youth Forum (TYF) hosted by YNOT. Emphasis was placed on what young people need to access and keep a safe, appropriate and affordable home.¹ One of the key recommendations from the TYF was to strengthen tenants’ rights.

Our submission outlines a number of recommendations, including introducing a standardised application process and form, limiting rent increases, adding protections around security of tenure and evictions, mandating minimum energy efficiency standards, permitting minor modifications by tenants, and providing clear definitions of tenancy-types and rights.

Upholding Children’s and Young People’s Rights

*“Too often, policy-makers assume they know what is best for minorities, and make decisions based on these assumptions without consulting people from those minorities ...in this case, young people.” TYF
2024 Youth Advisory Group member*

Children and young people are rights-holders in their own right, not simply extensions of adults or passive recipients of decisions made on their behalf.

As a signatory to the United Nations Convention on the Rights of the Child (UNCRC), Australia has committed to respecting, protecting and fulfilling the rights of all children and young people. Central to this commitment is the recognition that children and young people have the right to express their views on matters that affect them and to have those views given due weight in accordance with their age and maturity (Article 12).

Housing is one such matter. Access to safe, secure, affordable and appropriate housing is fundamental to a young person's wellbeing, development, participation and future opportunities.

Young Tasmanians who have participated in YNOT consultations consistently recognise that adequate housing is a human right, not a privilege.² They are frustrated that in a wealthy country like Australia this right is too often not realised.³ They understand that housing insecurity and homelessness negatively impacts their mental and physical health, educational and professional development, and social inclusion.⁴

Importantly, young people do not simply want governments and decision-makers to act on their behalf; they want to contribute to the development of solutions. As rights-holders and key stakeholders, young people must be meaningfully involved in the design, implementation and evaluation of housing policy and reform, including tenancy.

To date, meaningful youth participation in housing policy and reform has been lacking. Young Tasmanians' lived experiences provide valuable insights into the barriers they face, and the changes required to create a housing system that is fairer, more accessible and responsive to their needs.

Many issues affecting young people also affect other tenants. However, we believe that specific considerations are necessary to ensure that young people as a vulnerable group have access to suitable, secure, stable and safe housing. This submission amplifies the views of young people and brings their ideas to the forefront.

Context: Young People and housing in Tasmania

Private rentals – not affordable and scarce

'Rent being unaffordable is definitely a barrier to accessing housing. There is also just a massive shortage of houses for rent. I had to move out of home to Hobart for Uni and took five months to find a house. I applied for 44 different places.' 24-year old, North-West

Housing affordability and availability, combined with high youth unemployment, low incomes, transport disadvantage, and the rising costs of living means that young people are currently locked out of the private housing market.

Private rental vacancy rates are currently below one percent in every region of Tasmania.⁵ This results in very high demand and competitiveness for rental properties, placing young people at an increased risk of housing insecurity and homelessness.

There are no rental properties affordable for young Tasmanians receiving Youth Allowance or JobSeeker.⁶ The median state-wide rent of \$540 per week⁷ is severely unaffordable. Data by Anglicare suggests that even an average share house would cost a young individual on Youth Allowance 63%, and on JobSeeker 50%, of their income.⁸ Paying rent at this level results in significant hardship, as we keep hearing in consultations.

'I think that affordability makes a house a home. A home should be something that people are excited about and not something to worry about.' 16-year-old, North

Social housing – high demand and lengthy waitlists

High rents mean more young people rely upon social housing and experience homelessness. Homes Tasmania found a strong correlation between the increase in median price of private rentals and number of applications on the State's Housing Register.⁹

As of 30 April 2026, there are 1,150 primary applicants on the Housing Register aged 16-24, comprising 20.9% of all social housing applicants (5,507).¹⁰ If a young person turns to social housing for assistance, they face wait times of an average of 89 weeks to be potentially offered an affordable place to call home.¹¹

Around 19% of young applicants were given highest priority status (227 out of 1150). However, young Tasmanians as part of families are usually not prioritised for social housing, which is often granted to people exiting institutional care settings or a health facility.¹²

Supported accommodation – oversubscribed and strict eligibility

Access to youth-specific supported accommodation is limited. The Youth2Independence (Y2I) program, for instance, can only cater for 147 young people at a time and has a waiting list of 128 people.¹³ Young people told us they found eligibility criteria restrictive and application processes difficult to navigate.¹⁴

If accessed, transition programs can offer young people a sense of security. In Y2I, young people are covered under the *Residential Tenancy Act 1997* (Tas) (RTA), and their rent is capped at 30% of their income. Providers can support them with finding suitable housing and with developing skills for independent living. We heard from a Y2I service provider that this usually means building and maintaining relations with social housing providers due to the lack of accessible and affordable housing in the private market:

'We don't bother looking any more [in the private market].' Y2I Service Provider, North-West

Due to limited options, we heard that young people stay longer in transition accommodation and that there is an increase in young people presenting whose parents are homeless.

Youth homelessness – over-represented and at risk

"There was constant tension and conflict which wasn't good for anyone, especially my younger siblings, so I had to make the incredibly difficult decision to leave. I started couch surfing when I was 17 and moved a dozen or more times over a short period — staying with friends and people I really didn't know very well." 22-year-old

In the 2021 Census, 39% of the homeless population in Tasmania was under the age of 25.¹⁵ Tasmania has the second highest rate of young people (15-24) presenting alone to Specialist Homelessness Services in the country: 1,408 young people (12-24) between 2024 and 2025 alone.¹⁶ In the same period, 61% of people who were turned away from homelessness services were aged under 25.¹⁷

Couch surfing, emergency accommodation, boarding houses and caravan parks are counted under widely adopted definitions of homelessness,¹⁸ and these situations are often experienced

as unsafe by young people.¹⁹ However, young people in these situations remain ‘hidden’ in numbers based on presentations to special homelessness services.

Case study: Mike (pseudonym), a fifteen-year-old student from Bridgewater, has experienced housing insecurity from even before he was born. When his mother was pregnant with Mike, she lived in an overcrowded household with her mother, stepfather, brother, half-sister, Mike’s father, and then the baby. She applied for over 100 rentals before finding a home when Mike was 6 months old. Since then, Mike’s family has moved four times. He finds it difficult to adapt to changing environments and to maintain friendships. His current home is far from his school and his morning commute on a public bus takes him between 30-60 minutes which he finds tiring. Mike’s main challenge is that the current family home, a three-bedroom house, is too small. Sharing a room with a younger sibling makes doing homework or engaging in online activities difficult. Mike yearns to get his own space, but his mother – who is working part-time and has caring responsibilities – cannot afford a larger rental. She says that to her, housing is a constant worry, never knowing what might happen when a lease ends.

Further, young Tasmanians have identified homelessness as a key influencing factor for people to have contact with the criminal justice system.²⁰ Homeless young people are vulnerable to exploitation, violence and social isolation. Some may engage in harmful behaviours to survive.²¹

Lack of safe and stable places to go when leaving youth detention – especially if the family home is a site of conflict – can entrench offending behaviours.²² Young people without a fixed address are also usually denied parole or bail, which can feel like a punishment for one’s involuntary homelessness.²³

Emerging adulthoods – housing in a critical phase

‘Independence is so important for young people, and having their own safe space to be themselves and create a comfortable environment is so empowering for every individual.’ 23-year-old, South.

Young Tasmanians recognise moving out as a key marker of independence. However, increasing financial pressures for housing and living costs now show an extended reliance on the parental home. This entrenches social inequalities for young people who cannot count on a ‘bank of mum and dad’.²⁴

Young people are living with their parents longer than ever before, given the lack of affordability and availability of housing.²⁵ Yet, strained relationships can force young people out of home, making them vulnerable to financial insecurity and homelessness.

Young people living on lower incomes needing to move to pursue school, training or work have few youth-friendly options available to them. In our consultations, some young people spoke of changing their education and career plans as they could not afford to live away from home while studying.

Renting across Australia is no longer a transitional experience, but likely a life-long reality for young people.²⁶ Regulating the rental market to help people access safe, appropriate and affordable housing is therefore even more important.

Responses and recommendations

Based on what young people and stakeholders have told us our response focuses on the following questions of the Discussion Paper:

2.1(a; b); 2.2; 2.3(b); 3.1.2; 3.1.5; 4.1.1; 4.4; 5.1.1; 5.2(a); 5.3(a); 6.1(c); 6.4; 7.1(a); 7.4; 7.5; 8.1; 9.1

2.1 Standardised applications and privacy protections

Question 2.1 (a) What are the potential benefits and drawbacks of a single, standardised rental application form?

Question 2.1 (b) What information is essential for assessing a rental application, and what information should be considered unnecessary?

A single, standardised rental application form is likely to benefit young people's access to the rental market.

'It would help, because you couldn't get discriminated as quickly...everybody deserves a place to live. Everybody. And a lot of people get discriminated because of their age, and their employment status, also their disability ... a lot of landlords can do that nowadays, and it's just sad.' – Y2I client, South

At consultations, young people repeatedly tell us they face issues with perceived discrimination based on factors such as their age, their employment status or type, or lack of previous rental history. This phenomenon affects young people nation-wide, with a large-scale survey in 2017 finding 55% of younger renters (under 35) experiencing discrimination, particularly in regard to their age (22%).²⁷ Given this disadvantage, young people feel forced to accept tenancy agreements in poorly maintained properties, tenuous, informal or short-term leases and housing arrangements, or over-crowded rentals to keep a roof over their head.^{28 29}

Young people we spoke to find that the extensive collection of detailed information by owners and agents regarding people's rental and employment records, and sources of income or financial status, facilitates discrimination. Requests for year-long employment records were perceived as a 'barrier that automatically disadvantages'.

'Of course, providing proof of an income is always going to be somewhat essential to obtain a rental. However, I think when they ask for details of previous employers ... I've primarily worked in hospitality for my career so far, and I've had 5 years in that industry throughout various roles. And I've actually been asked to provide my whole work history with contact details... with each and every prior manager from when I was 14. So that can get really tricky. And there has been occasions where I've been rejected on that, on the basis that I haven't had those contact details of those previous employers.' University student and Y2I client, North

'They want a 3-year minimum of your working history... if you don't have the full 3 years, then you're kind of stuck, you wouldn't be eligible to finish the application ... applying for a house doesn't mean you have to have been working for over three years. Not supplying three years of work history shouldn't be like a deal breaker for getting a house.' Y2I client, South

With longer education-to-employment pathways and lower wages, young people often rely on income support.³⁰ Applicants with precarious, casual, contract or seasonal employment, or recipients of Commonwealth support, are often rejected by agents in Australia, a form of

discrimination exacerbated by digital technologies and algorithms.³¹ Young people told us they were not only asked whether they received income support but also which kind, such as disability support.

'Some people literally just can't get a job. For example, I'm disabled, I'm autistic, and I go to school full-time, and I physically just can't handle going to school and working. So, I rely on my disability pension.' Y2I client, North

We also heard that some young people were asked about their relationship and their combined income and some felt that applicants who were in a relationship were favoured. Further, young applicants with an inconsistent housing history felt disadvantaged:

'No real consistent housing history, that will harm your prospects. So, if you have been on welfare, or you've been moving around a lot ... that will affect how much you hear back from people and whether or not you get your applications get accepted in my experience ... when I was applying they were asking for a consistent history of where I'd been living for the last few years. But the thing is I hadn't really lived in the same place for more than 6 months for two or so years, so that affected my application.' TAFE student, Y2I client, North

Young humanitarian resettlement clients face particular challenges in Tasmania's rental market. In conversation with resettlement services, who offer case by case support to secure housing for their clients, we heard about barriers in the application process. Resettled clients start from zero when they come to Tasmania: they have no rental history or employment record they could include in applications, and at least at the beginning, rely on Commonwealth support. Language issues complicate navigation of rental applications as not all rental agents or service providers use translators. Online systems that property managers request tenants to use can create further barriers.

While we heard that long-term housing for families can usually be secured within 18 months in the private rental market (due to good relations with the resettlement services), for single persons aged 18-25, private rentals were no option and approvals into share houses were extremely rare. When individual resettlement clients join the social housing waiting list, they are usually not prioritised. For extended periods of time, they move between temporary accommodations and crisis shelters: 'I worked with one client for two years, he is 18 and still lives in a shelter. He is on *all* the waiting lists,' a resettlement worker in Hobart told us.

For successful integration, safe and secure housing is crucial:

'In my experience, first they need to find a house, a stable place to live. Then, second, they can engage in educational or employment pathways. Education, jobs, everything takes longer because there is no stability.' Resettlement support worker, Hobart

In sum, due to various forms of overt and subconscious, or non-explicit, discrimination, often young people in Tasmania from various backgrounds are locked out of the rental market even if they can afford to pay rent. Young people we asked believed that the assessment of an application for a rental should be mainly based on the fact whether they can pay. A standardised application form and process can help to mitigate risks of discriminatory treatment from the outset.

Recommendations 2.1(a; b):

- Introduce a single, standardised rental application form that owners and agents are obliged to use.
- Ensure the application form includes only mandatory information that young people can be reasonably expected to be able to provide.
- Prohibit gathering the following information by (prospective) rental owners and agents from (prospective) tenants: bank statements, employment history/source of income (such as Commonwealth support), relationship status, education level, and any attributes listed in the Anti Discrimination Act 1998 (TAS), such as age or disability.

2.2 Rights and responsibilities in subletting arrangements

Question 2.2 (a) Should specific protections in the Act be extended to people in subletting arrangements? If so, what should those protections be?

Due to their low income and life circumstances, young people often rely on share-housing. However, young Tasmanians find owners reluctant to agree to share house arrangements, which may in part relate to the current ambiguity in the RTA. Clarity and protections for both landlords and tenants in shared leases or sub-tenancy arrangements could potentially help with young people's access to private rentals.

"We arrived at this house viewing and we parked ...it was me and two of my friends. And we're all in our early to mid-20s. And the real estate agent was standing there and she said: "Oh, there's no point in doing this. [The landlord] won't rent it to young people, he doesn't want any share houses"" – 25-year-old, South

"I also feel that the fact I was applying with multiple people (as a share house) to keep the costs of living lower meant I was less likely to be a serious candidate for some of the places I applied for, which I thought was unfair." 24-year-old, North-West.

Share-housing often means a head tenant whose name is on the lease sublets rooms to sub-tenants, with the landlord's consent. However, under the current RTA, sub-tenants do not have clear protections and head tenants do not have clear obligations. There is no formal mechanism for resolving disputes in instances of break leases or evictions of one or more tenants (head or sub-tenants).

Young sub-tenants are vulnerable to exploitation. If the head-tenant does not have to disclose the full rent paid as per lease, they can charge sub-tenants any amount. The rent between head-tenants and sub-tenants needs to be fairly distributed, so that a head tenant cannot exploit or make a profit from sub-letting.

If multiple tenants share a lease (co-tenancy), there are currently no specific mechanisms for resolving disputes, such as in cases of one person moving out before a lease ends. These situations raise questions of timeframes for notifications to co-tenants and landlords, rent-payment requirements for remaining co-tenants, partial bonds, and more. The ACT's Residential Tenancy Act,³² for example, defines a co-tenant as a person who is one of two or more tenants under the lease agreement. The Act regulates under which circumstances a co-tenant is allowed to leave a residential tenancy agreement: either with consent of the owner and each remaining co-tenant; or by order of the ACT Civil and Administrative Tribunal (ACAT); or in cases

of family violence. Re-payment of a bond to a leaving co-tenant (if fulfilling the above conditions) needs to occur within 14 days after the leaving co-tenant stops being a party to the tenancy agreement. The ACT's Act further regulates possible deductions from the bond due to unpaid rent or damage caused by the leaving co-tenant. A leaving co-tenant may apply to the ACAT for resolution of a dispute.

Clear dispute mechanisms for co-tenant or sub-tenant arrangements need to be included in the RTA. These should cover situations of one sub- or co-tenant's behaviour putting other tenants at risk, if one sub- or co-tenant is not paying rent, or if one sub-tenant or co-tenant wishes to leave. Such situations can put young people at risk of physical, mental and economic harm if no quick dispute resolution process is accessible to them. The Tenants' Union Tasmania and Youth Law Australia have both reported frequent disputes around sub- or co-tenancy arrangements, reinforcing the need for clarity.

Recommendations 2.2(a):

- Extend all protections of tenants under the RTA to sub-tenants in all rental types, and determine obligations of head tenants.
- Oblige head tenants to disclose rent paid under the lease to sub-tenants, and ensure rent charged from sub-tenants is proportionate and fair.
- Include accessible, efficient and cost-effective mechanisms for resolving disputes between property owners/landlords, head tenants, co-tenants, and sub-tenants in the RTA.

2.3 Clarifying coverage for specific accommodation types

Question 2.3 (b) Should particular shared living arrangements be defined and included in the Act? If so, which ones and why?

Under the current RTA, student accommodation is exempted in the definition of a residential premises or boarding premises. This denies young people in such arrangements protection of the RTA.

Tasmania has a range of student accommodation which includes Purpose Built Student Accommodation by education providers (UTAS, TasTAFE, independent residential Colleges) or student residences provided by the Department of Education and Young People. In addition, there are smaller private operators of student accommodation in metropolises. Students living in these accommodations types currently receive no protection under the RTA, and are at risk of exploitation.

While the price of student accommodation can be high, we heard that standards were sometimes unsatisfying and concerns remained unaddressed:

'It was more expensive than the social housing I've sought out here at [accommodation provider]. And it was just a single room, there was a shared bathroom and shared kitchen that were – the state of cleanliness wasn't up to par, especially for it being more expensive than what I'm paying now for a studio ... I did mention my concerns, and there was just nothing done about it.' Y2I client, South

Further, some student accommodation close on weekends or during term breaks, meaning that young people need to find costly, tenuous or unsafe alternatives when returning home is not an option.

Currently the RTA excludes tenancies where a landlord-occupied residence with fewer than three bedrooms is rented out. These arrangements likely include students or other young people who should be protected under the RTA. Specific protections for the landlord in these cases could be considered.

Young people may live with their parents or other relatives in rentals as occupants, meaning they are not tenants on the lease, but the tenant and the owner have agreed on them staying. In some circumstances, young people may pay rent (essentially an informal sub-letting arrangement) in others they may not. The RTA should clarify rights and obligations of occupants and landlords regarding both cases.

The RTA should determine mechanisms for disputes between owners and occupants at the end of a lease, eviction, or death of a lease holder. A tenancy should not automatically end with the tenant moving out, but occupants could be given an offer of tenancy or a vacation notice with a reasonable timeframe. Occupants should have an opportunity to contest a vacation notice.

Factors for the Residential Tenancy Commissioner to assess if an occupant is granted to continue living in the premises (as a formal tenant) could include length of stay at the residence, whether it is a principal place of residence, financial dependence to tenant, contribution to household expenses, and whether an occupant has another place to live.

Strengthening occupancy rights is also relevant for Tasmania's young carers. According to Carers Tasmania, there are currently around 9,300 people up to 25 years of age who act as carers, meaning they provide unpaid support to a family member or friend.³³ Findings of the 2024 National Carer Survey suggest that 30.7% of Tasmanian respondents agreed or strongly agreed that their housing security depended on the person they cared for – a figure that rose to 52.9% for First Nations carers.³⁴ The RTA should clarify protections for carer-occupants. It should consider taking a pre-existing care-relationship into account as a factor to determine continuing occupancy after a cared-for person passes away, moves out, or a care-relationship ends for other reasons.

If a lease-holding family member commits violence against occupants and leaves, there should be additional protections in place to prevent young survivor-victims from eviction. At the same time, YNOT understands that social housing providers are concerned with ensuring that tenants meet eligibility criteria for social housing. Occupant's eligibility for social housing should be included in the potential occupant-to-tenant transition and decision-making process.

Recommendations 2.3(b):

- Include student accommodation (all types) in the RTA under boarding premises with the same rights as other tenants. Consider a specific clause regarding eviction based on the reason when a tenant ceases to be a student.
- Grant tenants living in landlord-occupied residences with fewer than three bedrooms the same rights as other tenants (with consideration of specific landlord protections).
- Clarify rights of occupants and dispute-solving mechanisms in case of a lease ending, eviction, a lease holder's death, family violence, and end of a care relationship. Identify which factors should play a role in the Commissioner's decision-making.
- Conduct further consultation with social housing providers to inform this part of the RTA in relation to social housing occupants (eligibility for social housing could be added as a factor for decision-making).

3.1 Bonds

Question 3.1.2 If there was an option to pay a rental bond in instalments, should this be available to all tenants?

Question 3.1.5 What other matters should be considered in relation to administering bonds?

High bonds of four weeks plus two weeks rent, as are common in the private rental market, are a huge barrier for young people. Young Australians are at higher risk of being trapped in unemployment, underemployment, and precarity than other population groups.³⁵ This structural disadvantage means they often have little opportunity to save up for large bonds which can be another barrier to, and reason for exclusion from, the private rental market.

'I mean, especially if you're only employed on a casual or part-time basis, it can be really tricky to have that amount of money just sitting in your bank account that's disposable.' UTAS student, Y2I client, North

Even where the bond amount is lower, such as for youth-specific transitional housing, amounts are perceived as too high by young people we asked:

'When I first came into the transitional housing, I had to come up with just two weeks' rent, so 4 weeks total, 2 weeks is the bond. And to even just do that relatively small amount, I had to put in my entire fortnight of Centrelink and live off \$10 for two weeks when I moved into my current unit.' UTAS student, Y2I client, North

Young people we asked approved of a bond cap of \$2000 maximum, or the equivalent of four-weeks' rent if lower than \$2000. While bond assistance schemes can help young people, some have encountered issues with discrimination based on their need for assistance:

You can apply for assistance with bonds through Anglicare and things like that, but real estate agents don't always accept those... Most applications, in my experience, you do have to tick a box if you're requiring bond assistance... I did go through a short period where I was working full-time and got approved for a rental, but then they took that approval away because the bond was coming from bond assistance.' UTAS student, Y2I client, North

Young people we consulted believe collecting information regarding bond assistance is unnecessary. To reduce discrimination based on bond-payment types, we suggest including a clause in the RTA that prohibits requesting information on whether a prospective tenant uses a bond assistance scheme. Disclosure of information by bond assistance providers must also be regulated.

The option to pay bonds in instalments, as explored in the Discussion Paper, could potentially lead to similar issues. We suggest including an option for bonds paid in instalments for private rentals as long as measures are implemented to ensure that prospective tenants who choose this option are not being discriminated against. This again requires clear regulations around collecting information from prospective tenants.

For some young people, however, paying bonds in instalments might not be useful, and could create a prolonged cause of stress:

'You already got rent that you have to worry about every week ... everybody's got their own situation and what works best for them, but just for me, I don't know, the pressure of it would get to me. Just kind of the thought that ... you're living in this place, but you still haven't paid the bond off, and you're there for, say like 6 months, and maybe you still haven't got the bond paid off. That would stress me out.' Y2I client, South

Further, young people raised concerns around getting their bond back in a timely manner to be able to use the bond for a new rental (we address this issue also in section 8.1.) When a rental inspection happens on the last day of tenancy, and the landlord has three days to make claims against the bond, young people may already need to have moved to a new rental and pay a bond. We suggest implementing regulations around timelines for end-of-lease inspections so that tenants have time before vacating the property to remedy any disrepair and gain earlier access to their bond.

A portable bond scheme, if explored by the Government, needs to take these timelines and safeguards into consideration. As with bond assistance or payment in instalments, there also need to be clear regulations around disclosure of information by bond depositories to prospective owners and agents.

Another issue relating to bonds is that of informal bond payments in share house situations. We propose that all bonds – including bonds paid from sub-tenants to head tenants – must be managed through the MyBond system to mitigate chances of exploitation. An enforcing mechanism needs to be developed.

Recommendations 3.1.2; 3.1.5:

- Consider bond caps of \$2000 or four weeks' rent if less than \$2000.
- Ban owners and agents from requesting information from prospective tenants regarding use of bond assistance schemes. Regulate disclosure of information by bond assistance providers.
- Allow all tenants the option of bond payments in instalments and explore the option of a portable bond scheme in further consultation with stakeholders. Include mechanisms to curtail discrimination against prospective tenants who use these options.
- Make it mandatory for head tenants to administer sub-tenants' bonds with the MyBond system.
- Implement clearer and appropriate timelines for end-of-lease inspections in relation to bond claims.

4. Rent and affordability

Question 4.1.1: If alternative criteria for assessing rent increases were introduced, what should these criteria be?

A large proportion of young Tasmanians cannot afford to live independently in private housing and are already at their weekly rental limit. Rent increases that do not align with what young people can actually afford to pay cause severe stress and places them at increased risk of homelessness.

Young people today can find themselves struggling to afford basics like heating, healthy food, clothes, transport, contraception, hygiene products and health services.³⁶³⁷ They understand that housing insecurity and homelessness can have significant and negative effects on their mental and physical health.³⁸

Mental health concerns were the most frequently issue mentioned by young Tasmanians at a large consultation in 2023,³⁹ and the links between healthy, secure housing and mental health are well established in research conducted in Australia.⁴⁰ A stable home is an important foundation to reduce vulnerability during adolescence and emergent adulthood (years 18-25), since psychological distress and acute and chronic mental health concerns tend to develop in this phase.⁴¹

Housing affordability stress negatively affects mental health, particularly for renters and in insecure employment.⁴² Research suggests that negative effects of rent increases on mental health concentrate in young people.⁴³

Recommendations 4.1.2:

- Determine alternative mechanisms to limit rent increases.
- Consider further discussion with stakeholders to assess what factors would be appropriate in the Tasmanian context to limit rent increases.

4.4 Prohibiting rent bidding

Question 4.4 Should the acceptance of offers from tenants to pay more than the advertised price be prohibited? Why or why not?

Given the already outlined unaffordability of rentals in Tasmania for young people, accepting offers more than the advertised price should be prohibited. These practices create a false sense of security for applicants. So far, the RTA only prohibits owners from inviting prospective tenants to make higher offers. However, given Tasmania's extremely low vacancy rate, some applicants may out of their own initiative offer higher rents to secure a home, which currently an owner can legally accept.

Rent bidding has been prohibited in amendments to tenancy acts in various other states. In Victoria, one of the strictest legislations, rental providers and agents must not solicit or invite offers above the advertised rent and must not accept rent offers above the advertised amount.⁴⁴ We suggest a similar approach for Tasmania.

Recommendation 4.4:

- Prohibit rent bidding under the RTA by prohibiting rental providers or agents to solicit or invite offers above the advertised rent (formal or implicitly).
- Prohibit rental providers to accept offers over the advertised amount.

5.1 Minimum standards:

Question 5.1.1 (a) Should minimum energy efficiency standards be mandated for appliances (like heaters) provided in rental properties?

'The place I did end up getting was too expensive and I had to budget less money on groceries and electricity (avoided using the heater most of the winter) as a result.' 24-year-old, North-West

For many young people who live below the poverty line, it is important to reduce the overhead of energy costs. Energy poverty and inability to afford to warm houses lead to a significant decline in mental health and increases the odds of experiencing depression or anxiety by almost 50%.⁴⁵ Indoor dampness and mould exposure are a widespread problem for Tasmanian tenants and has been associated in longitudinal research with increased odds of psychological distress.⁴⁶

Physical health risks from inadequate housing include respiratory and cardiovascular conditions, infectious disease transmission, and poorer birth outcomes and maternal health.⁴⁷ Housing is an important intervention point to improve health by addressing hazards of inadequate indoor temperature, air quality, dampness, mould, and injury risks.

Introducing and enforcing minimum standards in housing (requirements for energy and water efficiency, heaters, insulation, ventilation) would help young Tasmanians to maintain their health and wellbeing. Requirements for retrofitting rental properties with insulation have been introduced in Victoria and the ACT. Victoria mandated energy efficiency requirements for heaters, and South Australia mandated minimum energy and water efficiency standards.⁴⁸

Given that many young people can only afford to live in shared housing arrangements, the current requirement of only providing one heater in the main room is insufficient. The World Health Organisation recommends keeping indoor temperatures above 18°C to protect people against harmful health effects of cold weather. This should also apply to rooms where young people sleep and study. Hence, additional heaters that meet minimum efficiency standards should be required. These modifications should not lead to rent increases.

As young people are often engaged in education that requires them to access information and learning opportunities online, we also believe an internet connection should be included in minimum standards regulations.

Recommendations 5.1.1:

- Mandate requirements for energy and water efficiency, heaters, insulation, and ventilation.
- Include a requirement for effective heating to be provided in *all* rooms of a rental property.
- Include requirement for reliable internet connection in rental properties.
- Explore opportunities for government investment to support the introduction of energy efficiency standards in rental properties to minimise rent increases.
- Identify a mechanism to enforce legislated standards.

5.2 Minor modifications by tenants

Question 5.2 (a) What, if any, types of minor modifications should tenants be allowed to make without seeking the owner's permission and what types should not be permitted?

Young people told us that they want more protections around non-permanent modifications for rentals that facilitate safe and comfortable living.⁴⁹ Young people with disabilities or young carers may need modifications for accessibility and safety, and these should be possible to implement without lengthy approval processes.

'Everyone's needs in housing are so different...Because I have a health condition, I need to take into consideration accessibility, like certain types of bathrooms and things like that.' South, nursing student

Security modifications can improve safety for young people, especially those with family or domestic violence history. Modifications that reduce energy and water usage costs should be permitted. Telecommunication modifications may be necessary for young people studying online. Minor modifications for beautification such as picture hooks can help young tenants feel more at home.

Recommendation 5.2:

- Permit non-permanent modifications relating to accessibility and safety, security, improving energy and water usage, telecommunication, and some beautification such as picture hooks.

5.3 Repairs and maintenance responsibilities

Question 5.3 (a) Would changes to repair and maintenance responsibilities (e.g. for taps, starters and gutters) be fair and practical for both tenants and landlords? If not, what other solutions should be considered?

Young people often tell us that they need more support to live independently in our communities. It is unlikely that all young renters have the knowledge and experience necessary to undertake maintenance responsibilities such as trimming trees, cleaning gutters or service heating devices and water systems. In fact, undertaking such tasks may present safety risks to individuals.

Including such maintenance requirements in a lease could create further reasons to exclude young people from a rental due to real or preconceived assumptions of the owner. It could also create more reasons for disputes if a young renter fails to meet these requirements.

Recommendation 5.3:

- Avoid the inclusion of further duties for tenants regarding maintenance responsibilities.

6.1 Protections related to family and domestic violence

6.1 (c) Are there any other changes that should be made to the Act to help protect victims of family or domestic violence?

YNOT believes that explicitly recognising children and young people as victim-survivors under the *Family Violence Act 2004* (Tas) would affirm their individual rights and strengthen legal protections.⁵⁰ Family and domestic violence (FDV) is a key driver of youth homelessness, but young people remain often unrecognised in FDV policies and strategies.⁵¹ This means that young people with complex needs often ‘fall through the cracks’ when it comes to prioritising their re-housing.

‘Recognising and acknowledging children as victim-survivors of family violence is absolutely necessary and crucial because children also suffer ... the impact of family violence on children can have a profound (and negative) impact on the child both physically and psychologically.’ Lived experience youth advocate.

The protection of young people who are victim-survivors of FDV should extend to the RTA. Victim-survivors should be a part of identifying other changes. YNOT endorses the position of Shelter Tasmania and the Commissioner of Children and Young People on this matter.

When relationships with parents or guardians break down, it can be difficult for young people to gain control over their housing situation, especially when ineligible for Youth Allowance to support living out of home.

Case Study: Nick (pseudonym), had to leave his home because of conflict with his mother and stepfather. His uncle helped him to find a rental house in Austins Ferry. Nick had to work two jobs to come up with the rent of \$400 and he had to borrow money from friends to pay his bills. School was a 2.5 hour walk away from his house. One day, his mother came, moved in, and her name was put on the lease. Contact with the uncle

ceased. Conflict between Nick and his mother escalated. Nick felt unsafe and ran away: 'I owe my respect to her, she is my mother, she raised me and everything... but all this was against my will,' Nick says. His girlfriend's parents let Nick live in their home. He says now the situation is 'ok, but I should be able to rent my own house.' Nick lost his two jobs because he moved away. Because he is under the age of 16, Nick has been advised by Centrelink that he was ineligible for Youth Allowance. Essential documents such as his birth certificate are still with his mother. Nick also frequently accesses mental health support through his school. Combined, these factors make it difficult for Nick to find housing, work, and regain control over his life.

Recommendations 6.1:

- Recognise children and young people as victim-survivors under the *Family Violence Act 2004* (Tas) and extend protections to the RTA.
- Include a broad definition of family and domestic violence circumstances in the RTA that include people living in the same household.
- Identify further changes to tenancy law and review supports for young people living out of home (such as age limits to eligibility for Youth Allowance) in circumstances of FDV.

6.4 Crisis accommodation

Young people told us, they want improved access to crisis housing supports. Young men can find it especially difficult because most types are targeted to the needs of women facing FDV and their children.

The RTA currently exempts Crisis Accommodation (e.g. Family Violence shelters) for up to three months. However, crisis accommodation providers tell us that many clients require accommodation for longer. While some have suggested developing a specific part in the RTA that covers Crisis Accommodation, others suggest having Crisis Accommodation sit outside the RTA. They argue that accommodation providers need to be able to respond dynamically and flexibly to complex situations that can evolve in Crisis Accommodation.

Recommendations 6.4:

- Consult with Crisis Accommodation Providers to review in how far the RTA should apply to Crisis Accommodation.

7.1 Security of tenure and ending fixed-term agreements

Question 7.1 (a) Should property owners be required to provide a prescribed reason to bring a fixed-term tenancy to an end? If so, what reasons should be considered valid?

Housing is a key social determinant of health, which should find stronger recognition in the RTA when it comes to security of tenure.⁵² Housing insecurity and homelessness can have significant negative effects on people's mental and physical health.⁵³ Researchers have suggested that housing instability is associated with increased risk of domestic or family

violence,⁵⁴ which is a key driver for young Tasmanians to leave their family home into homelessness.⁵⁵

We already outlined the importance of housing security and stability for young people's mental health under point 4 (affordability). As young people tell us, there is a vicious cycle of poor mental health and housing insecurity:

'Housing insecurity also takes a serious toll on mental health. Poor mental health can then make it harder to keep a job, stay in a tenancy, or even leave an unsafe home. These things feed into each other in ways that can be hard to break out of, and the impacts can follow us into adulthood.' – Youth Advisory Council, in letter to The Hon Kerry Vincent for Youth Homelessness Matter Day 2026

Stress from renting comes not just from cost, but also the insecurity of leases ending for minor reasons and with inadequate notice.⁵⁶ Young people also stated that housing insecurity and homelessness can significantly affect their ability to remain engaged in school, and to find and keep work.⁵⁷ In turn, research shows that secure housing can provide a foundation for maximising education and employment opportunities.⁵⁸

'I think there should definitely have to be a reason provided. You know, there's the stock standard things, obviously, if you've violated your lease or anything like that... I think having a reason that needs to be given would give tenants a much larger feeling of security in their home. I think it would be really important to have a reason rather than just "we don't want to extend your lease".' UTAS student, Y2I client, North

Young people, and it appears a majority of all renters, are extremely hesitant to assert their rights as tenants – such as requesting repairs or contesting rent increases – because they fear eviction when their lease runs out.^{59 60} In other words, no requirement for owners to provide a reason at the end of a lease enables retaliatory evictions.

'I think if you're breaking the agreements of your lease, fair enough that they want to end your lease. But if it's kind of something where it's just they don't want you around or they just, you know, they want a new tenant in without really any reason for from your behaviour as a tenant, that might be discrimination, that there's something unfair happening. Because if you haven't done anything and they just don't want you around anymore, that's not very fair to you.' TAFE Student, Y2I client, North

Other state jurisdictions (VIC, ACT, SA) have already banned fixed term evictions without specific reason ("no-faults evictions").⁶¹ Specific reasons that could be considered as valid to evict a tenant require further research. Victoria's legislation might serve as inspiration which states as possible reasons the following: non-payment of rent; damage, danger, or illegal use; breach of lease conditions; landlord /family use; sale, demolition, and major works.⁶² Strict evidence requirements should be included in the RTA.

Young people also found that being given a clear reason in writing could help with future applications:

'If you also are being given this reason documented on paper that could help with future applications. Because if you're going to apply somewhere and it looks like all your leases have been ended as soon as the initial set time was up, that may look bad on your where if you have. Having a document saying they [the landlord] had this going on, or they were doing this, and you can document that you weren't a bad tenant, you do have a good history. That can help with your future applications.' North, TAFE student, Y2I client

When a lease ends, and no reasonable explanation for eviction is provided, young people think there should be a process that supports mediation and gives the tenant extra time to have support services involved before the eviction is finalised. Young people raised the idea that relocation assistance should be provided when major repairs need to be done.

Young people we spoke to found that the current 42-day notice period for end-of-lease evictions was not sufficient to contest the eviction notice, or to secure new housing. One suggestion was to extend the period to 90 days.

‘...because you’re not just dedicating your whole life to searching for a house. You have work, study, and other life commitments to juggle, as well as searching for a new place to call home.’ UTAS student, Y2I client, North.

Recommendations 7.1a:

- Ban fixed term evictions without specific reason.
- Conduct further research to determine specific reasons as valid for evictions at the end of a lease. These could include non-payment of rent; damage, danger, or illegal use; breach of lease conditions; landlord /family use; sale, demolition, and major works (to be defined), with strict evidence requirements.
- Consider extending the end-of-lease notice period to 90 days.

7.4 Protection against retaliatory evictions

Question 7.4 What protections, if any, are needed to prevent tenants from being evicted based on retaliation?

Young people tell us often that they fear to become homeless if they make requests for repairs to be carried out, or contest a rent increase. If evictions without specific reasons were banned as recommended in 7.1, then retaliative actions could be curtailed. Retaliation could also include actions such as rent increases, which tenants must be able to contest on the grounds of suspected retaliation.

Young people’s bargaining power against landlords and agents is especially low. They need special protections regarding retaliation and robust testing of fair reasons.

Recommendation 7.4:

- Include an explicit prohibition of retaliatory acts (evictions, rent increases, and others) in the RTA.

7.5 Limiting ‘break-lease’ fees

Question 7.5 Should break-lease fees be capped based on a sliding scale?

Young people often need to remain flexible for their educational and professional pathways. Break-lease fees and bearing double-rents cause financial distress on young people that can inhibit their chances to pursue educational and professional opportunities.

We believe a maximum of four-weeks rent in the case of a break-lease is sufficient for rentals in Tasmania, given the demand. If a landlord makes reasonable effort to find a tenant, it is reasonable to expect a new tenant to be found within four weeks. If a new tenant starts paying rent before four weeks have passed since the break-lease, then the former tenant should only be obliged to pay rent up until the new lease starts. However, there should remain flexibility for tenants and landlords to negotiate a no-fault lease break, as a variation of the agreement, since in some cases, a tenant may not need to pay any additional rent.

Advertisement costs should reduce closer to the end-date of a fixed term lease, since an owner would need to advertise soon anyways.

Where young people feel unsafe in their rental environment (such as being subjected to family violence and violence caused by other tenants or neighbours) break-lease and advertising fees should not apply to ensure people's safety and ability to leave without financial burden.

Recommendations 7.5:

- Cap break-lease fees at a maximum of four-weeks' rent, or until the point a new tenant starts paying rent if less than four weeks.
- Reduce advertising costs closer to the end date of a fixed term lease.
- Waive break-lease fees for tenants having to leave when subjected to violent rental environments (including the neighbourhood).

8.1 Reallocating jurisdiction to the Tasmanian Civil and Administrative Tribunal (TASCAT)

Question 8.1 Do you support transferring jurisdiction for certain tenancy matters to TASCAT?

If so, what matters should or should not be transferred to TASCAT? What are the potential advantages and disadvantages of such a change?

Transferring jurisdiction to TASCAT for some tenancy matters could have benefits for young people. Engagement with TASCAT can occur in less formal and flexible formats than at the Magistrates Court which demands in-person, synchronous hearings. A report by the Tenants' Union of Tasmania found that while evictions are rather quickly processed in the Magistrates Court, bond disputes take often many months, in extreme cases years.⁶³ As noted above, for young people, it can be critical to resolve bond disputes in a timely manner to access bond money for a new rental. This will also ensure consistency across tenancy matters in light of TASCAT's recent powers to hear and determine disputes in relation to animals in rental properties.

Recommendation 8.1:

- YNOT supports transferring jurisdiction for certain tenancy matters to TASCAT.

9.1 Other Matters

Question 9.1 What additional issues or gaps should be addressed in the Act or through broader tenancy reforms? Please provide details and examples where possible.

Utility-inclusive rental agreements: Young people have proposed to encourage utility-inclusive rental agreements so that they are aware of the total potential costs and can budget more effectively.⁶⁴ This means a lease where services such as electricity, gas, water, or internet are included in the flat weekly rent. In Australia, such agreements are common in student accommodation or boarding houses, but highly uncommon for private rentals.

The norm in Tasmania is that tenants are required to set up their own accounts with an energy retailer. Individual meters are required so that a landlord can charge a tenant for utility usage.⁶⁵ If there is a shared meter for an entire block or building (e.g. granny flats), a landlord must legally absorb the entire cost or build an estimated amount into the rent (making the rent utility-inclusive). They cannot split a power bill in a private lease if there are no separate meters. Under current law, an owner is not legally obliged to install a meter.⁶⁶

We understand that a potential disadvantage of utility-inclusive rental agreements could be an increase of rent prices. However, there can also be advantages to such arrangements. To estimate the utility-inclusive rent, owners are required to make reasonable assessments of utility usage for a rental that they should make energy-efficient and thus cost-saving. In other words, this process means that owners need to become more aware of what is actually required to keep a rental warm, given the facilities they put in place (which at present are under-regulated and often inefficient). Rent prices would then be a more accurate reflection of what living healthy and comfortably in a rental actually will cost a tenant.

Further, when the actual usage and cost of energy exceed the expectations outlined in the lease, owners should be requested to check for faultiness of appliances. Under Victorian Consumer Law,⁶⁷ a rental provider must replace any inefficient water, gas or electricity fittings and fixtures, and must pay utility costs caused by broken or faulty appliances until the replacement. Hence, utility-inclusive rental agreements could incentivise landlords to fix broken appliances.

Recommendations:

- Consider incentives for utility-inclusive rental agreements.
- Ensure clear regulations of utility costs caused by faultiness or inefficiency of water, gas, or electricity fittings and fixtures.

Short-stay rentals: Young people told us they want to see a cap on short-stay rentals.⁶⁸ They are concerned that too many potential rentals are currently used for short-term accommodation, thereby decreasing the availability of long-term rentals especially in locations close to education and employment opportunities. While the Government is planning to introduce a short-stay levy, and Hobart City Council charges double-rates for whole-home short-stay accommodation, other measures such as banning new applications for whole home short-stay accommodation remain blocked.

Recommendation:

- Assess the possibility of caps on number of short-stay rentals in relevant areas.

Concluding statement

The primary focus of this submission, based on consultations with young people, the youth and housing sector, and supporting data and research, has been on recommendations with the following priorities:

- enhance young people's access to housing
- strengthen young prospective tenants' position by mitigating age-based discrimination
- ensure that rental conditions pose no risks to young people's health and wellbeing
- increase stability and security of tenancy, so that young people can attain education, pursue professional training and employment, and establish independence
- ensure clear and enforceable rights for a range of tenancy types that are frequently used by young people

Along questions posed in the Discussion Paper, our submission highlights key areas for improving young tenants' rights. We acknowledge that our responses and recommendations are not exhaustive. YNOT supports and has signed more extensive responses such as the Tenant's Union Tasmania's submission.

We also acknowledge that the Modernisation of the Residential Tenancy Act 1997 has limits in addressing the broader structural issues that cause lack of affordable and available housing in Tasmania for young people. Therefore, YNOT wishes to re-emphasise the need for a standalone child and youth housing and homelessness plan under the Tasmanian Housing Strategy and Action Plan. A youth-targeted plan should cover the development of long-term, wrap-around housing support for young people's complex needs.

To make political decisions around housing meaningful and effective, we highlight the need for strengthening mechanisms to include young people in the process from the beginning. We recommend that Government embed youth participation mechanisms in future reviews of the Act and consultations on housing solutions. This could mean the establishment of a Youth Advisory Committee under the *Homes Tasmania Act 2022*. Such a mechanism would enable a more proactive, rather than reactive, approach to realising the human right of housing for all young Tasmanians.

If you would like to discuss this submission further, please contact:

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