

9 August 2016

Residential Tenancies Act Review  
Consumer Affairs Victoria  
GPO Box 123  
MELBOURNE VIC 3001

Sent via email to: [yoursay@fairersaferhousing.vic.gov.au](mailto:yoursay@fairersaferhousing.vic.gov.au)

Dear Sir/Madam,

Master Electricians Australia (MEA) welcomes the opportunity to contribute a submission to the review of the *Residential Tenancies Act 1997*, with specific comment on the Issues Paper addressing the Regulation of Property Conditions in the Rental Market.

Master Electricians Australia (MEA) is a national employer association representing the interests of electrical contractors and the broader electrotechnology industry. As one of the longest running organisations of its kind, MEA has established itself as the leading voice of the electrotechnology sector. MEA is recognised by industry, government and the community as the electrical industry's foremost business partner, knowledge source and advocate. The organisation's website is: [www.masterelectricians.com.au](http://www.masterelectricians.com.au).

In this submission we will be commenting on landlords' obligations to ensure rental properties are safe, secure and liveable, including whether minimum standards should be prescribed for private rental housing with a focus on electrical and fire safety.

### **Safety Switches**

Current Victoria electrical safety regulations require the following:

1. Homes built after 1991 must have safety switches installed on all power circuits.
2. Homes built after 2000 must have safety switches installed on all power and lighting circuits.
3. Since 1991, all existing homes must have safety switches installed on any new power circuits.
4. Since 2000, all existing homes must have safety switches installed on any new lighting and any new power circuits.

Notably, there are no mandatory requirements for safety switches in rental homes.

There is no denying that safety switches save lives – they are designed to monitor the flow of electricity to a circuit and cut the power in the event of an electric shock in as little as 0.03 of a second, less time than the critical section of a heartbeat. The technology is widely available, inexpensive to purchase and install, and almost certain to prevent fatality and property damage

in the event of an electrical accident. Master Electricians Australia has long advocated for an extension of safety switch laws in Victoria to require safety switches to be made mandatory on ALL capable circuits in all homes. Even in the absence of these more comprehensive laws, owner occupiers retain the power to take action in the interests of their own electrical safety and install safety switches on all circuits. Unfortunately, tenants in rental accommodation are in a particularly vulnerable position as they do not have the authority to install their own safety switches. This poses a serious risk to the electrical safety of thousands of Victorians living in rental accommodation who are not being afforded even the minimum level of safety switch protection.

This review of rental laws is an opportunity for the Victorian government to take action to protect tenants across the state and require all rental properties to have safety switches installed on all capable circuits at the signing of a new leasing agreement. MEA is optimistic that with this change in place, similarly comprehensive safety switch laws could be enacted to cover all homes in Victoria.

## **Smoke Alarms**

Current regulations require hard-wired smoke alarms with a battery back-up to be installed in all buildings constructed on or after 1 August 1997. Buildings constructed prior to this date can be fitted with a battery powered smoke alarm.

In the interests of tenant safety, we recommend that the requirement for hard wired smoke alarms with battery back-up be extended to include buildings constructed before 1 August 1997. This would align with a recommendation from the Victorian Coroner following the Inquest into the deaths of three international students in Footscray. Coroner Peter White recommended:

*“That the RTA be amended to ensure all properties regardless of whether they are new residential buildings or constructed on or after 1 August 1997, and subject to a Residential Tenancy Agreement, be fitted with hard-wired smoke alarm with ten year long-life tamper proof battery chamber back-up, on every floor of every residence”.*

While tenants are under an obligation not to remove batteries from smoke alarms in their rented accommodation, the reality is that many will, in order to prevent excessive nuisance alarms. Tenants are also less likely to take action if the battery on a smoke alarm is low and needing replacement. Hard wired smoke alarms with battery back-up for ALL rental properties would provide the much needed protection for tenants throughout Victoria.

We further recommend it be a requirement that all smoke alarms in rental properties be interconnected.

Much like a transition to expanded safety switch laws, pre-1997 buildings could be required to install interconnected hard wired smoke alarms with battery back-up at a change of tenancy.

## Carbon Monoxide Detectors

Carbon monoxide is an odourless, colourless, and tasteless gas that is near impossible to identify without a proper detector. It is caused by fuels not burning completely, including wood, coal, propane, natural gas, gasoline, and heating oil. This unburned fuel can come from a range of sources, including anything from clothes dryers, water heaters and ovens to a fire-burning fireplace, or a car left running in a closed garage.

Carbon monoxide detectors sound an alarm when they sense a certain amount of carbon monoxide in the air over time. Once the alarm sounds, the carbon monoxide detector must be in a carbon monoxide-free environment to reset itself.

While currently it is not mandatory for homes in Victoria to have carbon monoxide detectors installed, the review of the *Residential Tenancies Act* is the ideal opportunity for the Victorian government to lead the way and require rental properties to have carbon monoxide detectors installed for the safety of tenants.

## Inspection and compliance regime

To accompany changes to legislation concerning safety switches and smoke alarms in rental accommodation, an inspection and regulatory compliance/enforcement regime must be put in place to ensure that smoke alarms and safety switches are operating correctly and have been installed correctly by licensed electricians. This can be done via a body such as Energy Safe Victoria with inspections triggered by the signing of a new lease for a rental property.

## Informing tenants

MEA would further recommend a brochure be included with any rental agreement providing information on safety switches and smoke alarms for tenants. The brochure could highlight the features of both safety switches and smoke alarms, maintenance and what to do should either activate. We would also advise that landlords be required to show new tenants where both smoke alarms and safety switches are located at a property and when and how to contact the landlord if tenants suspect a malfunction.

## Conclusion

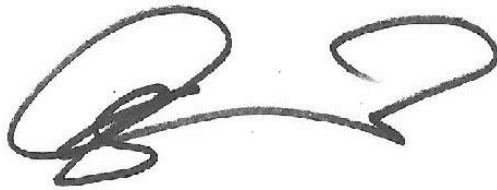
In summary, MEA recommends the following:

- All rental properties to have safety switches installed on all capable circuits at the signing of a new leasing agreement;
- The requirement for hard wired smoke alarms with battery back-up to be extended to include buildings constructed before 1 August 1997;
- All rental properties to have carbon monoxide detectors installed;

- An inspection and regulatory compliance/enforcement regime to be put in place to ensure that smoke alarms and safety switches are operating correctly and have been installed correctly by licensed electricians.
- A brochure on safety switches and smoke alarms to be provided to tenants at the signing of a lease agreement.

MEA is optimistic that this review of the *Residential Tenancies Act* and, specifically, the regulation of property conditions, will acknowledge the importance of electrical safety for all Victorians and implement the necessary changes to ensure tenant safety.

Yours faithfully,



Simon Tengende  
State Manager – Victoria/Tasmania