

MEDIA RELEASE

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Darwin Community Legal Service pushes for “reasonable comfort” RTA reform.

In a recent article presented by Channel Nines’ Chanel Zagon, calls have been made for air-conditioning to be mandated in rental properties which has left renters and other stakeholders divided; including Darwin Community Legal Service (DCLS) and its’ Tenancy Advice Service (TAS) Solicitors who can see both sides of the argument.

Whilst the article has a southern/ eastern state perspective, TAS solicitors can see the merit in dragging the Residential Tenancies Act (RTA) into the 21st century to reform some of the outdated sections within the Act and again refer to the recent Santa Teresa decision where a full bench of the Northern Territory Court of Appeal stated that public housing tenants in the Northern Territory are entitled to ‘reasonable comfort’.

DCLS believes the term ‘reasonable comfort’ is open to interpretation in direct relation to the climate in which the renter lives. The Northern Territory covers a range of climate zones and believes where you live should inform the interpretation of ‘reasonable’. One suggested middle ground has been the mandating of a form of ‘mechanical cooling device’: either a fan or an air-conditioner.

TAS Solicitor, Phil Andrews said: ““Reasonable comfort” is an important tenant right recently recognised in the NT, whilst this may not mean a mandate for air-conditioning it should develop and progress the discussion around how tenants live and an understanding that rental properties are homes, not retirement funds.’

Further, DCLS urges the Government to conduct a full over-haul of the Residential Tenancies Act to reflect the current rental climate and to include other things like the implementation of a Northern Territory Bond Board.

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