Changes to tenancy laws to protect victims of domestic violence

The State Government has proposed amendments to tenancy laws that will provide specific protection for victims of domestic violence.

Minister for Status of Women and Business Services and Consumers Gail Gago tabled the amendments to the Residential Tenancies Act in Parliament on Thursday.

“These changes aim to support victims of domestic violence to leave a hostile environment or remove the perpetrator from the environment without incurring further expenses caused by the perpetrator.

“It would allow victims to have their name removed from a joint lease without the consent of the other party, and would keep their personal information from being listed on a residential database.

“All in all, the amendments are about ensuring victims are not subject to ongoing undue hardship - whether financially or by having to deal with the perpetrator on matters such as lease arrangements and finalising bond,” Ms Gago said.

This is the latest Government initiative to address domestic violence since the Premier released Taking a Stand – Responding to Domestic Violence last year.

One in six Australian women has experienced physical or sexual assault at the hand of a current or former partner. For more than 60 per cent of women who had experienced physical assault by a male perpetrator, the most recent incident was in their home.

The proposed amendments will:

- Recognise domestic violence in the tenancy legislation.

- Allow victims to either continue in the tenancy without the perpetrator, leave the tenancy and no longer be liable for the premises, or terminate the tenancy altogether.

- Empower the South Australian Civil and Administrative Tribunal to determine that one or more, but not all, co-tenants are liable for compensation to the landlord.

- Prohibit a victim’s personal information being listed on a Residential Tenancy Database where it is determined domestic violence has occurred.