



HAWKESBURY WOMEN'S HOUSING INFORMATION SERVICE Inc.

Richmond Neighbourhood Centre
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The Secretary
House of Representatives Standing Committee
On Legal and Constitutional Affairs
Parliament House
Canberra ACT 2600

May 23, 2000

Dear Sir/ Madam

Re: Inquiry into the Privacy Amendment (Private Sector) Bill 2000

I write in relation to the above, with particular reference to the unregulated operation of tenancy databases. The Hawkesbury Women's Housing Information Service (WHINS) Inc. is a community based information and referral service for Hawkesbury women in housing need. The unregulated operation of tenancy database adversely affects many of our clients.

Since commencing in late 1996, WHINS has seen 750 women in need of housing. Of this number approximately half are listed on the tenancy database, due to evictions resulting from rental arrears or from tenancy disputes. In about a third of all cases, damages or arrears were incurred by an ex-partner after our client had fled domestic violence. Despite the criminal behaviour of their ex-partners, frequently resulting in women being granted Apprehended Violence Orders, women are still held legally liable for any unpaid rent or damages incurred by their ex-partners. In many cases, our clients have attempted to have their names taken off the lease and have notified the Real Estate Agents of their need to leave the property due to domestic violence. The subsequent listing of their names on tenancy databases creates a considerable barrier to accessing the private rental market, in addition to their financial problems.

Many clients have reported great difficulty accessing the private rental market as a result of the misuse of tenancy databases, or through the use of outdated information. In many cases their records have not been updated; their names remain on the database for many years after they have repaid their debt to the landlord. In some cases women have reported enormous difficulty accessing private rental accommodation when a member of their family with the same family name has been blacklisted.

In addition, access to the information listed against their name is difficult for many clients to obtain. Those listed are, in most cases, not notified that they have been registered on a tenancy database. It only comes to their attention by default when, despite strenuous effort, they are unable to secure a property in the private rental market. The fee charged for access to information is onerous for many of our clients who are either on government benefits or other limited income. Further, the tenant has no recourse to amend inaccurate information, or to remove their name from the list, except via the landlord or agent who listed them there. In our experience, many agents have proved unhelpful in this regard.



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As tenancy databases are at the present time unregulated, people listed on them, or those with a common name, are vulnerable to the misuse of this information, and to discrimination. The fact that in many cases the tenant's name remains on the database for several years after he or she has repaid their debt provides clear evidence of scope for discriminatory behaviour on the part of agents or landlords.

Clearly, the current operation of unregulated tenancy databases is fraught, and provides great cause for concern. Urgent attention is required in order to ensure that the operations of databases are transparent, the information collected is accurate, up to date and easily accessible by tenants as well as landlords or agents. In their current form, they invite discrimination and exploitation of those who are already vulnerable within our society.

I look forward to hearing your response.

Yours sincerely,

Tessa Hockly,
Women's Housing Worker



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