

Inquiry into the Owners Corporations Amendment (Short-Stay Accommodation) Bill 2016

Finding 1: There is inadequate and inconsistent data relating to the prevalence and locations of short-stay accommodation in Victoria.

Finding 2: Hosted accommodation, instances where owners are present in a dwelling, has little impact on the amenity and safety of other residents and should be embraced by government.

Finding 3: Unruly behaviour is confined to a minority of all short-stay accommodation guests, however instances where this occurs are real and must be addressed

Finding 4: There are apartment complexes where community safety has been negatively impacted by short-stay accommodation, causing residents to not feel safe in their own homes.

Finding 5: Some of the terminology used in the Bill's proposed dispute resolution process is unclear and ambiguous, and could potentially lead to unreasonably high thresholds for owners corporations to pursue legal action at VCAT.

Finding 6: It is difficult to quantify the extraordinary impact of short-stay letting on the wear and tear of common property. However there is anecdotal evidence to suggest this is occurring and is an issue for owners corporations

Recommendation 1: That the Victorian Government investigates a mechanism to improve data collection on short-stay accommodation

Recommendation 2: That the Victorian Government amends the Bill, where appropriate, to address:

- a. the issues of affected parties as outlined in this report; and
- b. the current review into consumer property laws, to the extent that it relates to short-stay accommodation in Victoria.

Recommendation 3: That the Office of the Commissioner for Better Regulation reviews the regulatory imbalance between the short-stay and traditional accommodation sectors.

Recommendation 4: That, as part of its broader review of consumer property laws, the Victorian Government considers the appropriateness of giving owners corporations of strata complexes power to regulate short stay accommodation in their building.

Recommendation 5: That, as recommended by the Tourism Accommodation Association (Vic), the Victorian Government investigates the costs and benefits of introducing a registration and compliance regulatory framework for commercial-residential short-stay accommodation providers where properties are listed for more than 90 days and a single owner, whether a person or an entity, has multiple listings.

Recommendation 6: That the Victorian Government and Victoria Police examine issues relating to community safety in apartment complexes where short-stay accommodation is provided.

Recommendation 7: That as part of the state review into consumer property law, the Victorian Government and Victoria Police consider establishing protocols with owners corporations to manage violent and/or disruptive incidents in apartment complexes.

Recommendation 8: That the Victorian Government, in its review of consumer property law, considers the difficulty for owners corporations to properly regulate safety and amenity in their apartment complexes, in particular relating to short-stay accommodation disputes.

Recommendation 9: That the Victorian Government, in its review of consumer property law, considers allowing owners corporations to levy fees on short-stay accommodation providers to cover increased maintenance and repair costs caused by their guests and the usage of these apartments. This should include a fair and equitable cap on the percentage of fees that may be levied.