

Information requested concerning details of security disputes determined by the Residential Tenancy Commissioner under the *Residential Tenancy Act 1997* (the Act) which includes information for the financial years 2017-18, 2018-19, 2019-20, and 2020-21;

1. *How many tenants lodged disputes to a bond claim under section 29F of the Act;*
2. *How many owners (including agents) lodged disputes to a bond claim under section 29F of the Act;*
3. *How many owners provided a claim form to the tenant via MyBond within 3 [three] working days of the termination of the tenancy, in compliance with section 28 of the Act;*
4. *On average, how long after the lease is terminated do owners provide a claim to the tenant via MyBond;*
5. *Of the disputes that were determined under section 29G of the Act, how many:*
 - a. *Were determined fully in favour of the owner;*
 - b. *Were determined fully in favour of the tenant; and*
 - c. *Were determined in favour of the owner, but the owner was not awarded the full amount that they claimed for.*
6. *What is the average period of time from when a dispute is lodged to when a determination is issued;*
7. *How many determinations were appealed under section 30 of the Act by the tenant;*
8. *How many determination were appealed under section 30 of the Act by the owner;*
9. *Of those determinations that were appealed:*
 - a. *How many were confirmed by the Court, per section 30(4)(a) of the Act;*
 - b. *How many were varied, per section 30(4)(b) of the Act, in favour of the tenant; and*
 - c. *How many were varied, per section 30(4)(b) of the Act, in favour of the owner.*
10. *If a determination is varied by the Court on the grounds, or partly on the ground, that the Court disagrees with the Residential Tenancy Commissioner on a question of law, how does that impact how the Residential Tenancy Commissioner's determines future disputes where the same or similar question of law arises.*

Questions 1-5

CBOS does not gather, record or report on the statistics requested here. This information is not readily available or able to be extracted. It is not possible to provide reliable results for:

- Which party lodged a dispute;
- When a claim form was provided compared to when a tenancy ended; or
- The outcome of each bond dispute including which party's claim was supported, partially supported or rejected.

Without a manual re-investigation of more than 10,000 disputes determined since 1 July 2017 it is not possible to report a further breakdown of these figures.

Question 6

Financial Year	Disputes	Percentage Disputes processed within 10 days	Total claims paid 0-30 days	total Claims paid 31-60 days	total claims paid 61-180 days	Appeals
2017-18*	2,551	-	-	-	-	42
2018-19*	2,448	68.5%	2,703	230	0	29
2019-20*	2,720	93.8%	13,432	1,696	301	17
2020-21	2,330	90.6%	13,676	1,482	165	26

*These time periods comprise information extracted from the previous RDA database and may be incomplete.

Questions 7, 8 and 9

Financial Year	Appeals by tenant	Appeals by owner	Appeal Party Unknown	Determination Confirmed	Varied in Tenant's favour	Varied in Owner's favour	Varied by consent	Dismissed, discontinued, withdrawn etc	Outcome not Recorded
2017-18	30	7	5	8	14	4	6	7	3
2018-19	19	8	2	2	11	3	4	6	3
2019-20	11	5	1	1	1	1	6	7	1
2020-21	10	15	1	2	1	5	8	4	6

Question 10

As required, CBOS reviews decisions made by Tasmanian courts in respect to residential tenancy matters.