



**Tara Cheyne MLA**  
Manager of Government Business  
Attorney-General  
Minister for Human Rights  
Minister for City and Government Services  
Minister for the Night-Time Economy  
  
Member for Ginninderra

Mr Tom Duncan  
Clerk  
ACT Legislative Assembly  
London Circuit  
CANBERRA ACT 2601

Dear Mr Duncan *Tom*

Thank you for your letter about petition E-PET-062-25 'Rental Commissioner for the ACT', petitioned by Ms Jessica Menace, and supported by Mr Shane Rattenbury MLA.

### **The petition**

The petition calls for the creation of a Rental Commissioner to address tenancy disputes in the ACT. It proposes that the role of a Commissioner would be to provide a free service that assists both tenants and landlords to resolve disputes, with a particular focus on the establishment of a complaints mechanism for tenants. The petition seeks to draw the attention of the ACT Legislative Assembly to the Rental Dispute Resolution Victoria (RDRV), established in June 2025 which has been trialled as a branch of the Victorian tribunal system.

### **The RDRV, VCAT and ACAT**

The RDRV is a specialist dispute resolution and case management service provided by the Victorian Civil and Administrative Tribunal (VCAT). RDRV manages disputes about bonds, compensation, rent increases and repairs, and provides mediation services between tenants and landlords. VCAT also provides mediation services, and hears complex dispute matters, such as those involving evictions and lease terminations.

Here in the ACT, the ACT Civil and Administrative Tribunal (ACAT) hears and determines a range of matters, including residential tenancy disputes, and provides a preliminary conference service (a form of mediation) as a precursor to contested hearings. These preliminary conferences support applicants and respondents by providing an early mechanism to resolve their dispute.

In instances where a bond dispute is identified by the ACT Revenue Office (the Revenue Office), who are responsible for the management of Rental Bonds in the ACT, the Revenue Office will automatically refer the dispute to ACAT. This means that neither the landlord nor tenant is required to pay the application fee. ACAT's services in relation to these bond disputes can therefore be accessed free of charge and barriers to access these services remain low. In relation to other tenancy disputes where cost is a barrier to accessing ACAT services, ACAT has a process for applicants to seek fee waivers.

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The Government also funds the Tenancy Advice Service (TAS) to provide free legal advice and assistance to tenants to support them with tenancy disputes.

Given the ACAT provides similar services to that of the RDRV and VACT, and the dedicated stream of funding provided to the TAS, the Government is of the view that a separate program for tenancy dispute resolution may not be necessary at this time. If, in future, considerations were given to implementing a role of a similar nature to the RDRV in addition to ACAT's existing conciliation service, the Government would need to conduct further policy work to assess whether such a role would be appropriate, given that the ACT is a significantly smaller jurisdiction than Victoria.

### **Previous calls for a Rental Commissioner**

The Government acknowledges community advocacy for a Commissioner (or other regulatory body) to support tenants to navigate tenancy laws and bolster existing compliance and enforcement functions under the *Residential Tenancies Act 1997*. On 24 October 2023, then Attorney-General, Shane Rattenbury, MLA gave a Ministerial Statement in response to an Assembly motion that called on the ACT Government to consider establishing a rental commissioner (or similar body) in the ACT.<sup>1</sup>

The Ministerial Statement acknowledged the Government's continued commitment to strengthening renters' rights, including the implementation of nation-leading reforms which removed all forms of no cause evictions and introduced the first minimum standard for ceiling insulation in Australia.

The Ministerial Statement also noted that other Australian jurisdictions have supported renters through a range of different regulatory bodies with different powers, emphasising that there is no single, preferred or 'one-size-fits-all' model that the ACT could or should adopt. Rather, there is a wide variety of possible regulatory responses.

In the Ministerial Statement, the former Attorney-General committed to tasking the Justice and Community Safety Directorate (**JACS**) to undertake further policy development work on possible models for a regulatory body (such as an Ombudsman or Commissioner), and to detail the resourcing implications, for further decision.

### **Consideration of property-related Commissioners more generally**

The ACT Government has committed to establishing a Strata Commissioner. As a Strata Commissioner is another form of property related Commissioner, the ACT Government considers that it is sensible to consider the scope and functions of any potential Rental Commissioner following its consideration in relation to a Strata Commissioner.

Separate to the ACT Government's commitment to establish a Strata Commissioner, the Legislative Assembly's Standing Committee on Legal Affairs (the Committee) commenced an Inquiry into the management of strata properties (the Inquiry) on 15 January 2025. Included in the terms of reference is the exploration of the remit for a potential Strata Commissioner in the ACT. The Committee has indicated that it will not deliver its final report before March 2026. Given this existing body of work in relation to the remit of a Strata Commissioner, the ACT Government looks forward to considering the recommendations of the Committee before undertaking further consideration of this matter.

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<sup>1</sup> See: <https://www.hansard.act.gov.au/hansard/10th-assembly/2023/HTML/week11/p3199-p3305.htm#p3219>

We acknowledge the petition and thank the signatories for their interest in this matter.

Sincerely

A handwritten signature in blue ink, appearing to read 'Tara Cheyne', with a stylized flourish at the end.

Tara Cheyne MLA  
Attorney-General  
3 March 2026