

REINSW: NCAT NEEDS MORE FUNDING NOW

10 April, 2025: In preparation for the inevitable spike in disputes coming soon as a result of the NSW Government's new rental reforms, the Real Estate Institute of NSW (REINSW) has called for an immediate and significant increase in funding to the NSW Civil and Administrative Tribunal (NCAT).

REINSW has written to The Hon. Michael John Daley MP, Attorney General of New South Wales, to request "additional resources and funding to respond to the inevitable increased caseload as a consequence of the amendments to the residential tenancy laws that were introduced by the *Residential Tenancies Amendment Act 2024 (NSW)*".

REINSW CEO Tim McKibbin says the Victorian Government's introduction of similar laws provides a clear precedent for what tenants and landlords in New South Wales can expect from 19 May, when the rental reforms go live.

"We know from direct, recent experience that restricting property owners' rights, such as restricting their rights to recover possession of their property and say no to pets, leads to a major increase in disputes between tenants and landlords. It's an inevitable consequence of Government targeting a specific cohort in the housing market," Mr McKibbin says.

"Now the damage is done, a major increase in funding and resources is urgently needed for NCAT to prepare for the coming onslaught of disputes.

"The NSW Government has knowingly and willingly introduced reforms which will cause many more disputes to arise. It's absolutely critical, and only fair, to provide the body it expects to deal with this rise in disputes the ability to do so."

Following the introduction of similar tenancy reforms in Victoria, the Victorian Civil and Administrative Tribunal (VCAT) experienced a vastly increased caseload, which resulted in a backlog of tenancy disputes and the need to implement the VCAT Backlog Recovery Program.

This program aimed to "eliminate the Residential Tenancies List backlog ... which largely consist[ed] of disputes involving bond, compensation and pet issues".

The backlog, which initially comprised "approximately 21,500" cases, saw Victorian residential tenancy dispute "median wait times" peak "at 42 weeks in July 2023".

"The writing is on the wall for NCAT. The rental reforms will create more disputes and the least the NSW Government can do is ensure NCAT has the capacity to deal with them," Mr McKibbin says.

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About REINSW

The Real Estate Institute of New South Wales (REINSW) is the peak industry body for real estate agents and property professionals in NSW. It represents more than 2500 agencies across residential sales, property management, commercial, strata management, buyers' agency, agency services and auctioneering. Established in 1910, REINSW works to improve the standards, professionalism and expertise of its members to



continually evolve and innovate the industry. It lobbies the government and industry on behalf of members, develops new products and services to benefit agencies and professionals, and offers training and ongoing professional development. For more information, visit reinsw.com.au.