

WHOSE INFLUENCE SHAPED VICTORIA'S RENTAL MINIMUM STANDARDS IN AUSTRALIA? A STAKEHOLDER AND POLICY-PROCESS ANALYSIS

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Abstract

Victoria's rental minimum standards show a considerable transition from contractual model to enforceable regulatory framework for habitability, safety and energy performance. This article examines the role of governmental, renter, property-industry, public-health and environmental stakeholders in shaping transition. Employing a qualitative case-study design, this study combines stakeholder mapping, documentary content analysis and process tracing. Legislation, regulations, government guidance, consultation material, parliamentary and public statements, advocacy publications and contemporaneous media reporting constitute evidence. Stakeholder's influence in the study is analyzed in terms of participation, access, preference attainment and causal influence. Framing the issue of poor rental quality around health, dignity and energy-affordability challenge, renter and health-oriented coalitions helped establish the legitimacy of mandatory minimum standards. Without blocking the regulations, Property-sector actors secure phased commencement, technical exceptions and replacement-triggered obligations based on their cost, feasibility and supply arguments. Appreciating health concerns, administrative feasibility and market-risk, the Government remained the decisive actor. The resulting policy therefore appears to be a contested and negotiated regulatory document. Finally, policy legitimacy will enhance and future assessments of influence will better be carried out with transparent publication of submissions, decision rationales, compliance data and lived-experience participation.

1. Introduction

The quality of rental housing is a serious concern of renters. It is extensively debated concurrently as a consumer-protection, public-health, and energy as well as social-equity issue. Quality and availability of rental housing are distinguished to assess their impact independently. A dwelling may be readily available in the competitive market yet it may be badly cold, damp, insecure, poorly ventilated or

unsafe. Resultantly, preventable respiratory, cardiovascular and injury risks may increase particularly for people already experiencing disadvantage (World Health Organization [WHO], 2018). Over structural repairs and capital improvements, renters generally have less control than owner-occupiers, while they share the costs and benefits of improvements. Splitting interests of owner and occupant weakens reliance on voluntary upgrading and

explains the policy case for mandatory minimum standards (Hernández, 2016).

Under the Residential Tenancies Act 1997 (Vic) and the Residential Tenancies Regulations 2021 (Vic), Victoria has made enforceable minimum standards. 15 categories covering basic amenities, safety, security, structural condition, mould and damp, ventilation, heating and related matters have been made part of official guidelines. It has been made mandatory since 25 November 2025 for a property to meet the standards before it is advertised. Moreover, 1 March 2027 is scheduled date for commencement of additional energy-efficiency requirements. (Consumer Affairs Victoria [CAV], 2026). Under these reforms, issue of distribution of rights, responsibilities and costs in a large and politically sensitive housing market has been addressed.

Apart from the technical evidence, renters, community legal organisations, public-health and energy groups, rental providers, real-estate organisations and other interested parties were invited to present their views before the Victorian review panel (Victorian Government, 2016). Renter-oriented actors based their claim on habitability, health, dignity and energy poverty, while property-sector groups highlighted compliance cost, feasibility, investment incentives and possible effects on rent or rental supply (The Guardian, 2024). Competing interests were factored in by the Government before establishing legally administrable standards.

The public debates on the reforms are generally centered on whether renters won or landlords obscuring the mechanism of influence which they employed. This is important to understand how influence operates. Observable decisions, control over the agenda and the power to shape accepted understandings of a problem are distinguished in policy scholarship (Bachrach & Baratz, 1962; Lukes, 2005). There are different ways to influence a policy decision. Access may be gained without changing the decision. Favourable language of policy may be secured without blocking the outcome. A group may influence the agenda but may lose in implementation detail. Opposing the main reforms, exemptions may be obtained. This seeks to explain the mechanisms (how and what)

which stakeholders employed to influence the development and implementation of Victoria's rental minimum standards. Moreover, this study will also look into interests and narratives which were advanced, variance in the influence of different actors and extent of reflection of competing interests of different stakeholders in final regulatory design.

The study debates that influence was multidimensional and unequal. Health group looks influential in broadening the meaning of minimum habitability and legitimizing mandatory regulations. Property-sector voice succeeded in extracting phases, exceptions, feasibility tests and alignment with appliance-replacement cycles.

2. Victorian Policy and Regulatory Context

A wider review of residential tenancy law and the Fairer Safer Housing agenda resulted in Victoria's reforms (Victorian Government, 2016). The Residential Tenancies Act 1997 (Vic) was amended in 2018 to incorporate the statutory basis for minimum standards, while in Schedule 4 of the Residential Tenancies Regulations 2021(Vic), detailed requirements were specified. On or after 29 March 2021, most standards were applied to the agreements (CAV, 2026). Therefore, primary legislation, delegated regulation and administrative guidance are combined in the research framework.

A clear-cut regulatory framework has been established in the form of enforceable standards. Functional bathroom and kitchen facilities, adequate lighting and ventilation, secure doors and windows, structural soundness and weatherproofing, freedom from building-related mould and damp, and a fixed heater in the main living area are specified in schedule 4 (Residential Tenancies Regulations 2021 (Vic), sch. 4). Electrical safety requirements started in March 2023. Renters have been provided remedies for non-compliance. It becomes an urgent-repair matter under the Act (Residential Tenancies Act 1997 (Vic), ss. 3, 72; CAV, 2026) if minimum standards are not complied with. Compliance before advertising a property is mandatory from late 2025 indicates the objective of standards to get the defects removed before a renter enters the property. Moreover,

additional requirements have included insulation, draught sealing, efficient cooling and replacement of inefficient or gas appliances over time (CAV, 2026; The Guardian, 2024).

For understanding stakeholder influence, institutional arrangement requires to be explained. Parliament, Consumers Affairs Victoria (CAV) and the Victorian Civil and Administrative Tribunal are custodian and implementor of the Residential Tenancies Act 1997 (Vic) and its subordinate legislation. Determining role and responsibilities of renter and landlords, Parliament passed the Residential Tenancies Act 1997 (Vic); In pursuance of the section 511 of the *Residential Tenancies Act 1997 (Vic)*, the Governor in Council made the *Residential Tenancies Regulations 2021 (Vic)*, wherein with Schedule 4 prescribes the detailed rental minimum standards; and Consumer Affairs Victoria (CAV) is responsible for compliance of obligations and available remedies (CAV, 2026; Residential Tenancies Regulations 2021 (Vic), sch. 4). Adjudication of tenancy disputes lies with the Victorian Civil and Administrative Tribunal adjudicates, while rental providers, agents and landlords are translators of the regulations at ground level. There are various stages where influence may occur such as at agenda setting, legislative design, regulatory specification, implementation guidance or enforcement stage.

3. Literature Review

3.1 Housing quality, health and energy vulnerability

Being the major social determinant of health (SDoH), housing, in the definition of WHO (2018), is linked with inadequate indoor temperatures, dampness, crowding and safety hazards with preventable illness and injury (Rolfe et al., 2020). Studies which evaluate housing improvement interventions also indicates the positive correlation between warmth and energy-efficiency measures and health. (Thomson et al., 2013), (Swope & Hernández, 2019). Energy cost also complicates a housing-quality problem by forcing occupants to ration heating or cooling (Hernández, 2016). Magnifying the risks, rental tenure also compromises renter's will and capacity to install

insulation, replace heating systems or undertake structural work without owner action. The split-incentive problem stops owners from making capital invest in the asset quality which may otherwise stop its deterioration and increase its marketability. (Hernández, 2016). This underinvestment may be corrected through Minimum standards, but their distributional effects may vary depending on compliance cost, enforcement, pass-through into rents and the availability of financial support.

3.2 Regulation and implementation

Responding to concerns raised during Victoria's tenancy-law review, Minimum standards address unequal bargaining power and information asymmetry (Victorian Government, 2016). It is always difficult for prospective renters to identify hidden defects, assess thermal performance or negotiate repairs in a tight market. A regulatory framework can make certain qualities non-negotiable. However, Substantive protection still remains questionable. Complaint-based enforcement may be hard for renters due to evidentiary, financial and relationship risks. Therefore, intelligible standards, inspection capacity, credible sanctions, accessible remedies and reliable compliance information may be considered for making such regulations effective (WHO, 2018).

Regulatory design also influences the outcome and has to be traded off due to practical and on-ground complications. Despite bringing clarity, highly prescriptive rules may not encompass diverse building types; outcome-based rules bring flexibility but can make the process of verification difficult. Immediate retrofitting may increase short-term cost, whereas staged or replacement-triggered duties may delay benefits for occupants. Moreover, provisions which address Victoria's apartment-heating and heritage may invoke exceptions from general standards (CAV, 2026; Residential Tenancies Regulations 2021 (Vic), sch. 4). Stakeholder influence many become more visible where such choices do exist.

3.3 Stakeholder influence in public policy

Stakeholder theory explains the actors who affect or are affected by a decision (Freeman, 1984). Influence and importance of stakeholder

salience can be assessed through power, legitimacy and urgency and interest. (Mitchell et al., 1997). Outcome cannot be controlled just by mapping the likely participants. Bachrach and Baratz (1962) highlights variation between observable decisions and agenda control, while Lukes (2005) explains the dynamics of the power to shape preferences and accepted meanings. Discursive power in rental policy may define a dwelling as an investment asset, a home, a health environment or an energy system.

Interest-group literature explains and distinguishes inter and outsider strategies. Insider strategies may be based on access and technical credibility, which outsider strategies may rely on mobilisation and public pressure. Resource-rich industry actors may take advantage of access and implementation expertise, while advocacy organisations may confront through public legitimacy, research, coalition building and compelling lived experience (Dür, 2008). It is however difficult to infer policy influence from visibility alone. Public record may not show change in preferences, multiple causation paradigm and consequential lobbying. (Dür, 2008).

In this study, influence is treated as a graded inference. Documentary acknowledgment, evidence of reliance, interview testimony or a

traceable change following intervention determine direct influence. Strong circumstantial influence may be established by linking the relationship between incorporation of proposal in the final instrument and evidence of access and temporal sequence. Without resorting to causation, preference attainment describes congruence between a stakeholder's stated position and the outcome (Dür, 2008). Process tracing looks into evidentiary links and tests the sequence strengthens for confirming the link between a cause and outcome. (Beach & Pedersen, 2019).

4. Conceptual Framework

In this study, stakeholder's power to influence is synthesized with policy-process tracing. Stakeholder's power to influence is assessed through formal authority, material resources, expertise, institutional access, representational legitimacy and media capacity (Freeman, 1984; Mitchell et al., 1997). Four Variables such as agenda setting, instrument choice, policy calibration and implementation are identified to examine influence. Keeping in view the powerfulness of a stakeholder in one variable and weakness in other, this framework does not assign a single rank to each actor. (Bachrach & Baratz, 1962; Lukes, 2005).

Dimension	Question	Observable evidence	Caution
Access	Who reached decision makers?	Meetings, hearings, advisory roles	Access is not influence
Agenda setting	Who defined the problem?	Official framing, adopted concepts	Shared language may have several sources
Instrument choice	Why mandatory standards?	Movement from voluntary to legal duties	Election mandates and evidence also matter
Calibration	Who shaped timing and exceptions?	Draft-final changes, thresholds, staging	Administrative feasibility can independently explain change
Implementation	Who shaped guidance and enforcement?	Compliance tools, remedies, reporting	Practice may diverge from formal design

5. Methodology

In this study, a qualitative single-case study of Victorian rental minimum standards is employed. As it is difficult to separate institutional setting and causation mechanism from the context, a case-study design looks more

appropriate to understand and examine a contemporary policy process (Yin, 2018). The Victorian case has been selected for analysis because it represents a case study where reforms were extended, obligations were redistributed and competing voices and stakeholder coalitions

pursued their interests hotly. The study seeks to analyze influence which explains contest over mandatory nature, content, timing, exceptions or enforcement of a particular standard.

The Residential Tenancies Act 1997 (Vic), the Residential Tenancies Amendment Act 2018 (Vic), the Residential Tenancies Regulations 2021 (Vic), CAV guidance, Victorian Government consultation and announcement material, parliamentary material, stakeholder submissions and policy statements where publicly available, advocacy publications, and contemporaneous reporting constitute documentary evidence. Documentary-analysis principles of relevance, authenticity, credibility and representativeness have been observed. (Bowen, 2009). For analysis, those documents were selected, which were relevant to the origin, design or implementation of minimum standards and to institutional source or stakeholder position.

Analysis is carried out in three stages: mapping, coding and measuring influence of stakeholders. First, mapping of stakeholders according to their interest, authority, resources, expertise, access, legitimacy and media capacity (Mitchell et al., 1997); Second, coding of documents on the basis of problem framing, preferred policy instrument, substantive demand, cost allocation, commencement, exceptions, enforcement and influence strategy (Bowen, 2009); Third, comparing stakeholder preferences with policy outputs using four variables: direct evidence of influence; strong circumstantial evidence; policy alignment without demonstrated influence; and no observable influence. Using process-tracing logic, sequence of events and alternative explanations are factored in the study. (Beach & Pedersen, 2019).

The study acknowledges important limitations. Private bargaining is rarely revealed in public documents. Independent of stakeholder's advocacy, government may arrive at the same conclusion. Media reporting may be biased in favour of privileged and prominent organisations. Intermediaries may represent disadvantageous renters. Documentary analysis and influence measurement historically confront with afore-mentioned limitations. (Bowen, 2009; Dür, 2008). Therefore, it is

difficult in the study to claim the alignment of a particular outcome with a particular lobbying effect. However, Interviews with officials, renter advocates, property representatives and technical experts may help triangulating causal effect of lobbying (Yin, 2018).

6. Findings

6.1 A structured but unequal stakeholder field

Having a control over legislation, delegated regulation, commencement and enforcement architecture, government actors occupied the strongest position (Residential Tenancies Act 1997 (Vic); Residential Tenancies Regulations 2021 (Vic)). Instead of merely persuasive, their role was constitutive: they decided administrative and political feasibility of competing claims. As it was implementation and informational authority, CAV defined providers and renters understanding of compliance (CAV, 2026).

Compensating limited material resources, Renter and community-sector organisations made use of representational legitimacy, legal-service experience and access to lived evidence of unsafe housing. Synthesizing claim around multidimensional issue of tenancy, public health, social services and efficient-energy advocacy, renter's coalition projected minimum standards essential not only contractual fairness but as preventive health and cost-of-living policy (The Guardian, 2024; WHO, 2018). Under stakeholder-salience theory, this synthesis of legitimacy and urgency may partly compensate weaker material power (Mitchell et al., 1997).

Harnessing market information, implementation expertise and a credible capacity, property owners, real-estate bodies and agents warned of unintended consequences. Concerns about capital costs, administrative burden, technical feasibility, transfer of rent and exit of investors debated publicly (The Guardian, 2024). They influenced government when it was calibrating about application date of standards and defining exceptions and their operating mechanism. Although it is difficult to establishment policy alignment was caused due to the advocacy. (Dür, 2008).

Despite being active in public debate and politically, Individual renters and small rental providers were institutionally fragmented. The

documentary record shows the voices and position organised intermediaries (Victorian Government, 2016). This situation demonstrates evidentiary asymmetry where traceable participants are not necessarily those who are the most affected. This dilemma occurs in reconstructing policy participation based on documentary evidence (Bowen, 2009).

6.2 Framing the policy problem

Advancing a rights-and-health frame, Renter-oriented stakeholders devised a brilliant strategy to influence. They adopted the phrase of acceptable minimum standard to distinguish it from high premium features of a luxurious house. Employing the international evidence, they established relevance of mold, inadequate thermal conditions and safety hazards with health. (Thomson et al., 2013; WHO, 2018). The final architecture reflects this frame: standards are mandatory and supportive of urgent-repair remedies (Residential Tenancies Act 1997 (Vic), ss. 65A–65B, 72; Residential Tenancies Regulations 2021 (Vic), sch. 4). The outcome is congruent with agenda-setting influence. However, public documents alone are insufficient to identify a single organization using agenda setting influence.

Extending argument from basic safety to thermal performance, energy and public-health actor's frame connected indoor temperatures, household bills, emissions and inequality. Health and energy-insecurity literature also support this relationship (Hernández, 2016; WHO, 2018). The definition of habitability has been broadened as the minimum standards recognize energy-efficient heating, insulation, draught control and efficient replacement appliances. (CAV, 2026). Welcoming stronger energy standards by Tenants Victoria and Better Renting indicates, in addition to causal influence, alignment of coalition purpose (The Guardian, 2024).

Industry actors argued on the basis of an affordability-and-supply frame. They did not deny desirability of safe housing. They, however, raised question on its feasibility and impact on the renters and rental investment and efforts to make up housing-supply crisis. (The Guardian, 2024). They could not prevent mandatory standards, but succeeded in making

implementation pace, exceptions and lifecycle replacement central questions in policy design. This finding may be taken as policy alignment rather than the causal chain (Dür, 2008).

6.3 Instrument choice: mandatory regulation

The establishment of a regulatory floor is the substantive success for rent-protection group which advanced its position during Victoria's tenancy-law review (Victorian Government, 2016). The shift between mandatory and voluntary guidance is clearly in favour of renters. Voluntary guidance revolves around the discretion of owner and might have resulted in general repair. However, mandatory guidance under sections 65A and 65B of the Residential Tenancies Act 1997 (Vic) is meant to ensure compliance of minimum standards, while Schedule 4 of the Residential Tenancies Regulations 2021 (Vic) specifies particular conditions. This outcome supports the argument built around information asymmetry and fragile bargaining power of renter. Rather than framing it an advocacy victory, outcome also indicates that evidence might have supported government action and argument of rent-protection group.

6.4 Calibration: staging, feasibility and exceptions

Outcome of influence in calibration of obligation appears to be mixed. Effective time of application of standards varies. Electrical safety and energy-efficient heating were scheduled immediately after initial reform date. (CAV, 2026). Subsequently, energy measures were re-scheduled around future commencement and, in some cases, appliance-replacement events (CAV, 2026; The Guardian, 2024). Phasing helped reducing immediate capital shocks and easing workforce and supply-chain constraints. However, it prevented renters living in inefficient homes from immediate benefits. This design suits both industry and government for respective transition and implementability. However, it is not easy to establish from documentary evidence whether it is consideration of suitability of government or industry which proved more decisive in phasing the implementation (Dür, 2008).

The heating standards are universal in nature. In order to meet heat standards, an energy-efficient

fixed heater is generally required. However, circumstances of apartment i.e., owners-corporation rules, other laws or unusually high cost may dictate otherwise. Regulations demand supportive evidence for claiming exceptions but don't exempt from installing fixed heater. (CAV, 2026). Competing legal and physical constraints are required for heritage-related exceptions (Residential Tenancies Regulations 2021 (Vic), sch. 4). These exceptions are broad norms which have been translated into a rule. It may be a result of regulatory drafting practice or influence of stakeholder or both. Available may point towards policy accommodation rather than precise causal relation.

Regulatory requirements which make it mandatory for a property to meet prescribed minimum standards before advertising from 25 November 2025 indicate fortification of regulation and reduction of reliance on discretion of landlord. (CAV, 2026). This shift supports more closely the interest of renter and regulator. Therefore, policy is not unidirectional: protective obligations have expanded while implementation remained staggered.

6.5 Enforcement and the implementation gap

There is a difference between observable and non-observable issue of compliance. Regulatory

standards are very effective where compliance issues are observable. However, several requirements require technical interpretation and are prone to evasion. Adequate ventilation, structural causes of mould or the reasonableness of an apartment heating exception, require technical interpretation (CAV, 2026). Renter may file a complaint under the Residential Tenancies Act 1997 (Vic) for enforcement but he has to bear the evidentiary and monitoring burden which require expertise, time, security of tenure or confidence to handle. However, renter may be lacking in these attributes and resources. Therefore, formal entitlement and practical implementation become challenge for evaluating housing regulation (WHO, 2018).

In order to promote compliance literacy, CAV has prepared a separate checklist for providers and renters. However, the pre-advertising rule creates an earlier obligation. (CAV, 2026). Nevertheless, for evaluating implementation, publicly accessible and systematic data on inspections, breaches, rectification time and sanctions become critical. Assessment of stakeholder influence remains critical not only through written standards but also through enforcement resources and evidential value (Dür, 2008).

6.6 Comparative assessment of influence

Policy dimension	Renter/health preference	Industry preference	Observed design	Assessment
Legal instrument	Mandatory floor	Flexibility/limited burden	Mandatory enforceable standards	Strong renter-coalition alignment; government decisive
Policy scope	Health, safety and energy	Core safety; caution on upgrades	Broad 15-category framework plus energy expansion	Renter, health and energy agenda influence
Timing	Rapid universal benefit	Long transition	Staged commencement	Mixed; industry/government feasibility alignment
Exceptions	Narrow and evidenced	Technical and cost flexibility	Targeted heritage/apartment exceptions	Negotiated calibration
Duty point	Before occupancy/advertising	Avoid added process	Pre-advertising compliance	Protective coalition/regulator alignment

Policy dimension	Renter/health preference	Industry preference	Observed design	Assessment
Enforcement	Proactive and accessible	Proportionate, low burden	Rights, urgent repairs, guidance; data gaps	Formal protection with uncertain implementation

7. Discussion

Influence in the Victorian case cannot be reduced to winner-loser paradigm. At the macro level, the regulatory floor tilts towards renters: habitability became a mandatory enforceable obligation. (Residential Tenancies Act 1997 (Vic), ss. 65A–65B). At the meso level, implementation and property sector concerns were addressed through time, technical exceptions and differentiated triggers (CAV, 2026). At the micro level, awareness, inspection, evidence and enforcement shape outcome of policy.

Different forms of power appeared in the analysis. Decision-making and institutional power rests with Government which exercised it through legislation and delegated regulation. Employing discursive power, renter and health coalitions influenced agenda-setting by linking dwelling condition to health, dignity and energy hardship. Exercising technical and anticipatory power Industry actors questioned feasibility, costs and supply. All these actors exercised powers simultaneously through decisions, agenda control and accepted policy meanings (Bachrach & Baratz, 1962; Lukes, 2005).

The Victorian case study also separates policy ambition from policy velocity. Advocacy has helped setting the direction of reforms while competing interests influenced its speed and extracted exemptions. This explains the rationale of coexistence of mandatory standards and phased implementation. Moreover, this is not a conclusive proof of policy capture. (Dür, 2008). On the basis of administrative feasibility, including workforce capacity, appliance lifecycles, owner-corporation constraints and the need for verifiable standards, government may introduce phased reforms. (CAV, 2026).

Analysis also highlights representational inequality. All the actors may not at equal footing in expertise, linkage and resources. Industry actors have the capacity to advance technical evidence, forge government relationships and participate repeatedly across

reform stages. However, renters may confront with language barriers, disability, insecure tenure or limited time. Stakeholder salience literature theorize that organized actors are more likely to receive managerial attention (Mitchell et al., 1997). This imbalance may be partly bridged with advocacy organisations but participation through intermediaries is not synonymous with direct participation. Therefore, for addressing the concerns of democratic equality, future consultation should be wider enough to accommodate organisational submissions with compensated lived-experience panels and aboriginal renters, culturally diverse communities, people with disability, older renters, low-income households and regional renters.

This study is not exhaustive in nature due to methodological limitation. Preference attainment may be useful benchmark but insufficient to establish independent causation. An outcome may be result of multiple independent causes. (Dür, 2008). Therefore, an exhaustive future study may be conducted by constructing a chronological dataset linking proposals, submissions, meetings, draft provisions and final clauses, then testing rival explanations through process tracing (Beach & Pedersen, 2019). Given the availability of ministerial diaries and freedom-of-information material, regulatory impact analysis may reveal access and reliance (Bowen, 2009; Yin, 2018).

8. Conclusion

Victoria's rental minimum standards is an outcome of a contested policy process where stakeholders mustered unequal and different resources and forms of power. Renter, public-health and energy-efficiency coalitions succeeded in establishing the legitimacy and breadth of mandatory minimum conditions. This is the agenda which is also congruent with health evidence and the Fairer Safer Housing review (Victorian Government, 2016; WHO, 2018). Property-sector actors could not resist the

regulatory direction but were able to extract calibrated form of implementation, including phasing, feasibility provisions and selected exceptions (CAV, 2026; The Guardian, 2024). Government maintained decisive authority through the Act and regulations.

The final policy outcome may be framed as negotiated regulatory expansion. This is a meaningful regulatory framework but its practical value depends on enforcement, transparency and renter capacity to exercise rights (CAV, 2026; Residential Tenancies Act 1997 (Vic)). Moreover, for the authenticity of strong causal claims, complete consultation records and implementation data will be required. Additionally, influence may not be inferred from participation or public visibility lens alone. It may be examined across agenda setting, instrument choice, calibration and implementation. (Bachrach & Baratz, 1962; Dür, 2008; Lukes, 2005).

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