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The impacts of the threat of eviction or actual eviction on private renters in two Australian states

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ABSTRACT

Around one in four Australian households are reliant on the private rental sector (PRS). The light regulation thereof means that landlords are able to increase the rent annually to whatever the market can tolerate and can evict tenants for a range of reasons. Although precise data are not available, organisations assisting tenants have reported that not renewing leases and actual evictions in the current tight rental market are common. We argue that when a tenant is forced to move by an unaffordable rent increase, or a refusal by the landlord to do repairs, these involuntary moves should be recognised as an 'informal eviction', even without a termination notice. Despite its prevalence, there has been scant research on evictions in Australia. We draw on 53 interviews with private tenants in two states, New South Wales and Queensland to understand the impacts of eviction. Drawing on Isabell Lorey's and Judith Butler's concepts of precarity, the article examines the impacts of both the threat of eviction and actual eviction on private renters. Several impacts are discussed – the effects on tenants' mental health, the financial implications, the reluctance to ask for maintenance, the loss of support networks, sense of home and decline in accommodation quality.

KEYWORDS: Eviction; private renters; precarity; impacts of eviction; Australia

Introduction

Like many other high-income economies, the private rental sector (PRS) in Australia has experienced consistent growth over the last three decades (Byrne, 2020; Desmond, 2016; Hulse, 2023; Kemp, 2023). The 2021 Census established that 26% of Australian households were private renters, up from 18% in 1994 (ABS (Australian Bureau of Statistics), 2021). The considerable increase in house prices in Australia, a 42% increase between

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January 2020 and March 2024, means that an increasing proportion of households cannot access home ownership. The decline of social housing, from 6% in the mid-1990s to around 4% at present, means that social housing is extremely difficult to access. Thus the PRS is bound to continue its substantial growth (National Housing Supply & Affordability Council, 2024). An increasing proportion of the population are simply unable to access home ownership or social housing and are thus dependent on the PRS for their accommodation (Ong Viforj, 2024).

Despite its increasing importance, there is consensus that the PRS in Australia is in crisis (Holland & Gordon, 2024; Morris et al., 2017). Nationally, the vacancy rate is around 1.6%, the lowest level ever recorded, and between January 2020 and March 2024 rents increased by 35%, far outstripping inflation (National Housing Supply & Affordability Council, 2024). According to the latest report from the NGO, Anglicare Australia, based on a nation-wide analysis of the 45,115 private rental listings on the weekend of 16–17 March 2024, only 13.4% of the rental properties listed were affordable for a family of four with both parents working full-time and earning the minimum wage (Anglicare Australia, 2024).

The Productivity Commission, the Australian government's independent research and advisory body, concluded that without Commonwealth Rent Assistance (CRA), a fortnightly government benefit for low-income private renters, 70.6% of low-income recipients¹ would have been in rental stress, i.e., using more than 30% of their income to pay for accommodation. CRA reduced the proportion to 42.9% (Productivity Commission, 2024, p. 1). Although CRA certainly reduces the risk of eviction, it only partially resolves the crisis many low-income renters face. The negligible vacancy rate in the context of light regulation (discussed below), has given landlords in Australia enormous power and private renters are faced with the constant possibility of eviction (Razaghi, 2023). Also, in moderately to severely disadvantaged areas, landlords do capture a part of the CRA.²

Once considered the 'hidden housing problem' (Hartman & Robinson, 2003), research on evictions has increased significantly in recent years (Balzarini & Boyd, 2021; Desmond, 2016; Garboden & Rosen, 2019; Immergluck et al., 2020; Soederberg, 2018). In Australia, a recent report by the Tenants' Union of New South Wales (NSW) focused on the detrimental impacts of eviction in NSW (Tenants' Union of NSW, 2024). However, besides this report, we know little about what actually happens when households face the possibility of being evicted or are actually evicted in Australia. This study, focusing on two Australian States, NSW and Queensland, partially fills this gap and contributes to the international literature on eviction and its impacts. It draws on 53 in-depth interviews with tenants who had experienced being evicted, were about to be evicted, or had been threatened with eviction, and examines the impacts thereof. We draw on Isabell Lorey's (2015) and Judith Butler's (2009, 2015) analysis of precarity to examine the devastating impacts of actual or threatened

eviction. As illustrated, the impacts are not uniform; they are varied and graded, and shaped fundamentally by the household composition, income and health of the tenants.

Next the theoretical framing for this study is outlined. The literature on the impacts of eviction is then reviewed, followed by a discussion of the PRS and eviction in Australia. In this section the legislative framework that governs the landlord-tenant relationship is outlined. Following this, our methodology is discussed. The final section, drawing on the in-depth interviews, examines the various impacts of eviction.

Theoretical framing: precarity, the PRS and eviction

A key feature of late modernity has been the endeavour by the nation-state to increase the protection of the individual – ‘Social and political institutions [were] designed in part to minimize conditions of precarity, especially within the nation-state ...’ (Butler, 2009, p. ii). This protection reached a highpoint with the ‘golden age’ of the welfare state (Esping-Andersen, 1996). Workers were safeguarded from excessive exploitation and in an increasing number of countries public housing and social security payments helped protect vulnerable households. The weakening of the welfare state since the mid-1970s has meant that the proportion of the population protected from precarity has declined significantly.³ In the contemporary period, ‘Precarization is not an exception, it is rather the rule.’ (Lorey, 2015, p. 1). Also, precarity is not confined to a lack of security in the realm of work, but has spread to other areas which historically were considered secure such as housing (Desmond & Kimbro, 2015; Waldron, 2024). A further feature of contemporary precarity is that for many, it is not episodic, but an extended or even lifelong condition (Butler, 2015, p. i). The key features of precariousness are ‘insecurity and vulnerability, destabilization and endangerment’ (Lorey, 2015, p. 10). For Butler (2009, p. i) ‘... precarity seems to focus on conditions that threaten life in ways that appear to be outside of one’s control ...’.

There are grades of precarity; clearly some segments of the population are more precarious than others. This could be due to their class, income, gender, ethnicity, location or the ownership or non-ownership of residential property:

... precarity, is to be understood as a category of order, which designates the effects of different political, social and legal compensation of a general precariousness. Precarity denotes the striation and distribution of precariousness in relations of inequality ... (Lorey, 2015, p. 12).

Precarity is shaped by what Lorey labels ‘governmental precaritization’ – the distribution of precarity is moulded by government policy. Government protection is severely weakened and normalised for certain groupings: ‘Legitimizing the protection of some generally requires striating

the precarity of those marked as “other” (Lorey, 2015, p. 14). When confronted with the landlord-tenant situation in Australia, it is evident that the precarity of the latter involves the protection of the former.

In Australia, and the many other countries where the regulation of the private rental sector is light, being a private renter necessarily means that you are subject to constant precarity (Bates et al., 2020; Clair et al., 2019; Desmond, 2016; Soaita & McKee, 2019; Waldron, 2024). In these contexts landlords have excessive power (Chisholm et al., 2022; McArdle & Byrne, 2022). They are able to determine whether a tenant’s lease will be extended, the rent to be paid, and whether they will bother to respond to maintenance requests (Chisholm et al., 2022; Clair et al., 2019; McKee & Harris, 2025). Precarity encourages tenant compliance (Verstraete & Moris, 2019) and failure to be compliant is likely to increase the possibility of eviction. In order to maintain their tenancy, tenants need to pay their rent on time whatever their circumstances. In addition, their precarity strongly encourages them to have a non-conflictual relationship with their landlord and limit complaints about defects and poor maintenance (Chisholm et al., 2022; Power & Gillon, 2022; Wachsmuth et al., 2023). Tenants’ lack of power is heightened considerably in tight rental markets. The power of the landlord is normalised and this ‘enables governing through insecurity’ (Lorey, 2015, p. 11).

The relationship between the landlord and tenant is not only contractual; it is steeped in social interactions that reflect power disparities (Byrne & McArdle, 2022). Landlords possess the authority to select tenants and effectively exclude financially vulnerable households (Verstraete & Moris, 2019). Ultimately, the relationship between landlords and tenants can be viewed as one where landlords hold power to dictate the course of events, leaving tenants with limited agency (Desmond, 2016). Chisholm et al. (2022) considered three forms in which the power imbalance between landlords and tenants is evident: visible power, where landlords determine outcomes in disputes; hidden power, where tenants may suppress grievances out of fear; and invisible power, where tenants accept poor housing conditions as normal and do not voice complaints.

Landlords exert control over tenants through eviction rights, rent-setting, and management of living conditions, which often leads to ‘residential alienation’, a sense of powerlessness where tenants cannot shape their environments as they wish, instead ‘their housing is the instrument of someone else’s profit, and this confirms their lack of social power’ (Madden & Marcuse, 2016, p. 59). Desmond (2016) emphasises that evictions result from complex social interactions rather than just tenant misbehaviour, highlighting the broader power dynamics at play. Moreover, retaliatory evictions serve as a clear example of how power and insecurity intersect, limiting tenant agency in less regulated markets (Soaita & McKee, 2019). This interplay of power and insecurity ultimately constrains tenants’ autonomy and shapes their overall experience in the rental sector (Morris et al., 2017).

The position of the tenant represents 'normalized precarization' (Lorey, 2015). Judith Butler (2009, p. ii) concludes,

Precarity also characterizes that politically induced condition of maximized vulnerability and exposure for populations exposed to arbitrary state violence and to other forms of aggression that are not enacted by states and against which states do not offer adequate protection.

The latter part of the quote captures the dynamics of Australia's (and other contexts) lightly regulated PRS. As discussed, it is accepted that the landlord has the power to issue a tenant a termination notice for a range of reasons. In NSW, the landlord (at the time of writing) was under no obligation to supply a reason for the termination of occupancy.

The precarity of tenants is graded. With respect to dissipating the power imbalance, the income of the tenant is key. High-income tenants will have greater capacity to pressurise their landlord to do what is required than would low-income tenants (Chisholm et al., 2022). The former's economic capital, perhaps combined with their cultural capital, will make them more prepared to challenge a negligent landlord. Eviction would also be less harrowing in most instances. High-income renters, if forced to vacate, will probably be able to find alternative accommodation which is suitable in a reasonable time-frame, whereas a low-income tenant in a tight rental market could find themselves having to move to unsuitable accommodation and neighbourhood so as to avoid homelessness (Desmond, 2016; Wiesel, 2014).

The annual survey of rental affordability conducted by Anglicare Australia painted a dismal picture of rental affordability for that section of the population reliant mainly or solely on government benefits for their income.⁴ It concluded that on the weekend of 16–17 March 2024 and applying the criterion that a low-income renter using more than 30% of their income is in 'rental stress', only 0.1% of rental properties listed were affordable for a single parent with one child aged less than five, and reliant on the government's 'Parenting Payment Single'; 0.2% were affordable for a person reliant on the government Age Pension and that none were affordable for a person reliant on JobSeeker, the government's unemployment benefit. Remarkably, only 0.6% were affordable for a person earning a full-time minimum wage (Anglicare Australia, 2024).

Household composition is also a factor shaping tenant precarity. A low-income private renter who is a single parent is in a more vulnerable position than a low-income tenant who is renting alone (Fitzsimmons, 2023; Ward, 2023). The latter are certainly vulnerable, but in most cases will have more flexibility with respect to finding alternative accommodation. Also, they are in a better position to 'couch surf' if necessary. A low-income single parent would be hard-pressed to find alternative accommodation in a tight rental market and could find themselves having to rent sub-standard accommodation.

The potential impacts of eviction

Research has illustrated the various deleterious impacts eviction has on households, particularly low-income households. Possible impacts include homelessness, poor health, loss of community and intensified housing precarity (Crane & Warnes, 2000; Desmond, 2016; Desmond & Kimbro, 2015; Fowler et al., 2015). Eviction can result in a spiral of decline and homelessness post eviction is not unusual (Aldanas et al., 2017). An Australian study found that many evicted tenants were either 'sleeping rough, sleeping in cars or in emergency shelters' (Beer et al., 2006, p. 3).

After eviction tenants may be forced to live with family or friends (DeLuca et al., 2019; Desmond, 2012). This has the potential to strain important relationships and limit access to support networks in future crises (Skobba & Goetz, 2015). An Australian survey found that private renters worried that in order to find affordable accommodation, they may be forced to move away from existing support networks, including friends, family, and social groups (CHOICE, National Shelter, National Association of Tenants' Organisations, 2017).

The pressures associated with the threat of eviction or actual eviction can have a significant effect on tenants' physical and mental health (Desmond, 2016; Desmond & Kimbro, 2015; Hatch & Yun, 2021). A systematic review of 47 studies on the impacts of eviction threat concluded,

Most of the evidence related to the effects of eviction threat on health ... indicates that people exposed to this pressure (either directly or indirectly) present negative mental (e.g. depression, anxiety, psychological distress, and suicides) and physical (poor self-reported health, high blood pressure, and child maltreatment) health outcomes (Vásquez-Vera et al., 2017, p. 205).

A common result of eviction is tenants having to move into sub-standard housing (Desmond, 2016). The link between sub-standard housing and health is strong (Chisholm et al., 2018; Gold, 2016). Besides having grave physical health outcomes, sub-standard housing can have a serious impact on mental health: 'Housing problems such as inadequate heat, dampness, noise, and disrepair, are associated with increased anxiety and depression' (Gold, 2016, p. 73).

Furthermore, the possibility of eviction can be life-threatening. A pioneering Swedish study compared the suicide rate of people who had been served with an application for execution of an eviction order between 2009 and 2021 to a random 10% sample of the general Swedish population aged 16 years and over (Rojas & Stenberg, 2016). The study found that people facing eviction were four times more likely to suicide than those who had not experienced the threat of eviction.

Children are not immune; their wellbeing can be seriously compromised by an eviction threat or involuntary moves (Bullinger & Fong, 2021; Cutts et al., 2022; Desmond et al., 2013). Consequences include lower school

achievement and higher drop-out rates compared to their peers (Beatty, 2010). There are also greater health risks due to the need for families to relocate frequently to housing which is sub-standard and neighbourhoods which are detrimental to children's health (Coulton et al., 2016; Desmond et al., 2013).

A seminal study of low-income mothers in the United States established that eviction had several negative health consequences for mothers and their children:

Compared to those not evicted, mothers who were evicted in the previous year experienced more material hardship, were more likely to suffer from depression, reported worse health for themselves and their children, and reported more parenting stress (Desmond & Kimbro, 2015, p. 296).

Eviction usually has serious financial implications. For low-income renters, the cost of removalists, bonds, storage and having to take time off work, can be crippling (Power, 2022; Tenants' Union of NSW, 2024). The possibility of unemployment is also increased. A US study of low-income renters who were evicted concluded that their likelihood of experiencing job loss was 'between 11 and 22 percentage points higher ... compared to observationally identical workers who did not' (Desmond & Gershenson, 2016, p. 59).

The PRS and eviction in Australia⁵

Broadly defined, eviction refers to a 'forced move that is against the wishes of the tenant' (Tennant & Carr, 2012, p. 4). This could be the outcome of a formal civil process involving a tribunal order and the forcible removal of a person from a property by a sheriff's officer. More often, however, evictions in Australia are effected by a landlord giving a termination notice and the tenant moving out, without tribunal or court proceedings even being commenced. It is also arguable that when a tenant is forced to move due to an unaffordable rent increase, or a refusal by the landlord to do necessary repairs, these forced moves should be recognised as an informal eviction, even without a termination notice from the landlord (Desmond, 2016).

The paucity of official statistics makes it difficult to obtain an accurate account of the extent of evictions in Australia (Martin, 2021). Based on data supplied by the NSW Civil and Administrative Tribunal (NCAT) and the Victorian Civil and Administrative Tribunal (VCAT), Martin (2021) estimated that in the period immediately prior to the Covid-19 pandemic, annually in NSW there were 2.5 termination applications per 100 NSW private tenancies and in Victoria there were 3.2 applications per 100. According to the Australian Bureau of Statistics (ABS), about 14% of private renters who recently moved did so because of termination by the landlord (ABS (Australian Bureau of Statistics), 2022).

Although each state and territory in Australia is responsible for its own legislation around the workings of the PRS, there is much commonality. The key common feature is light regulation and a resultant power imbalance between landlords and tenants (Martin et al., 2022; Morris et al., 2021). In all jurisdictions (Australia has six states and two territories), rent at the commencement of the tenancy is unregulated; it is determined by the market (there is a partial exception to this under a recent amendment in Queensland, discussed briefly below). During a tenancy, the frequency of rent increases is limited (in most states to once in 12 months), but the amount of an increase is not regulated, except that tenants can challenge an increase if they feel it is excessive when compared to the general market level of rents. The Australian Capital Territory (ACT) has a rent cap – increases up to 10% above the Consumer Price Index. However, if a landlord in the ACT wants to go above the guidelines they can apply to the Tribunal for approval. They would need to show why the rent increase is not excessive. In NSW, Australia's most populous state, when a tenant moves out or a lease (written tenancy agreement) ends and a new lease is entered into, the landlord is entitled to increase the rent even if the rent was increased within the last year. During the course of the lease, the rent cannot be increased and the tenant cannot be evicted unless there is a serious breach of the tenancy agreement. In Queensland, the legislation has recently been changed so that the rent cannot be increased less than 12 months after the last increase, including where the last increase was under a different tenancy.

The lack of a rent cap has resulted in increases in rent far outstripping inflation and increases in wages. In Sydney (the capital of NSW), rents increased by 9% in the year to April 2024 and the median weekly rent was \$770. In Brisbane (the capital of Queensland), the annual change in the rent to April 2024 was 8.5% and the median weekly rent was \$649 (Owen, 2024). Rents in some regional areas of NSW climbed by as much as 14.3% in the year to March 2024 (Williams, 2024). The tenants interviewed in regional NSW were spread across the state. In Bundaberg, the town chosen to be the site for the interviews in a regional area in Queensland, rents rose by 9.9% in the year to March 2024 (Jacques, 2024). Nationally, the annual inflation rate was 3.6% in the March 2024 quarter and the average weekly earnings for full-time adults in May 2024 was \$1,923 and annual wage growth was 4.6% (ABS (Australian Bureau of Statistics), 2024).

Besides there being no limit on the amount rents can be increased by, tenancy agreements are readily terminable under laws in each state. In NSW, landlords can give a 14-day termination notice on the grounds of rent arrears when the tenant is 14 days in arrears; if it proceeds to the state's tribunal, the proceedings will typically be finalised (in termination, or a repayment order) within four weeks. NSW landlords can also give a 60-day termination notice at the end of the fixed term of a tenancy (and most fixed terms are short: six or 12 months), or a 90-day termination

notice any time if the tenancy has no fixed term. At the time of writing the landlord did not have to supply a reason for termination, but the legislation will change in 2025; landlords will have to supply a valid reason.

In Queensland, landlords can give a 7-day 'notice to remedy' when a tenant is seven days in arrears, then a seven-day termination notice when 14 days in arrears. Queensland landlords also give a two-month termination notice at the end of the fixed term. However, under recent amendments they cannot give a no-grounds notice to a tenancy that has continued without a fixed term, so as a result most landlords and agents now insist on conducting tenancies as a series of fixed terms (Martin et al., 2022).

As well as termination proceedings, the state tribunals deal with other tenancy disputes. For example, a tenant may feel that the rent increase is not in line with the prevailing rental market or that the eviction is retaliatory. In order to have any possibility of winning their case, the tenant has to provide evidence. This can be a challenging task. Also, even if the tenant is successful, their success may be temporary. Legislative protections against retaliatory evictions are narrow (Martin & Pawson, 2024) and tenants may be fearful of being blacklisted and having difficulty securing another tenancy (Productivity Commission, 2019; Tennant & Carr, 2012). The power imbalance combined with the complexity of making a case, means that most tenants forego using the tribunal system (Tenants' Union of NSW, 2023).

A feature of the private rental market in Australia that can be a substantial financial burden for private renters and add to their precarity, is the requirement to pay a 'bond'. The bond refers to a sum the tenant pays at the start of a new tenancy; usually it is equivalent to four weeks' rent (the maximum amount). In NSW and Queensland, bonds are required to be lodged with a specified state government agency. At the end of the tenancy the tenant is entitled to reclaim the bond, however the landlord is permitted to withhold the whole bond or a part thereof to pay for alleged damage incurred during the tenancy or for breaches of the agreement. The tenant can dispute the landlord's claim and if no agreement is reached can appeal to the tribunal for a final ruling. Disputes around the bond can delay the bond being returned and force the tenant to find funds for another bond when they move into a new rented property.

Despite legislation mandating the rights of tenants, ultimately the balance of power is massively in favour of landlords. The power imbalance, besides being a source of persistent anxiety, discourages tenants from asserting their rights, such as maintenance requests, for fear of a retaliatory eviction (Tenants' Union of NSW, 2024). The light regulation reinforces the precarity of tenants. It encourages a 'wide-ranging sense of insecurity amongst already vulnerable renters' (Power, 2022, p. 107). Previous studies have reported that private tenants are often reluctant to request maintenance and repairs for fear of retaliatory eviction (Morris et al., 2021; Tenants' Union of NSW, 2024; Tennant & Carr, 2012). Furthermore, tenants

are concerned that challenging a landlord formally could affect their chances of securing future rental properties (Wachsmuth et al., 2023). A survey found that 50% of renters in Australia were worried about being 'blacklisted' and consequently having greater difficulty finding a rental property in the future (CHOICE, National Shelter, National Association of Tenants' Organisations, 2017).

The precarity of tenants is intensified by the ownership structure of the PRS in Australia. Almost half (49%) of the approximately 2.3 million private rental properties are owned by landlords who own a single property, while 92% are owned by landlords who own fewer than five (Martin et al 2022). The tax regime in place strongly encourages investment in rental property; the two key planks being negative gearing and the generous capital gains tax discount. Negative gearing allows investors who are negatively geared i.e., the 'expenses associated with the asset ... are greater than the income earned from the asset ... [to] deduct their loss against other incomes, such as salary ...' and thereby reduce their tax bill (Australian Government, 2024). The capital gains tax discount means that when an investor sells their rental property, they only pay tax on 50% of the profits provided they have owned the property for at least a year. The orientation of small investors to capital gains means that they are less likely to be concerned with responding to maintenance issues (Martin et al., 2022). Summing up the issue associated with the dominance of small landlords, the CEO of the Tenants' Union of NSW commented,

They [small investors] are heavily indebted. They are mostly without training or expertise ... [and] beyond the obligations in the tenancy contract, have no obligations to ensure they have sufficient cash flow to cover legal obligations like repairs and maintenance (Patterson Ross, 2020).

Methodology

The two states focused on, Queensland and NSW, have a substantial private renter population; the 2021 Census indicated that 27.2% of households in NSW and 28.4% of households in Queensland were private renters (ABS (Australian Bureau of Statistics), 2021). To capture possible differences in landlord-tenant dynamics, in-depth semi-structured interviews were conducted in the two capital cities and in regional towns in each state. A total of 53 interviews were conducted from September 2023 to May 2024 – 23 interviews were conducted in Sydney (NSW), 7 in regional NSW; 16 in Brisbane (Queensland), and 7 in regional Queensland.

Interviewees were recruited using various methods including the preparation of a flyer, promotion of the study on social media and *via* organisations that assist tenants. The flyer outlined the study and had a QR code that potential interviewees could use to send an email to the lead researcher expressing their interest in being interviewed. Online private renter forums also promoted the study. The two key organisations assisting renters in NSW and Queensland played a major role in recruiting

Table 1. Profile of interviewees.

Location	74% urban (<i>n</i> = 39) 26% regional (<i>n</i> = 14)
Age	18–29, 25% (<i>n</i> = 13) 30–45, 42% (<i>n</i> = 22) 46–55, 13% (<i>n</i> = 7) 56–64, 15% (<i>n</i> = 8) 65 plus, 6% (<i>n</i> = 3)
Disability in household	42% (<i>n</i> = 22)
Gender	64% female (<i>n</i> = 34) 34% male (<i>n</i> = 18) 0.2% non-binary (<i>n</i> = 1)
Income	70% low-income (<i>n</i> = 37) * 30% moderate/high (<i>n</i> = 16)
Household composition	34% Lone person household (<i>n</i> = 18) 17% Single parent (<i>n</i> = 9) 19% Couple, no children (<i>n</i> = 10) 11% Couple, with children (<i>n</i> = 6) 19% 'Other household' (including share house, living with a family member or carer) (<i>n</i> = 10)
Reliant on government benefits for their income	30% (<i>n</i> = 16)

*A household was classified as low-income if their household income was in the bottom 40% of the income range.

interviewees. The Tenants' Union of NSW publicised the study in its newsletter and on Facebook, while Tenants Queensland emailed private tenants who had contacted the organisation asking for advice on evictions in 2023.

The research team recognises that recruitment through tenant support organisations may have resulted in a higher proportion of participants with adverse experiences of renting, however Table 1 shows the varied profiles of the interviewees. Thus 8 of the interviewees lived in single-person households, 9 were single parents, 10 were couples without children, 6 were couples with children and 10 were living in a share house or with a family member or a carer. Just over two-thirds of the interviewees were from low-income households and 22 of the 53 interviewees had a disability or were the primary carer of a family member with disability. Sixteen interviewees were reliant on government benefits for their income.

Ethics approval was obtained from the lead investigator's university ethics committee. Given that eviction or the threat thereof is potentially a particularly emotional topic to re-live, a distress and safety protocol was put in place. This protocol outlined the strategies to assist distressed participants during the interviews, including the recommendation of support services that could help if required in certain situations, for example in interviews where suicidal ideation was mentioned. An information sheet was provided to all participants and verbally summarised prior to and at the interview. It listed the contact details of national and state-based crisis support organisations. Informed consent was obtained from participants prior to the start of the interview.

The in-depth interviews covered a range of themes. Interviewees were asked about their housing histories, current housing situation, previous and/or current experiences of eviction, the process of eviction, their relationship with their landlord, their interactions with other actors during the evicting process and whether they sought assistance. They were also asked why they decided to resist or accept eviction (formal or informal) and the impacts of eviction or the threat thereof, on their lives and that of their family.

Interviews were recorded and transcribed. Strauss's (1987) analytical model was drawn on to analyse the interviews. The first stage, open coding, involved reviewing the data in detail and examining key themes such as participants' eviction experiences, the impacts thereof and their current circumstances, and the actors they engaged with. This stage also identified patterns or ruptures in participants' circumstances and experiences. The second stage, axial coding, refined preliminary analytical codes into more conceptual codes (such as precarity, the power of non-human instruments, or the contingency of evicting processes). The final stage was 'selective coding'—we refined both the themes in the data and the analytical codes to consider additional insights in the evicting processes. We also identified and accounted for contradictions in the data, examined themes cross-sectionally by exploring patterns and variations across different states, and considered alternative explanations for our findings. Multiple team members were involved in this process to enhance analytical rigour.

Findings – the impacts of threatened eviction or actual eviction

The threat of eviction or actual eviction and associated precarity, had a range of interrelated impacts. Several impacts are discussed—the impacts on mental health, the financial implications, reluctance to complain or ask for maintenance and the loss of support networks, sense of home and decline in accommodation quality.

First, it was evident that for most interviewees the threat of eviction or actual eviction was deeply unsettling and anxiety provoking. The mental health impacts were most evident in the case of low-income tenants who were acutely aware that in the prevailing tight rental market it would be extremely challenging to find alternative adequate, conveniently located and affordable accommodation. Second, the financial impacts, discussed below, were also often severe. As discussed, all new tenancies require the payment of a bond upfront. For many tenants, accessing the required amount was difficult, especially if the landlord who had evicted the tenant delayed returning the bond. Besides the bond, the cost of moving can be high.

Third, the knowledge that once their lease ends the landlord has the capacity to evict them at any time, encouraged a reluctance to

complain about maintenance or other issues. This silencing linked to their precarity had serious implications: for example, a number of interviewees complained that mould was a serious issue and their health was being affected. A final impact discussed is evicted tenants having to move to inadequate accommodation and to an area where they had no social connections. The respective (interrelated) impacts are discussed in turn.

The impacts on mental health

The ease with which landlords can terminate a tenant's occupation evoked persistent anxiety for most of the tenants interviewed. This was especially so for low-income tenants. When interviewed, Olivia (all the names used are pseudonyms) had recently been evicted from a property in Sydney's Inner West. She was 40 years-old and reliant on the Disability Support Pension for her income. Since moving to Australia over 30 years ago, she estimated that she had had to move more than ten times and most of the moves had been involuntary. Olivia lived in constant fear of being evicted and rendered homeless. Her history of involuntary moves meant that she was intensely aware of her precarity, the power imbalance between tenants and landlords and her minimal capacity to resist. She felt that having a disability and being from a non-English speaking background accentuated her precarity:

And also just the fear of homelessness is so much closer now than it has ever been in my whole experience with renting in Australia ... You have no leg to stand on ... So, if you are somebody who comes from a non-English speaking background, or you have a disability, or have no ability to enforce [the legislation], it's on the tenant to take up the laws and to do something about it. And if you don't have any of those abilities, you're just going to be on your way to homelessness very, very soon ... So ... I think that's just something that's always in the back of my head, and that really makes me very anxious. So to actually feel safe, to have a place to rest, I don't think that could ever happen in this kind of climate.

For tenants who have a disability and low income, eviction can be particularly challenging (see Burns et al., [2021](#)). Fiona, who has a range of health issues and is reliant on the Disability Support Pension, had been in the same house in regional NSW for over 11 years when she was handed a no-grounds eviction notice by her landlord just before Christmas in 2023. When interviewed in February 2024, she and her housemate had been unable to find an alternative rental property and were facing a forced eviction. Fiona was severely stressed and mentioned suicidal thoughts. Her health and low income made it exceptionally difficult for her to look for alternative accommodation. She was worried that she could be rendered homeless:

In October [2023] the landlord mysteriously gave me a three-months lease with no explanation. I sent an email ... asking if you are not going to renew the lease can you let us know now so that we have appropriate time to look. That email was completely ignored. The lease wasn't renewed. We got given 30 days-notice which fell right during Christmas, so it was two weeks when all of the real estates were closed. We were supposed to be out by the 14th January. We haven't been able to find anywhere and are going to the tribunal on the 29th February. ... I'm not going well. I have had suicidal thoughts over all this.

Grace, 30 years-old at the time of the interview, lived by herself in Sydney. Her ex-landlord owned the neighbouring apartment and had increased the rent on that apartment significantly when her neighbour's lease ended. Soon thereafter Grace was given a no-grounds termination. She was certain it was linked to her landlord's realisation that he could raise her rent considerably once she moved out. Her mental health was seriously affected by the eviction:

It was just like out of nowhere ... so that was horrific. Just getting that out of nowhere ... I mean 100%, it's definitely been a huge stress for me ... I'm still trying to settle into this new place with that trauma of being uprooted all of a sudden. ... I think it's probably going to affect me for a while and particularly in terms of just the power that real estates and landlords have to be able to do that. Like the fact that no-grounds terminations are still legal in NSW is like baffling ... I was really shocked at the ongoing effect that it was having on my mental health. Like I didn't expect it to like continue to re-traumatise [me] but it just comes up and up again.

The impact on mental health of being evicted was not confined to low-income tenants. Although he earned over \$150,000 a year (the median salary in Australia in 2020–21 in Sydney was \$80,159), Simon could not afford to purchase a home and was deeply affected by the constant insecurity he experienced as a private renter. In his previous rental he had taken the landlord to the tribunal for what he considered an unfair rent increase. The tribunal had ruled in his favour and ordered the landlord to pay back a significant amount. However, it was a pyrrhic victory. It would appear that in retaliation the landlord declared he wanted to 'renovate the apartment' and Simon was subjected to 'non-stop access to the apartment ... inspections and whatever in preparation for the renovation'. Soon after the 'inspections' were supposedly completed, Simon was given a termination notice. He was convinced the eviction was retaliatory and he went back to the tribunal to challenge it. This time he was not successful. Despite his substantial income, his sense of helplessness, lack of control and precarity had a deep impact:

I know I'm well paid and I'm lucky. However, I live in a constant state of fear around housing security, so what is anyone on less money than me feeling? ... There's nothing you can do so [you] sort of despair [and experience a sense of] helplessness. I mean it makes me really angry that I have no control over my own personal like living arrangements. Definitely, yeah, like violation is a really strong one, that other people have control over my life in this manner and can insert themselves in my life in this manner whenever they want.

Eviction for families can be exceptionally stressful for the parents involved as well as their children. Besides having specific accommodation requirements, for example three bedrooms, there is pressure to remain in the area so that the children can continue attending their school and be close to friends. When interviewed, Jessica (41 years-old), her husband and two children, had just moved into a new rental after their Sydney lease was not renewed. They had had four weeks to find alternative accommodation. Despite Jessica and her husband being well-paid professionals, the eviction had had a substantial emotional impact on the family:

So we were given notice on 2 January which you can imagine is a terrible time of year to try and find a new home particularly when you have school-aged children. ... It was difficult [to find a place] in the sense that the market, the cost of a house for a family of four close enough to be manageable for my children's school. ... The absolute lack of options was really stressful. ... As a family it was really difficult. ... The implications for them [the children] were lots of clinginess, anxiety, not being able to sleep and wanting to sleep in our bed, like quite significant health implications. ... Yeah, especially for my youngest who is probably the most robust [child] on earth ... he was really impacted.

The quotes illustrate how the intense and constant precarity many tenants experience has a marked impact on their mental health. There is an intense awareness that having to move could have severe negative consequences and that for low-income tenants homelessness is a very real possibility.

Financial implications

For many of the low-income tenants the financial implications of being evicted were severe and evoked enormous stress (Desmond & Kimbro, 2015; Humphries et al., 2019). Sarah, her husband and their three children, had been renting in Sydney since 2013. She estimated that since 2014 they had had to move at least six times: '... six houses in probably about seven years'. She found the financial costs of evictions extremely distressing:

It's the finances of it that's the hardest ... When you get asked to move, you need to have a bond ready to go at the next place before you receive your bond back, which is a killer. You need to pack and move in a matter of two weeks, basically. ... You have to pay for a professional cleaner. You have to pay for the ... the carpet cleaner people. ... You have to pay for your removalist and then, yeah, once you move in, you've got to pay anything extra out of your bond, you know or any maintenance that needs to be done. That all needs to be paid as well, so it's a huge chunk, probably about \$5,000.

After her rented accommodation was condemned, Brenda a single mum of two children, had 48h to move from her rental property in regional Queensland. The move consumed her savings:

So I packed all my house and Sunday I had to move everything in. That was my 48 hours. But, I mean, I had \$200 after paying all my bills to move. So once I moved that was it. So I struggled the following week for everything. For food, ... getting my son to school, my daughter. It was just horrible.

Michael from regional NSW had taken his landlord to the tribunal after his rent was increased by around 25%. Despite compiling a substantial case endeavouring to show that the rent demanded was not in line with the market, his challenge was unsuccessful and he had to pay the increased rent while he looked for an alternative rental. The increased rent combined with the cost of the move 'crippled' him financially:

And financially it crippled me for weeks and weeks cos I had to pull together the bond [for the new rental property], whilst paying above and beyond my capacity to pay rent [and having to] ...take unpaid time off work to sort out these personal matters with the tribunal.

Not surprisingly, financial stress can have major mental health implications. The financial and mental health impacts of eviction for 37-year-old Daniel, a small business owner living in the Inner West of Sydney at the time of the interview, were concerning:

The idea of suicide is perpetually in the front of my brain because I am so stressed ... Having to move and having to do all that. Having to close my business which meant losing revenue there at a time when we were already struggling and having to come up with you know \$1,800 for a removalist. ... Money for a cleaner, having to pull out you know \$3,000 odd from the business to pay for the ... rent in advance and the bond on the new place. It left me pretty much indebted up to the eyeballs and struggling and stressing and because, as I said, I have a lot of you know trauma response from this cos of how many times I've had to move.

What is apparent is that moving is expensive, potentially financially devastating and it has the potential to deepen existing precarity. The health ramifications of the financial stress due to eviction can be severe.

Reluctance to complain or ask for maintenance

Similar to the findings of Byrne and McArdle (2022); Power and Gillon (2022) and Waldron (2024), interviewees did not have to be threatened with eviction or have been evicted to feel stressed. The knowledge that at some point the rent could be increased to an untenable level or they could be asked to vacate for no reason or a spurious reason, was sufficient to evoke constant anxiety and silent compliance despite serious maintenance or other concerns. This was especially so when the tenant had children, was on a low income and had had an earlier experience of being evicted. In sum, the precarity of tenants meant that there was a reluctance to request basic maintenance. For instance, Olivia dreaded asking for any maintenance:

So I think that [a particularly unpleasant eviction] was the horrific experience, but what it's pretty much done for me mentally is that it's made me really scared of every single tenancy. Like since that point, it's just been like I need to not kick up a fuss. I can't really request for repairs unless it's like, evidently, really, really big, like a collapsed roof or plumbing, you know those really urgent repairs. But just smaller things ... I just patch it up myself ... out of my pocket because I don't want to be evicted because no-grounds eviction is still current. But I tell you, even if they remove the no-grounds evictions, ... the landlord can just make up anything. They could be like, "Oh, I have a family member that wants to move in".

Sarah also described how despite feeling harassed and stressed by her landlord's unannounced and constant intrusions, she felt that the family had to accept the situation and not protest:

Because, for a year there, I was saying to my husband, "Don't say anything, don't rock the boat. We need to stay somewhere stable, because I can't keep moving". Like it was too much, and I was petrified of being kicked out if we fought back and so ... we let him onto the property 16 times in 10 months and said nothing. Just kept saying, "Okay, yes, yes, we're available".

They eventually decided that they could no longer tolerate the constant intrusions and endeavoured to 'push back'. They wrote a letter to the real estate agent saying that they wanted 'peace and quiet and enjoyment of the property and that wasn't being met ...'. Although not directly stated, it does appear that the letter led to a retaliatory termination; they were given notice a month before their lease ended:

But we started pushing back and then, as soon as the lease ended, he said, "Oh, I'm evicting you because I want to do maintenance in the property and I can't do the maintenance with you living there".

Alice was convinced that she was evicted after complaining about the poor condition of the rental property she and her son and grandson had

been renting for eight years on the Central Coast of NSW. Her grandson's bedroom was unusable due to excessive mould. However, her low income and the threat of eviction meant that she held off complaining for an extended period:

Yeah, like it's just disgusting that they [landlords] can get away with this shit while charging top dollar, and ... that's why I didn't complain cos I said to everybody, "As soon as I complain he'll kick us out." ... Yeah, and the rental market, it has been so hard trying to find somewhere to live. You have to have a roof over your head. That's a necessity ... Yeah, if I hadn't have complained we'd still be there, yeah. They're just typical slum landlords ...

People's lived experience of renting reveal how the power imbalance between tenant and landlord is accentuated by the precarity of the former. Low-income tenants would rather live in parlous and unhealthy circumstances then risk being evicted for complaining about a lack of maintenance.

Loss of support networks, sense of home and decline in accommodation quality

The constant instability that many tenants experienced had a range of consequences. Tina, a single parent with two children, living in Greater Brisbane, described how it made it impossible for her to develop a sense of home or 'belonging'.

Yeah, I mean even talking about it [her lease not being renewed and having to move] now I want to cry. ... It was hugely traumatic for me, and it's cumulative over the years. With each new place that you end up in, you have no real ownership or sense of belonging anywhere you go because you know that this, too, will potentially end in the near future. That's quite traumatic. I've seen friends who managed to stay in the same place for 20 years and I can't imagine how wonderful that must be to have that sense of security, belonging, a sense of place. Whereas, I feel completely displaced, and I don't know where I'll go next or where I'll be. I've given up on having a long-term home.

For tenants who have a child with a disability, the lack of stability can be particularly traumatic. Brenda and her two children had had to move twice in the year prior to the interview. When asked what was the impact of the frequent moving she highlighted the impact on her son who has autism:

It has a lot of impact. I don't like moving whatsoever. I like to be stable, in a stable home, and the same with my disability son because he's autistic. He hates change ... You know you're moving and you move into that place, but then you've always got on your mind, like, "Okay, how long am I going to be here?"

Daniel's disabilities added enormously to the stress he experienced when faced with having to move:

I don't want to move ... I'm autistic. I have ADHD. I don't like change and having to move as often as I do literally causes a massive trauma response to me and I struggle to like function as a result of that.

A common consequence of eviction is having to move to unsuitable lower quality accommodation (Desmond, 2016). Jan and her partner were both older renters and reliant on government benefits for their income. The various impacts of being evicted from their accommodation on the Gold Coast of Queensland, where they had been living for ten years, were devastating. Her partner attempted suicide, their relationship ended, and she was forced to live in a tent on a piece of land that her mother had bought several years prior:

Our rental accommodation was sold out from under us to developers and we had to be out with nowhere to go. We looked around for somewhere else to rent and there was absolutely nowhere we could afford at all. Not even close, because my partner at the time and myself are both on government assistance ... Three weeks before we were due to move, when everything was all up in the air with packing and organising ... my partner ... tried to commit suicide because he said, "There was no way he was going to live in a tent". He went to hospital, and I kept packing ... So that was the end of my 10-year relationship with him.

After being evicted tenants may be forced to turn to their family for accommodation (DeLuca et al., 2019). However staying with family following eviction has been shown to often strain relationships (Skobba & Goetz, 2015). Amma was single, 56 years-old and unemployed when evicted from her rental accommodation in Greater Brisbane. She was unable to find an alternative rental that she could afford and was forced to move in with her daughter and two grandchildren. She was finding the situation difficult:

I'm currently living with my daughter. She's in one room with two boys. I've got the 12-year-old's room. That's not right ... It's not easy. I feel pressure all the time because like my eldest grandson needs his own room. This is not right. I need my space.

It is evident that a forced move can result in a spiral of decline with already precarious tenants finding themselves in even more precarious circumstances.

Discussion and conclusion

We show that tenants in the PRS in Australia, more especially low-income tenants, potentially face lifelong and deep precarity. In line with Butler's (2015) argument with respect to contemporary precarity, the precarity of private tenants is not episodic, rather it is a constant feature of their lives. Landlords have substantial power whereas tenants' protection from the threat of eviction or actual eviction is negligible. The key features of precarity identified by Lorey (2015) – insecurity, vulnerability, destabilisation

and endangerment – are all present. The precarity tenants experience has several consequences, all of which, as illustrated, have the capacity to have a profoundly negative impact on everyday life.

An important finding is that precarity within the PRS is graded (see Lorey, 2015). The interviews illustrated that income and household composition play a central role in determining how tenants experience their precarity. Thus the precarity of the 16 tenants reliant on government benefits for their income was extreme. They were acutely aware that eviction could result in them spiralling into homelessness. The current rental market means that it would be extremely challenging for them to find an alternative, affordable rental property (Anglicare Australia, 2024). Single parents were in a particularly vulnerable position, as besides having a low-income, they ideally require at least two bedrooms and thus need to pay a higher rent. However, precarity was not confined to low-income tenants. Even higher-income tenants experienced precarity and were not immune to being evicted. When it occurred, the stress, although not as intense as it was for their low-income counterparts, was significant. They usually had limited time to find an alternative rental property and were committed to continuity with respect to the area they had been residing in and the schooling of their children.

The interviews illustrated how landlords govern through insecurity (Lorey, 2015; Waldron, 2024). The fear of being evicted means that tenants are loath to complain about the condition of their rental property, poor maintenance or unwarranted landlord intrusion. A number of interviewees were adamant that their lease was not renewed after they decided to register a complaint. Again, this compliance was graded. The intense fear of being evicted meant that low-income tenants were more likely to fear 'rocking the boat' and to accept that stability required that they remain silent and endure sub-standard conditions.

Perhaps the most distressing consequence of tenants' vulnerability is the impact on their mental health. The persistent threat of eviction or an untenable rent increase, meant that tenants were perpetually anxious and stressed. A couple of highly precarious tenants mentioned that they had felt suicidal. One tenant reported that her partner had attempted suicide when it became apparent that they would not be able to find an alternative rental property. A feature of precarity highlighted by Lorey (2015) is 'endangerment'. The lack of protection due to 'governmental precarization' produces a dangerous environment for tenants. The virtually unbridled power of landlords has the potential to endanger the lives of their tenants. The danger was not confined to the adult members of the household; children were also severely affected. This was especially so in the case of children with a disability. For example, for children with Autistic Spectrum Disorders, eviction from familiar environments was extremely destabilising.

Endangerment extended to the financial capacity of tenants. The financial impacts of eviction can be severe and tenants commented on how financial stress often generated or compounded mental stress. Again, the

power of the landlord was a factor. They had the power to withhold part of or the whole bond (equivalent to four weeks rent) and this severely compromised evicted tenants' ability to find alternative accommodation. Challenging the landlord to recoup the bond often took time and effort.

Tenants highlighted how eviction resulted in the loss of support networks, sense of home, and decline in the quality of their accommodation, thereby intensifying their precarity. In order to access accommodation they could afford (usually barely), some tenants were forced to accept unsanitary accommodation in peripheral areas.

It would appear that many of the evicted interviewees were suffering from 'relocation stress syndrome' (RSS) (Walker et al., 2007). RSS usually refers to the enormous stress and anxiety many older people experience when they are forced to move from their home to a care facility. However, the interviews indicate that when private renters are suddenly and involuntarily uprooted they can also experience something akin to RSS (Desmond & Kimbro, 2015; Park & Seo, 2020).

The interviews show the urgent need for substantial policy reform so as to dissipate the power imbalance between tenants and landlords. Clearly the legislation which allows landlords to evict tenants at the end of the fixed term of their agreement in Queensland and NSW needs to be reformed. Landlords should be required to give a legitimate reason for terminating a lease. At the time of writing, in NSW, after a protracted campaign, the NSW state government has just agreed to abolish no grounds eviction – i.e., landlords will have to give a legitimate reason for terminating a fixed term lease and a periodic agreement⁶. This is not the case in Queensland in the case of a fixed term lease.

A major weakness of the present regulatory framework in NSW and Queensland is the ability of the landlord to increase the rent every year to whatever the market can bear. As noted, in the current context of low vacancy rates, rent increases have far outstripped inflation and wage increases and have put phenomenal pressure on low-income renters. Rent increases should be capped to marginally above inflation.

The limited power of the tribunal in both NSW and Queensland needs to be reviewed. At present the tribunal has no discretion to decline termination if the landlord has given a no-grounds notice and adhered to the legal requirements (Martin & Pawson, 2024). The tribunal also has limited discretion in other termination proceedings (except on grounds of breach by the tenant). In Victoria, Australia's second most populous state, the tribunal has the power to decline a termination based on consideration of the circumstances of the tenant and landlord, and whether termination is reasonable and proportionate. For example, if the termination could result in a single parent with young children being rendered homeless, the tribunal member can rule that the tenant be allowed to stay.

Another area of concern is the difficulty tenants often have persuading the landlord to return their bond and acquiring the funds to pay a new bond when they move. The NSW government has recently recognised this

difficulty and has introduced a 'portable Rental Bonds Scheme'. This will allow 'eligible tenants to digitally transfer their existing bond to their new rental home' (NSW Government, 2024). It is unclear how this will operate in the event of the landlord challenging the return of the bond.

The power imbalance and the limited lack of protection of tenants reflects the weakening of the welfare state. Like many other advanced economies, a feature of this weakening in Australia is light regulation in certain sectors (Taylor-Gooby, 2008). Although tenants are able to lodge a complaint and take their landlord to a tribunal hearing, there is an awareness that even if successful, the outcome could antagonise the landlord and ultimately enhance the possibility of eviction. The interviews illustrate the need for government to step in to shift the balance of power. Private tenants need to be given far more protection, and the capacity of landlords to evict tenants for little or no reason and/or to raise the rent to an unrealistic level, need to be curtailed. Ideally, what is required is the working towards the creation of a housing market where housing is considered a human right as opposed to an investment, and all households are able to access adequate, secure and affordable housing.

Notes

1. The maximum CRA amount for lone person households in October 2024 was \$105.60 a week. Low-income households are defined as households in the bottom 40% of Australia's income distribution.
2. A study on the impact of CRA on rents concluded that "across all private renter households ... CRA does not have a statistically significant effect on market rents" (Ong et al., 2020, p. 33). However, when the sample was restricted to moderately to severely disadvantaged areas, "6.6% of the CRA maximum rate shifts into higher rental prices" and in severely disadvantaged areas "... nearly one-third of the rental subsidy is 'lost' to higher rents (Ong et al., 2020, p. 33).
3. From the mid-1990s, in Australia, the unwinding of the welfare state was especially pronounced with respect to social housing. The conservative Coalition government that ruled federally from 1996 to 2007, refused to support its growth and social housing as a proportion of all housing dropped from 6% in the mid-1990s to around 4% by the time the Labor Party regained power in 2007. Subsequently, the growth of social housing has not kept up with population growth and has remained at around 4% of all housing (Pawson et al., 2020).
4. In March 2023, 5.0 million Australians, equating to 24% of the population aged 16 and over, received income support payments (government benefits) (AIHW, 2023).
5. This section draws on two key pieces of legislation – the Residential Tenancies Act 2010 in NSW and the Residential Tenancies and Rooming Accommodation Act 2008 in Queensland.
6. A periodic agreement refers to the period after the fixed term agreement has ended. If a fixed term agreement ends and there is no new agreement, a tenant automatically moves to a periodic agreement. A periodic agreement has no fixed end date.

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