

1 Are you aware of an instance in which a landlord or agent failed to adequately notify a tenant that advertising photographs or videos containing their possessions would be taken inside their home?

**If so, describe the incident and outcome.: No, tenants can ask that personal belongings are not pictured or published**

2 Do you know of an instance in which a tenant was concerned that their possessions could be seen in advertising photographs or videos? If so, why was the tenant concerned?

**Tenants want to feel secure and we have no issue with that. In 10 years of selling real estate it happens infrequently and the outcome always works out amicably for all parties**

3. Do you know of an instance in which a tenant has been robbed or physically harmed following the publication of advertising photographs or videos that contained their possessions? If so, describe the incident.:

**No, in over 10 years of real estate i have never heard of an actual incident, all you ever hear are myths and stories that have been embellished over time.**

4. The Commission's preliminary investigation revealed that tenants are concerned about privacy, risk of theft and risk of personal harm. Do you know of other concerns tenants might have in relation to advertising photographs or videos?

**No.**

5 Do you know of an instance in which a tenant has refused to have photographs or videos of their possessions used in an advertising campaign? If so, what was the outcome of the dispute, and did it impact negatively on the landlord?

**Yes, tenant removed items that were a concern or photos were taken from a different angle. Pretty logical thinking when you look at it.**

6 Can you suggest a workable, standard practice that could be adopted by landlords and agents advising tenants that advertising photographs and videos will be taken inside their homes?

**Tenants are given 48 hours notice before photos are taken, have the right to look at the photos before publishing.**

7 Does the law in relation to the right to enter to show the property to a prospective tenant or buyer need clarification? Should landlords and agents have a right to enter to take photographs and videos for advertising purposes?

**Agent's should have the right to photograph the property otherwise a very simple solution is that tenants are given a notice to vacate before the property is to be put on the market and the property is sold vacant.**

8. Do you consider that it is an invasion of the tenant's privacy to take or use advertising photographs or videos of tenants' possessions without their consent?

**Yes it is but no agent that i know would enter a property let alone take photo's without the tenant's consent**

9. How should the law protect tenants' privacy in relation to photographs or videos that contain tenants' possessions? Instead of a law why can't common sense take place.

**It's worked pretty well for the last 20 years.**

10 Should Victorian law require tenant consent before photographs or videos of tenants' possessions are used for advertising purposes?

**Should be part of the tenancy agreement signed when the tenant moves in**

11 Should Victorian law allow landlords and agents to take photographs and videos containing tenants' possessions provided that they first inform the tenant in writing and give tenants the opportunity to remove any items from view?

**as stated common sense should prevail. 48 hours notice for photos. Plenty of time in advance**

12 Can you suggest any other reforms that might strike the right balance between the desire of landlords to advertise their properties and the concerns of tenants in relation to photographs and videos that contain their possessions?

**NO.**

13 If you have been involved in a dispute about advertising photographs or videos that contained tenants' possessions, how did you resolve the situation? Did you contact an organisation to ask for help and, if so, what happened?

**The one and only time was when we retook the photos from a different angle because an old flat screen TV was included and the tenant didn't want it included in any advertising**

Name and details:

Matthew Pearce.

Senior Sales Agent, Harcourts Geelong