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FEATURE ARTICLE

Locked Out Without Warning, The Hidden Crisis in Fiji's Rental Housing Market

One afternoon, a working couple returned to their rented flat in Suva to find the front door locked and their belongings nowhere in sight. They had missed a rent payment by just a few days. With no written notice, no court process, and no time to gather their things, they were abruptly evicted — left standing on the roadside with nothing but the clothes on their backs. Their story is not unique.

Across Fiji, a growing number of tenants are facing arbitrary and forced evictions. These incidents are raising alarm bells and exposing a critical gap in the country's housing system: the absence of a dedicated landlord-tenant law.

Fiji currently has no comprehensive Landlord-Tenancy Act. For years, the rental housing market, in the absence of legislation, has been left to regulate itself, relying largely on formal or informal agreements and the good faith of landlords and tenants. In many cases, this system has failed — leaving tenants vulnerable to sudden, unlawful evictions and other exploitative practices.

One of the most common complaints now emerging is eviction without proper procedure. In recent months, the Consumer Council of Fiji has observed multiple instances where landlords have:

- Locked tenants out without notice
- Cut off water or electricity as a form of punishment
- Removed possessions from rented properties
- Issued verbal threats or ultimatums without legal follow-up

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In many of these cases, the tenants were not resisting payment but simply needed time — time they were never given.

What the Law Actually Requires

While Fiji lacks a single tenancy act, there is still an established legal process that landlords are expected to follow when evicting tenants:

1. The landlord must first provide written notice to vacate.
2. If the tenant does not move out within the notice period, the landlord must then file a motion in court.
3. The court can issue an eviction order, giving the tenant 30 days to vacate the premises.
4. If the tenant remains past that deadline, the court may then issue a writ of possession, allowing a court-appointed sheriff to enter the property and remove the tenant's belongings.

This process is in place to ensure fairness and legal oversight. Skipping any of these steps is not only unethical — it may be unlawful. Yet many landlords choose to ignore the process entirely, opting for quicker, informal methods that leave tenants with little to no recourse.

A System Failing Both Sides

Tenants are not without responsibilities. They are expected to pay rent on time, maintain the property, and communicate honestly with landlords. Delayed payments can have real consequences for property owners, many of whom are themselves relying on rental income to service mortgage repayments or bank loans.

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But without a formal system in place, there is no structured way to balance the rights and responsibilities of both parties. Landlords feel powerless to enforce payments through official channels, while tenants fear retaliatory actions for even minor delays.

This lack of regulation creates a tense, mistrustful environment – one where vulnerable renters are most at risk.

The Human Impact

Behind every case is a disruption that extends far beyond lost shelter. Arbitrary evictions often result in:

- Loss of school continuity for children
- Mental stress and trauma for families
- Homelessness or overcrowding as displaced tenants move in with relatives
- Financial hardship as people struggle to find new accommodations on short notice

In the case mentioned earlier, the affected couple had no time to gather documents, medication, or personal items — some of which were later discarded. The emotional toll is lasting, and the recovery, slow.

The Consumer Council of Fiji has been working with various stakeholders in this sector to protect consumer rights until a legislation is put in place. In the meantime, there are several items that landlords need to openly discuss with tenants at the beginning of the tenancy. They can include clarification on: Eviction procedures, and what happens in the event of a distress on rent.

- Notice periods to vacate the premises if the need arises.

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- Rights and responsibilities for both landlords and tenants throughout the tenancy period.
- Dispute resolution mechanisms in the event of a disagreement.

Some suggest the establishment of a tenancy tribunal or tenancy ombudsman's office, where complaints can be resolved quickly and fairly, without burdening the court system.

Until such reforms are introduced, the burden falls on renters to know their rights — and on landlords to act in good faith. But in a market with no binding rules, trust is not always enough.

Conclusion

The quiet crisis unfolding in Fiji's rental housing sector is no longer isolated to individual complaints. It is becoming a structural issue — one that is adversely affecting consumers.

Without clear laws and strong enforcement mechanisms, arbitrary evictions will continue to destabilize lives and erode trust between landlords and tenants. As cases multiply and public pressure grows, the need for reform has never been more urgent.

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