

Department of Families, Fairness and Housing
50 Lonsdale Street,
Melbourne, VIC, 3000

9 April 2021

10 YEAR SOCIAL AND AFFORDABLE HOUSING

Thank you for the opportunity to contribute to Victoria's 10 Year Social and Affordable Housing Strategy. In recent decades housing in Australia has been seen as an investment more than a home. At the same time homelessness continues to be a 'growing and seemingly intractable problem', as the recent Parliamentary Inquiry into Homelessness put it.¹ We have an opportunity now in Victoria, to reset the trajectory, to put in place policy settings, which demonstrate and recognise housing as a fundamental human right.² A right that the discussion paper correctly observes, provides the 'foundation upon which strong individuals, healthy families and resilient communities are built, grow and prosper'.³ For the people and families Inner Melbourne Community Legal see and support each day, it is having a home that is too often the essential need that is missing or at risk.

About Inner Melbourne Community Legal

Inner Melbourne Community Legal (**IMCL**) is an independent community legal centre working for social purpose. Since 1978, we have served the inner Melbourne area.

We are a small but dedicated team of lawyers, administrative and project staff supported by volunteer law students and pro bono corporate partners. Our lawyers are experts in community law.

We are funded by government and philanthropic grants and donations.

Who we help

People experiencing chronic disadvantage (such as homelessness, mental illness or low literacy) are more likely to experience a cluster of legal and non-legal issues. This can result in more frequent interaction with the justice system, which has an effect on their wellbeing and ability to achieve stability. We aim to minimise this impact.

¹ Legal and Social Issues Committee, Parliament of Victoria. *Inquiry into Homelessness in Victoria: Final Report* (March 2021) xi

² See United Nations General Assembly. '[Universal Declaration of Human Rights](#)', General Assembly Resolution 207A (10 December 1948) Article 25. United Nations Human Rights Office of the High Commissioner, 'International Covenant on Economic, Social and Cultural Rights', General Assembly resolution 2200A (XXI) (16 December 1966) Article 11.

³ Discussion Paper 3

Adverse circumstances in a person's life (such as ill health, relationship breakdown or unemployment), can put them in an acutely vulnerable position and trigger legal issues, putting them at further risk of longer-term, entrenched disadvantage. We aim to break this cycle.

For our clients, legal issues often do not occur in isolation, but are inter-related with other non-legal issues. We work holistically and tailor solutions to achieve sustained outcomes for our clients.

How we work

We provide free legal help in the form of information, advice, casework and representation. We provide help in our office and through integrated outreach services to reach people who face barriers in accessing help. By reaching people earlier with their legal issues, we prevent problems from escalating.

We work in partnership with other community organisations that are committed to improving community health and wellbeing. Together we strengthen the impact of each other's work. Our partnerships include homelessness services, hospitals, community health services and maternal and child health services.

We are informed by our work with clients and community partners. Through our casework, we identify systemic issues and work with others to come up with solutions and influence decision makers.

To make sure we are effective in what we do, we continually monitor and evaluate our work.

Our legal outreach partners

- Ozanam House – VincentCare Victoria
- Flagstaff Accommodation – The Salvation Army
- Carlton Housing Estate – Carlton Neighbourhood Learning Centre
- The Royal Melbourne Hospital
- The Royal Women's Hospital
- Peter MacCallum Cancer Centre
- Inner-West Police and Clinician Emergency Response (PACER)
- City of Melbourne – Family Services
- North Melbourne Language & Learning
- St Joseph's Flexible Learning Centre – North Melbourne – Youth Plus.
- The River Nile School – North Melbourne

Our lawyers also provide a duty lawyer service twice per week in Family Violence Intervention Order matters at Melbourne Magistrates' Court.

Our work with people experiencing homelessness

People who are experiencing homelessness are highly vulnerable to experiencing adverse legal issues and are more prone to interaction with the legal system. The laws enforced in society often discriminate against, and target those who are experiencing homelessness.

Knowing this, our services target individuals who are experiencing or are at risk of homelessness, with 26% of our clients for the 2018/19 financial year either at risk of or experiencing homelessness. IMCL seeks to provide effective and timely legal assistance to

people experiencing or facing homelessness due to eviction, as well as other social and health reasons. Their experiences and our work with our local communities informs this submission.

Our clients regularly come to us with problems that make it difficult to pay their rent and keep their homes. However, tenancy issues are not limited to affordable housing, they also include appropriate housing – that enables people who need housing modified for a disability or old age, that need repairs and maintenance, or a community that is supportive in understanding the effects of mental health issues.

Key issues for the people we assist and represent are the:

- need for more public housing
- need for stronger protections and rights to assist people to stay in community housing

There is more work to be done to ensure that people living in private rental properties are more affordable and secure. However, given the *Residential Tenancies Amendment Act 2018* (Vic) is currently being implemented we are optimistic that the reforms will improve security of tenancies. There will no doubt be more work to do to refine these new laws to ensure the intentions of the reforms are met, however this brief submission will not address issues around private tenancies.

Except to make one comment. It goes without saying that the more affordable private tenancies there are throughout Victoria, particularly Inner Melbourne, the less pressure will be on community and public housing. Without addressing the fact that less than 0.3 per cent of rental properties in metropolitan Melbourne are affordable for a single person on a minimum wage, and across Victorian 0.4 per cent of rental homes are affordable to a family on welfare, the public and community housing and homelessness services will continue to face pressure.⁴ The COVID-19 tenancies measures have found an effective way to assist landlords and tenants negotiate fair rent, particularly in times of financial hardship. We see no reason why these mediations and onus on landlords to do their part in preventing homelessness are not continued. It would be preferable if the load was shared equally across landlords and private investors, such as contribution through existing preferential tax arrangements or levies. The reality is that we all need to do our share to ensure everyone has a home. Landlords benefit immensely from a housing system geared to home ownership and investment; this support should come with a responsibility to prevent evictions into homelessness.

People at the centre– improving data and reporting on the community housing tenant experience

- So that people are at the centre of a future social and affordable housing system, what actions should we take to ensure we seek, hear and respond to people who need and use affordable housing?

For the last two decades the Department of Health and Human Services has favoured the growth of community housing over growing public housing stocks. Community housing

⁴ Anglicare Victoria. *Rental Affordability: 2019 Victoria Snapshot* (2019), Table 2, Table 4.

providers now own or manage around 20,000 housing units in Victoria and control \$3.3 billion in housing assets.⁵

While there has been significant growth in community housing over the last decade, there is little data available on the benefits of this housing shift: either from preventing evictions, or to the tenant experience.

The discussion paper proposes Home Victoria surveys all the people in public housing about their housing and services, feelings of safety and security.⁶ The same survey should also be given by Homes Victoria to people living in community housing. This way services for people who are housed from the Housing Register can be improved across the board and any disparities identified. Consideration needs to be given to ensure the participation of Aboriginal peoples, CALD communities, people with disabilities and those experiencing mental illness, or have complex needs, can participate confidentially. The survey would require some ability to measure non-participation by cohort. This work would provide valuable data to improve the provision of secure, safe and comfortable homes for those families in most need.

Community housing – services and housing supports for people living in social housing

FOCUS AREA 1 – PATHWAYS:

- What services or housing supports do you think people seeking and living in social and affordable housing need to help find and then keep a home?
- What do you think are the most important features of affordable housing? e.g. price, location, security of tenure, access to transport or daily amenities, connection to support services etc.

Nearly one in four Victorian social housing tenants currently live in community housing. The 10-year Social and Affordable Housing Strategy is premised on growth in community housing without any growth planned for public housing:

The future is one where community housing providers will play a central role in delivering growth, improving diversity and choice to the social housing system. The public housing system will remain a central part of the system, maintaining its current stock levels and benefiting from increased investment in renewal, upgrades and maintenance.

The public housing system looks after more critical-need applicants and provides a wider range of protections than those in community housing experience.⁷ In an environment where community housing sector is growing, to address the issue of what will help people seeking and living in social housing to find and keep their home, particular focus needs to be on what the community housing sector does to help people keep their housing.

⁵ Housing Registrar, *Sector Performance Report 2017–18* (Report, July 2019) 13
<<http://www.housingregistrar.vic.gov.au/Publications/Sector-data-and-dashboards>>.

⁶ Discussion Paper 10

⁷ Victorian Auditor General's Office, *Managing Victoria's Public Housing Stock* (June 2017) viii

Diversity and choice

The Discussion Paper states:

*The future is one where community housing providers will play a central role in delivering growth, improving **diversity and choice** to the social housing system.⁸*
(emphasis added)

Since the Victorian Housing Register combined both the public and community housing waitlists,⁹ it is largely a matter of chance, not choice, whether a person and their family are offered a community or public housing tenancy. However, despite community housing providers and the Department of Families Fairness and Housing exercising a near-identical function as providers of housing to Victoria's most vulnerable, legal protections for community housing tenants lag behind public housing tenants.

'Improving diversity' to provide services to meet people's individual needs is an important objective. However, diversity should not come at the expense of providing a consistent quality and security of housing and services for people in community housing. In light of people on the Housing Register having little choice in who provides their housing, there should be a minimum standard of rights, protections and responsibilities that all tenants benefit from. Currently, this is not the case.

As community lawyers, we see the consequences of different in policies and procedures. A person in public housing has:

- The ability to take temporary absence of 6 months from their property at reduced rent (\$15 week), if they cannot stay at their home for reasons such as family violence, are receiving medical treatment including as a mental health inpatient, or have gone to prison;
- The right to have their home modified for disability and safety reasons;
- Their rent limited to 25 per cent of their income;
- Ability transfer to another public housing property when their needs change, such as their family grows. The waitlist on the transfers are long, given the low supply, however the ability to transfer from an inappropriate home is a critical need for individuals and families.

Many community housing providers may have strong policies in one or more of these areas, but it is not consistent across the sector. Community lawyers even find differences within a community housing provider in how the policies are applied. When there are not consistent standards and expectations, people who are experiencing difficulties, such as poor mental health or family violence, can find themselves in a vulnerable position.

Here are some of people our community lawyers have seen:

⁸ Discussion Paper 14

⁹ The state-wide total number of social housing applicants at June 2020 was 45,698. At that time, there were also 7,422 current social housing tenants/residents who were waiting for transfers. See Department of Health and Human Services Victoria, *Victorian Housing Register* (Website, 2020) <<https://www.housing.vic.gov.au/victorian-housing-register>>.

Disability modification refused

Jonathon* uses a wheel chair. His occupational therapist recommended alterations be made to his home to assist him access high cupboards and open the heavy fire door he uses to enter and exit the building.

His community housing provider is one specially targeted at assisting people with disabilities maintain their home. Despite this, it still refused the request, insisting modifications must be paid for through NDIS. Jonathon does not receive NDIS support (there is some hope he might recover and without a permanent disability he does not qualify for NDIS).

His lawyer referred the community housing response to the Housing Registrar, who found the community housing provider acted consistently with their policy and met the relevant Performance Standard of "...facilitating access to support for social housing applicants and tenants with complex needs."

Jonathon continues to live in the house unmodified. Everyday tasks for him are more difficult. He has no alternative. Given he has a home, Jonathan is no longer on the priority wait list. He would not be able to find or afford alternative housing.

Paying more than 25 per cent of income in rent

Renters in community housing can be charged up to 30% of their rent, as well as 100% of Commonwealth Rent Assistance. Moreover, substantial services charges for utilities and facilities often also occur in community housing, leaving renters with little income to use at their will.

Mark* is paid a disability support pension of \$432.25 per week. He is charged weekly rent of \$177.06 (25% of his income and 100% of Centrelink Rent Assistance) and a property charge of \$45.00. This leaves Mark with only \$210.19 per week to spend on all his other needs.

Difficulties in transferring to a safe and healthy home

Ryan* is a single dad who cares for his four children. Every time it rained, a defect in his community housing home meant that the house was flooded, leaving it damp and mouldy. It took four years for his community housing provider to finally find an alternative home for Ryan, and was only possible because he accepted a much smaller home away from the city centre.

During that time, even though his home was barely liveable, there was nothing Ryan could do for his family. He could go back on to the Housing Register wait list, but because he had a home – no matter how inappropriate it was – he would not have been on the priority list.

If he lived in public housing, the issues would have been resolved, or he would have been transferred to a healthier home sooner. Community housing providers have limited stock, making internal transfers difficult. Ryan should not have been disadvantaged because he lived in community housing, a consistent and fair policy of transfers is needed.

**Client names have been changed for their privacy*

These examples, show the consequences for people in community housing who are not afforded the security of policy, procedures and accountability that exists in public housing. These stories are ones where the community housing providers have failed their tenants, this is not every case of community housing. As community lawyers we see people who are having difficulties and who experience a high level of vulnerability. Effective regulation and procedures must be there to protect against people falling through the gaps: whether it is one person or many. Public housing conditions and standards have been developed over many years, building on experience and knowledge of housing needs for the most vulnerable people in our state. While not perfect, they provide consistency and fair process, and a recognition for the difficult position people are in when their housing security is at risk.

If the 10 Year Social and Affordable Housing Strategy is depended on the growth of community housing consideration must be given to how to ensure that all community housing providers funded with support of the government, provides appropriate, secure, safe and comfortable homes for people to thrive in. The Victorian Auditor General's Office noted that with the increased focus on community housing, more work needs to be done on understanding the full cost implication of community housing taking on more critical-need applicants.¹⁰ Including this work in the 10 Year Social and Affordable Housing Strategy would enable government to plan for the housing needs of people who need critical support without taking away protections that prevent people slipping into, or indeed returning to, homelessness.

If community housing providers are to provide tenants with the equivalent rights and protections public housing tenants enjoy then there should be adequate funding to do so. Policies such as temporary absences and disability modifications, need to be factored into any costs analysis with adequate funding to prevent homelessness at every step of the process.

Eviction as a last resort – help keep people in social housing

Supporting long-term, safe and affordable tenancies is not only good for tenants – it has also been clearly linked to better wellbeing and health outcomes,¹¹ reducing health costs for the state.¹²

One of the objects of the *Housing Act 1983* (Vic), which regulates the registration of CHPs, is ‘to promote security... of tenure’.¹³ The Performance Standards for Register Housing specifically require registered community housing providers to have policies that treat eviction as an outcome of last resort.¹⁴ This is consistent with community housing providers obligations under ss 4(1)(c), 13(a) and 38(1) of the Charter to avoid acting in a way or making decisions that result in an arbitrary interference with tenants’ or residents’ homes and their right to housing.

This is particularly important because eviction carries more serious consequences for social housing tenants than other tenant cohorts – as social housing tenants often find it more difficult to find alternative accommodation, they are more likely to end up homeless as a result of an eviction.¹⁵

Despite this, people still get evicted from community housing at a concerning rate. Research from one community housing provider found that almost half of their tenancies ended within 18 months.¹⁶ Most of these exits (59 per cent) were from what it describes as “negative push factors” such as rent arrears or conflict with neighbours.¹⁷ The community housing provider argued that it housed people with difficult and complex need, including those who had been homeless for a long time.

¹¹ Shelley Mallet, Rebecca Bentley, Emma Baker, Kate Mason, Deborah Keys, Violet Kolar, Laurent Krnjacki, *Precarious Housing and Health Inequalities: What are the links? Summary Report* (August 2011) available at: https://www.vichealth.vic.gov.au/~media/resourcecentre/publicationsandresources/health%20inequalities/precarious%20housing/precarious%20housing_summary%20report_web.pdf?la=en

¹² Estimated annual cost to government services of an individual experiencing homelessness is \$29,450 higher than for the rest of the Australian population. See Zaretsky K. et al, Australian Housing and Urban Research Institute (AHURI), *The cost of homelessness and the net benefit of homelessness programs: a national study*: AHURI Final Report No 205 (2013) 14 available at https://www.ahuri.edu.au/__data/assets/pdf_file/0007/2032/AHURI_Final_Report_No218_The-cost-of-homelessness-and-the-netbenefit-of-homelessness-programs-a-national-study.pdf.

¹³ Housing Act, section 6(1)(f).

¹⁴ Performance Standards, page 3, available at: [Performance Standards and Evidence Guidelines | Housing Registrar](#)

¹⁵ See Justice Connect Homeless Law, *There’s No Place Like Home: Submission on the Security of Tenure Issues Paper* (December 2015) 21-27; Tenants Union of Victoria, *Response to Security of Tenure Issues Paper of the Residential Tenancies Act Review* (December 2015) 12-13; Victoria Legal Aid, *Residential Tenancies Act Review: Security of Tenure Submission* (31 December 2015) 8-10.

¹⁶ Guy Johnson, Susan McCallum, Juliet Watson. *Who stays, who leaves and why: Occupancy patterns at Unison Housing between 2014-2016* (Research Report No. 2, February 2019) 3.

¹⁷ Ibid 4

Eviction as last resort – policy in practice

Bianca had been homeless for 5 years before she moved into a community housing rooming home. She experienced post-traumatic stress disorder, anxiety and depression. Soon after she moved in, she had a verbal dispute with another resident, who called the police. The police attended and obtained an interim Personal Safety Intervention Order against Bianca, excluding her from the rooming house. Bianca disputed that she was the aggressor in the altercation and challenged the exclusionary condition of the intervention order – to instead negotiate safe contact conditions.

While this was going on, and on the very same day of the altercation, the community housing provider served Bianca with a Notice to Leave and applied for possession of the rented premises. Bianca came to Inner Melbourne Community Legal for help. We talked to the community housing provider about other options they had rather than evicting Bianca into homelessness. Our lawyer encouraged the community housing provider to withdraw the Notice to Leave, or alternatively, that the housing provider transfer the resident to a vacant room they had available in another rooming house. The community housing provider refused to find an alternative and continued with their efforts to evict Bianca at VCAT.

At the hearing, VCAT was satisfied that there was no ongoing danger at the rooming house caused by Bianca and dismissed the application for possession. Allowing Bianca to keep her home.

Concerned about the process and to prevent it happening again, we lodged a complaint with the Housing Registrar arguing that the community housing provider had not taken reasonable steps to avoid evicting Bianca into homelessness. Despite VCAT finding in Bianca's favour, the Housing Registrar found that the community housing provider had not breached the Performance Standards or any other obligations under the Act.

In order to achieve the objective of having eviction as the last resort, community housing providers may need additional support from government. Recent study found that 87 per cent of residents in public housing required active and ongoing support from a social worker.¹⁸ These findings reflect that increasingly public housing is limited to only people experiencing the most complex needs and disadvantage.¹⁹ However, the combining of the Housing Register waiting list means people with increasingly complex needs and experiences of disadvantage also live-in community housing. Without providing equivalent active and ongoing support for community housing tenants maintaining housing can be difficult.

¹⁸ West Heidelberg Community Legal Centre, *Improving Housing and Health Outcomes: Understanding and addressing barriers to VCAT attendance* 35

¹⁹ Victorian Auditor General's Office, *Managing Victoria's Public Housing Stock* (June 2017) 11

Too often the exercise of social housing has considered the capital investment and maintenance, without looking at the total cost and benefit of supporting a person in housing. The cost of homelessness on government services was calculated almost a decade ago to be an additional \$29,450 per person, with inflation would be higher today.²⁰ This figure, says nothing of the personal and community benefit of a person having the security of a home to live in and thrive. Putting the money towards supporting people maintain their home is not only the cost-effective thing to do, but the humane one.

Consideration should be given to the full cost of social housing given the higher rate of eviction and how governments and not-for-profit organisations can better work together to support people to stay in their homes. Appropriate funding should be provided for this as part of Victoria's 10 Year Social and Affordable Housing Strategy.

Enforcement and complaints

Additionally, a community housing provider may have excellent policies on paper that are not applied appropriately for residents. Community Housing Providers are required to establish an internal complaints procedure under section 97 of the *Housing Act 1983 (Vic)*. If the complaints are unresolved within 30 days, the tenant or prospective tenant can refer the matter to the Housing Registrar. The Housing Registrar can direct the Community Housing Provider to remedy the matter, and take further action to reduce non-compliance in the future.²¹ However, this provision is limited to complaints by tenants and prospective community housing tenants about "matters relating to rental housing", but not matters capable of being referred to the Victorian Civil and Administrative Tribunal (VCAT) under the *Residential Tenancies Act 1997 (Vic)*.²² The Housing Registrar often interprets this section narrowly. Given almost all disputes are capable of being referred to VCAT under the *Residential Tenancies Act* (including the catch all 'general disputes', as well as repairs, disputes about rent increases, disputes about compensation, disputes about eviction, disputes about entry to the property)²³ this seemingly gives the Housing Registrar no jurisdiction at all to investigate complaints.

This is in contrast to the approach taken to Housing Appeal complaints taken by Department of Families Fairness and Housing for public housing complaints. For public housing tenants, there is a clear internal process where publicly-available policies mandate how decisions are to be made. A tenant has the ability to take a complaint through a number of internal reviews. They can escalate a complaint to the Housing Appeals Office, which is independent from the Housing Office.²⁴ The Housing Appeals Office is responsible for providing independent merits

²⁰ Estimated annual cost to government services of an individual experiencing homelessness is \$29,450 higher than for the rest of the Australian population. See Zaretsky K. et al, Australian Housing and Urban Research Institute (AHURI), The cost of homelessness and the net benefit of homelessness programs: a national study: AHURI Final Report No 205 (2013) 14 available at https://www.ahuri.edu.au/_data/assets/pdf_file/0007/2032/AHURI_Final_Report_No218_The-cost-of-homelessness-and-the-netbenefit-of-homelessness-programs-a-national-study.pdf.

²¹ *Housing Act 1983 (Vic)*, s 100(1).

²² *Housing Act 1983 (Vic)*, s 96(2).

²³ See *Residential Tenancies Act 1997 (Vic)*, s 452, 472

²⁴ Department of Health and Human Services. *Business Practice Manual – Housing Appeals* (Victorian Government, May 2017) [12]

review of decisions made at the Local Housing Office level and look at the complaint afresh and remake the decision.²⁵

At every step in this decision-making process, the decision maker and the decision-making process for a public housing tenant is subject to the *Freedom of Information Act 1982* (Vic) (**FOI Act**) and all information pertaining to the decision are available to the tenant under the FOI Act (except those specifically exempt under Part IV of that Act). There is no such ability or right for decisions made in relation to a community housing tenant's complaint. Registered Housing Agencies are not bodies covered by FOI Act.²⁶ The same is true for the ability to access written reasons for a decision under the Administrative Law Act. The lack of transparency means that decision making is not as accountable as it could be and community housing tenants can be left in the dark about how their complaint has been handled, limiting the ability to understand why the decision may have been made.

For people to be able to keep their social housing home, community housing must have enforceable, transparent and accountable policies and procedures.

Growing public housing

FOCUS AREA 3 – GROWTH:

- What do you think are the best ways to stimulate growth in social and affordable housing?
- What do we need to do to ensure social housing meets the needs of people with specific support and housing needs?

Ultimately, public housing continues to play a significant role in housing Victorians experiencing financial disadvantage, marginalisation and complex mental and physical health issues. For many of Inner Melbourne Community Legal's clients, public housing has provided security and safety following experiences of homelessness, family violence and trauma.

The Discussion paper recognises the chronic shortage of social and affordable housing in Victoria. Over the last few years, there has been marked increases in the waiting lists for public housing. There are currently almost 50,000 applications on the Victorian Housing Register, including approximately 25,000 children.²⁷ Even during the restrictions on rental evictions and increased welfare payments due to COVID-19 JobSeeker supplement, the waitlist grew by over 1000 applications between September and December 2020.²⁸ And we know the waitlist

²⁵ Department of Health and Human Services. *Business Practice Manual – Housing Appeals* (Victorian Government, May 2017) [14]

²⁶ Community Housing Providers are independent from government, so not covered under s 13, nor do they meet the definition of 'agency' under s 5(1) *Freedom of Information Act 1982* (Vic)

²⁷ Legal and Social Issues Committee, Parliament of Victoria, *Inquiry into the Public Housing Renewal Program* (2018)

xi <https://www.parliament.vic.gov.au/images/stories/committees/SCLSI/Public_Housing_Renewal_Program/LS_IC_58-11_PHRP_Text_WEB.pdf>.

²⁸ State of Victoria. *Victorian Housing Register and Transfer List* (December 2020) and (September 2021) available at: <https://www.housing.vic.gov.au/victorian-housing-register> (accessed 1 April 2021)

underestimate the housing needs of our community.²⁹ To meet demand, more will need to be done than maintain 'current stock levels' of public housing as the Discussion Paper suggests.³⁰

Growth in community housing on its own, will not be sufficient to meet the current and growing needs of the Victorian community. Victoria has been spending half the amount on public and community housing as all other states.³¹ The Housing Taskforce of the Royal Commission into Family Violence found that 3200 properties needed to be built each year to meet current demand by 2036.³² To make up this shortfall will require the growth of both publicly funded and managed housing and community housing. Part of the 10 Year Social and Affordable Housing Strategy must include government investment in new public housing stock, to grow alongside community housing.

Additionally, the Federal government must do its fair share to ensure everyone in Australia has a place to call home. Community housing providers rely on the additional rent they receive from the Commonwealth Rent Assistance Payment, which is made to those on social security payments. However, people living in public housing are excluded from receiving the Commonwealth Rent Assistance Payment. The Federal Government can and must do more. A start would be to provide Commonwealth Rent Assistance to people living in public housing, and the State government should as part of its ten year social housing strategy lobby for this reform.

RECOMENDATIONS

People at the Centre

- Extend the Homes Victoria survey of public housing tenants to community housing tenants and assist in facilitating engagement of all of the diverse populations living in social housing including those from CALD, aboriginal communities, older residents, and those with complex needs.

Focus area 1: Pathways

Our focus in this section is on ways to help people keep their home, and the important features of social housing such as security of tenure, affordable rent, and housing that adapts and meets their needs.

- To ensure social housing policies and procedures are of a consistent standard for all people housed from the Housing Register waitlist, tenants in community housing should have policies and procedures that are equivalent to those of public housing tenants, including, but not limited to, the areas of:
 - Temporary absence
 - Modification for disability and safety
 - Internal appeals

²⁹Victorian Auditor General's Office, *Managing Victoria's Public Housing Stock* (June 2017)

³⁰ Discussion Paper 14

³¹ Productivity Commission, *Government Services Report 2020* (Table 18A.1)

³² Family Violence Housing Assistance Implementation Taskforce, '[Victoria's Social Housing Supply Requirements to 2036](#)' (May 2017) 3

- Rent setting – to be limited to 25 per cent of household income (plus 100 per cent of Commonwealth Rent Assistance)
- Management of rental arrears
- Eviction as a last resort
- To help keep people in their homes, community housing providers should have transparent and accountable complaints process:
 - Community Housing tenants should have access to the Housing Appeals Office to ensure independent oversight of policies and procedures.
 - Amend the *Freedom of Information Act 1982 (Vic)* to ensure community housing tenants have the ability to access considerations and decisions of community housing providers in relation to their tenancy.
- Establish an adequate funding model that assists community housing providers to deliver support and services (outlined in the policy, procedures and complaints process listed above) equivalent to those provided to tenants in public housing.

Focus area 3: Growth

- Grow public funded and managed housing stock at the same rate as community housing stock.
- Ensure greater contribution by the Federal Government to public housing growth and maintenance by lobbying the Commonwealth Government to provide Commonwealth Rent Assistance to tenants of public housing.

We would welcome any further opportunity to participate in this important review. Please contact our office on 9328 1885 or at damian.stock@imcl.org.au if you wish to discuss these issues further.

Yours sincerely



Michelle Reynolds
Policy and Advocacy Lead



Damian Stock
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