

Shelter Tasmania

Submission to the Tasmanian Government's State Budget Process

Understanding the importance of home and place
as the foundation stone for social inclusion *(Kat Hulse)*

20010-2011



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Introduction

Shelter Tasmania is pleased to present this submission to the State Government's State Budget Process for 2010-11.

Shelter Tasmania is the recognised non-government peak body for low income housing consumers, housing providers, and homelessness services and people experiencing homelessness across Tasmania. We have a strong focus on the affordability of housing for low to moderate income households, be that for private rental, social housing or home ownership. Shelter sees housing problems and homelessness solutions as the responsibility for all sectors of the community. This is reflected in our membership, which is diverse and provides a unique body of expertise in the housing and homelessness area.

Each year Shelter as a peak body, provides the State Government with recommendations on how government resources can be invested to improve the outcomes for low income housing consumers and those experiencing homelessness.

Shelter welcomes that homelessness and social housing are major priorities for the Tasmanian Government and its range of initiatives announced - in particular the Social Inclusion Strategy, the social housing investment from the Economic Stimulus package, the National Affordable Housing Agreement (NAHA), the State Homelessness Plan (with its target to halve primary homelessness by 2010). Shelter recognises these as significant steps forward in achieving a fairer housing system in a more inclusive Tasmania. At the same time, we challenge the State Government to continue the process of building a truly fair housing system and providing support to those 2,400 Tasmanians who are homeless.

For this to be achieved increased funding for affordable housing and support is needed in this year's budget, as well as a longer term commitment post the end of the current NAHA in 2012.

This submission represents the key issues that the Shelter members have identified based on substantive work undertaken by Shelter, including a range of strategies to consult with members, consumers and other key stakeholders. The submission raises and identifies ways to improve effective communication with the non-government sector, and identifies a number of significant gaps in the current service system (due to lack of services) while highlighting how often those most in need slip between the service systems intended to help them. It provides some key pointers as to how the Tasmanian Government might continue to work toward a fairer housing system and providing adequate support for those most in need.

The submission has been endorsed by the Shelter Management Committee with recommendations on housing, legislative reform and homelessness.

About Shelter

Shelter Tasmania is an independent not-for-profit housing peak organisation funded by the Department of Health and Human Services as a 'Housing Consumer and Provider Peak Body Service'. Shelter Tasmania is the key body that represents the interests of low to moderate income housing consumers and housing providers across Tasmania.

Shelter's membership consists of a wide range of organisations across Tasmania, such as: tenants groups, community housing providers, homelessness and crisis accommodation services, local government, research organisations and a range of individuals and services interested in housing and homelessness issues. Shelter is an affiliated member of National Shelter and is part of a network of organisations representing consumer issues in relation to housing and human rights. The Council of Homeless Persons (Tasmania) is a subcommittee of Shelter. The Shelter Management Committee is made up of 12 elected members from across Tasmania. The Management Committee members represent a range of agencies and individuals with a broad knowledge and experience of issues facing low income housing consumers and housing provision.

Shelter aims to provide an effective Tasmanian voice on housing and related issues by fulfilling the following objectives:

- To promote and maintain the right of every person to access affordable, safe and secure long term housing that they identify as appropriate to their needs.
- To promote and maintain the right of every person to housing of a quality which enhances people's health, well-being, dignity and life opportunities.
- To promote the benefits of public and community housing in the community and across all levels of government.
- To publish, research, collect and disseminate information on matters relating to the provision of housing, particularly for people on low to moderate incomes.
- To create opportunities to support, establish, resource and co-ordinate non-government organisations and agencies with similar interests and objectives to the Association.
- To promote opportunities for members of the community to access housing provision free from discrimination due to age, gender, ethnicity, health status or disability.
- To promote and support consumer and community participation in decision making in relation to their housing and to promote access to avenues of appeal across all housing tenures.
- To provide a structure that enables the members to inform policy development in a manner that is consistent with the objectives and visions of the Association and also reflects the needs of homeless people and people who live in poverty and on low incomes.

Summary of Recommendations

1. Affordable Housing - Social Housing

Recommendation 1.1

That the Tasmanian Government provide \$30 million per annum in new recurrent funding to Housing Tasmania to drive social housing reform.

Recommendation 1.2

That the State Government fund a Housing and Homelessness Advisory Committee (including representatives from the community sector) to provide advice on the implementation and integration of social housing and homeless reform.

Recommendation 1.2.1

Under the Housing and Homelessness Advisory Committee that specific funding is allocated to commencing a strategy for consumer consultation. (See Recommendation 6.1)

2. Improved Private Rentals

2.1 Private Rental Programs

Recommendation 2.1.1

Continue to maintain funding to the Expanded Assistance under the Private Rental Support Service developed under the Affordable Housing Strategy.

Recommendation 2.1.2 That the Private Rental Tenancy Support Service be recognised as a service of need for the Tasmanian Community and receive ongoing funding to ensure its continuation.

Recommendation 2.3

That the Private Rental Tenancy Support Service be extended to work with public housing tenants statewide.

Recommendation 2.4

That the Private Rental Support Scheme be extended to cover all community tenants (and SRF tenants) on low incomes with an increased budget to cover this.

2.2. Consumer Protection in the Private Rental System

Recommendation 2.2.1

That the *Residential Tenancy Act 1997* be subject to substantial review.

Recommendation 2.2.2

That a state-wide housing standards code be developed in consultation with building industry bodies, local government and non-government tenant organisations, and that these standards be incorporated into Tasmanian legislation.

Recommendation 2.2.3

That the standards code covers heating, fixtures, power, water, fire regulations, plumbing, security, mould and other concerns essential to habitable living standards.

Recommendation 2.2.4

That the Residential Tenancy Commissioner is empowered to: issue orders to landlords to comply with these standards, and to specify a time period; and order that a landlord be liable for relocation costs if these are incurred by a tenant whilst the housing standard code is enforced.

Recommendation 2.2.5

That it be an offence for a landlord to lease a sub-standard dwelling.

Recommendation 2.2.6

That a single tribunal is established to hear all disputes arising from tenancies, be it for public or private rentals.

Recommendation 2.2.7

That the State Government enables legislation so that mid-lease rent increases on private rentals be capped at the Housing Consumer Price Index.

Recommendation 2.2.8

That in the event of a default or foreclosure, tenants are given the same rights as when a property is sold in normal circumstances.

Recommendation 2.2.9

That the *Residential Tenancy Act 1997* be amended to create non-fixed term lease immediately following expiration of a fixed term lease, and stop evictions without justification.

Recommendation 2.3

That the legislative framework of the proposed Rental Deposit Authority be reviewed to ensure that funds generated in excess of infrastructure running costs are used to benefit tenants.

Recommendation 2.4

That the State Government provide funding to expand shopfront tenant advocacy services into the North and North-West region.

3. Enhanced Capacity of the Community Sector

Recommendation 3.1

That a Community Development Officer be funded in the office of Shelter Tasmania.

Recommendation 3.2

That Housing Tasmania provides a training funding pool for housing and Specialist Homelessness Service, in consultation with Shelter Tasmania to administer.

4. An Improved Planning System

Recommendation 4.1

That the State Government fund a Residential Development Taskforce, to inform the implementation of the regional planning framework to achieve better affordable housing outcomes.

5. Responses to Homelessness

Recommendation 5.1:

That funding be allocated to establish an ongoing Homelessness Steering Committee for the duration of the development and implementation of the Tasmanian Homelessness Plan. (To include dedicated funding for consultation with people at risk or experiencing homelessness, see Recommendation 1.2.1).

Recommendation 5.2

That the State Government increase its contribution to existing Specialist Homelessness Services funded under the National Affordable Housing Agreement, by 40% to address unmet need.

Recommendation 5.3

That the SHS brokerage dollars receive an increase in funds based on the previous 8 years indexation amounts to ensure they are able to adequately meet the needs of people who are homeless or at risk, accessing services.

Recommendation 5.4

To enable appropriate service to Tasmanian young people who find themselves homeless the following changes are required:

Recommendation 5.5

That the Government acknowledge the needs of children in families experiencing homelessness and ongoing funding be provided to the CHILD program.

Recommendation 5.6

That a new medium term emergency accommodation service be funded specifically to meet the needs of young pregnant women and young mothers and their children.

Recommendation 5.7

That Specialist Homelessness Services are exempt from interpreting fees associated with clients accessing their services or that funding (apart from brokerage) is provided to cover the costs of interpreter fees.

6. Improve Migrant and Refugee Housing Services

Recommendation 6.1

That additional funds be allocated to the Private Rental Tenancy Support Service (PRTSS) to increase capacity to work specifically with refugee and migrant communities to find housing and maintain tenancies in the private rental market.

Recommendation 6.2

That funding is provided for bi-cultural staff from the main refugee communities to be employed by existing SAAP support services on an 'on call' basis.

Recommendation 6.3

That public housing and, where possible, community housing providers build or purchase more 4 and 5 bedroom houses, with emphasis on larger bedrooms

1. Affordable Housing - Social Housing

Recommendation 1.1

That the Tasmanian Government provide \$30 million per annum in new recurrent funding to Housing Tasmania to drive social housing reform.

Estimated Cost:

\$30 million per annum – indexed

Lead Department:

Department of Treasury and Finance

Links to Tasmania Together:

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 8: Open and accountable government that listens and plans for shared future.

Summary

Improved economic and social outcomes for people cannot be realised without a solid performance in the area of housing.

Affordable rental housing is fundamental to a fair housing system. For many low income households, including people experiencing homelessness, people with disabilities, and many Aboriginal and Torres Strait Islander households, it is the only realistic source of affordable, appropriate and secure housing.

Shelter applauds the Commonwealth and Tasmanian Governments' recent funding commitments under the National Affordable Housing Agreement (NAHA) and the \$135 million committed from the Economic Stimulus Package that will provide 512 new social housing dwellings and upgrades of existing stock.

This goes some way to catch up on the past legacy of a decade of cuts to public housing. Over the past decade the level of funding for social housing has dropped by 30% in real terms (National Shelter 2007). Between 1996-97 and 2004-5 Commonwealth State Housing Agreement (CSHA) based funding to the States by the Commonwealth fell by 18.4%. In the same period matching funding from the Tasmanian Government fell by 19.3% (FACSIA 2007). On top of this there is the public housing's unsustainable debt burden as noted by Shelter and others in previous budget submissions (Shelter 2008a).

A continued longer term funding commitment is needed to provide the sustainable base of affordable housing into the future. The Supply Council projections show there was an overall gap in Tasmania of 7,000 dwellings in 2008, with a further gap of 3,000 based on population projections to 2020. There are 3,000 people on the public housing waiting list (FaHCSIA 2009). The Tasmanian and Commonwealth Governments are currently undertaking bilateral discussions regarding major reforms to the provision of public and community housing. There have been strong indications that this reform will be based on the transfer of public stock to large community housing providers who will borrow to increase the supply of housing. For this to happen a substantial new recurrent funding of between \$15-30 million needs to be provided annually, in consultation with the community sector and consumers to ensure the sustainability of affordable rental housing: including providing secure operational subsidies to public and community housing providers. This includes the resourcing to build the capacity of the community housing sector in Tasmania.

Shelter believes this can only be achieved with a commitment to long term planning, with embedded consultation processes with consumers and the community sector (refer to recommendation 1.2), to ensure improved social outcomes are achieved for existing and potential tenants.

Shelter calls on the State Government to ensure a comprehensive risk and benefit strategy is developed, which would include a commitment to the following:

Tenants are consulted and not disadvantaged under reforms:

- a comprehensive consumer engagement strategy is undertaken with existing and potential public and community housing tenants, service providers and peaks
- a “no disadvantage” principle for tenants, transferring between different forms of affordable housing including affordable rents
- increased funding for tenant support
- continue to improve the rights and protections available to tenants of affordable housing programs by measures such as; consumer charters and access to external appeals mechanisms
- the National Community Housing Standards are adopted by all community housing providers

Substantial growth in appropriate and affordable housing:

- there is substantial growth in overall net social housing stock
- build on the funding pledged so far by committing to a long term growth program for affordable rental housing beyond 2012, with clear medium and long term growth targets
- aim to achieve a minimum of 5,000 new dwellings under affordable housing programs by 2020
- achieve this through a range of programs, including
 - sustained investment in housing available at income related rents and held permanently by government or not-for-profit housing providers
 - continuation of NRAS beyond its initial target of 50,000 dwellings
- ensure a range of different levels of subsidy within this system to meet the needs of households at different income levels
- work with the Federal Government to develop a flexible, integrated management of programs which allows households and houses to move between programs as intended in the “A Place to Call Home” program, rather than making households move house as their circumstances improve
- deliver this housing in communities with mixed tenure types and resident profiles and in consultation with local service providers and consumers
- develop a range of sources of funding for this housing, including direct government capital grants, the use of private sector investment as managed under NRAS, and the use of affordable housing targets in new development areas (as they do in South Australia)

Recommendation 1.2

That the State Government fund a Housing and Homelessness Advisory Committee (including representatives from the community sector) to provide advice on the implementation and integration of social housing and homeless reform.

Recommendation 1.2.1

Under the Housing and Homelessness Advisory Committee that specific funding is allocated to commencing a strategy for consumer consultation. (See Recommendation 6.1)

Lead Agency:

Department of Health and Community Services :Housing Tasmania & Housing Innovation Unit

Department of Premier and Cabinet: Social Inclusion Unit

Estimated cost:

NAHA Advisory Committee – uncosted

Initial Consumer Consultation - \$50,000

Links to Tasmania Together:

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 2: Confident, friendly and safe communities.

Goal 3: High quality education and training for lifelong learning and a skilled workforce.

Goal 5: Vibrant, inclusive and growing communities where people feel valued and connected.

Goal 8: Open and accountable government that listens and plans for shared future.

Summary

Despite all the reports giving reasons for people being homeless, this largely distracts from the single fact that people living in poverty cannot afford housing or basic living expenses.

(Emily Schindeler)

As outlined previously, the reform of social housing needs to be based on an open, transparent and collaborative process that fully involves consumers and the community sector organisations. This is the same for the reform to the provision of services for those experiencing homelessness.

With the introduction of the National Affordable Housing Strategy (NAHA) in January 2009 the range of programs that previously sat under the Commonwealth State Housing agreement and the Supported Accommodation Assistance Program merged under the NAHA. Both housing and homelessness have been identified as key priorities for the Tasmanian Government, yet these two areas have not come under an integrated advisory body. The initiatives under the NAHA and the Stimulus Package have been rolled out quickly to meet tight deadlines. To date there has been a Community Sector Working Group to advise KPMG on social housing reform for a set time, as well as a Community Sector and Government Reference Group to give advise on the Tasmanian Homelessness Plan.

Shelter, along with many member organisations, has sat on both of these groups and is aware that the two areas have remain separated. Shelter members have outlined concerns about the separation between the supply side building initiatives and the needs identified locally by housing and homelessness services for support, and that specific housing requirements have not been addressed. It is now time for a more integrated approach across these areas. This will enable more coordinated information to identify the risks and benefits across the reform areas.

The coming year will be key to implementing a range of initiatives across the three National Partnership areas of Housing, Remote Indigenous Housing and Homelessness. Each of these groups have identified the need for increased consultation with consumers. Shelter has undertaken some preliminary work on consulting with low income housing consumer and those experiencing

homelessness, and for consultation to be meaningful and effective resources need to be allocated in this area as a priority. (See Sec 5 on Homelessness p 20-22)

Shelter recommends that it is now time for a body of experts to sit across both the housing and homelessness reform agendas to enable consumers, the government, non government and private sector to work in partnership to provide expert input and risk management advice in these key areas of reform.

2. Improved Private Rental

Approximately 60% of households in housing stress live in the private rental market. Tenants in this sector receive a lower level of public subsidy than tenants in the various forms of social housing, and have fewer protections against rent increases or eviction.

2.1 Private Rental Assistance

Recommendation 2.1.1

Continue to maintain funding to the Expanded Assistance under the Private Rental Support Service developed under the Affordable Housing Strategy.

Lead Agency:

Department of Health and Community Services: Housing Tasmania

Links to Tasmania Together:

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 2: Confident, friendly and safe communities.

Goal 3: High quality education and training for lifelong learning and a skilled workforce.

Goal 5: Vibrant, inclusive and growing communities where people feel valued and connected.

Summary

With expected increases in the cost of power, food, transport - as well as the recent introduction of additional water and sewerage rates - it is expected that housing affordability for Tasmanians on low to moderate incomes will further decline. The lack of affordable housing for this target group will increase demand on services that provide front line assistance to tenants. Under the Affordable Housing Strategy specific programs to assist private tenants were established with funding until 2010. Shelter wishes to strongly recommend that the State Government commit additional funds on top of the current funding which expires in June 2010 to maintain the PRTSS service and the Intensive Tenancy Assistance (ITA) funding delivered through the Private Rental Support Service (PRSS).

Recommendation 2.1.2

That the Private Rental Tenancy Support Service be recognised as a service of need for the Tasmanian Community and receive ongoing funding to ensure its continuation.

Estimated Cost:

\$600,000 per annum statewide, indexed to CPI.

Recommendation 2.1.3

That the Private Rental Tenancy Support Service be extended to work with public housing tenants statewide.

Estimated Cost:

\$190,000 per annum statewide, indexed to CPI.

Lead Agency:

Department of Health and Community Services: Housing Tasmania

Links to Tasmania Together:

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 2: Confident, friendly and safe communities.

Goal 3: High quality education and training for lifelong learning and a skilled workforce.

Goal 5: Vibrant, inclusive and growing communities where people feel valued and connected.

Summary - Recommendations 2.1.2 and 2.1.3

The Private Rental Tenancy Support Service (PRTSS) is a statewide service that provides education and practical support to tenants on low incomes within the private rental market. The program complements existing services, working closely with Specialist Homeless Services, PRSS and the Tenants Union to fill a long existing service gap providing services to tenants that is outside of the scope of other services, ensuring those resources are able to meet their core funded objectives. The PRTSS service agreement ends on the 30th of June 2010. Originally funded through the Affordable Housing Strategy, the service continues to meet current requirements under the National Affordable Housing Agreement and National Partnerships. It is well positioned and has a proven history of preventing homelessness, and increasing the stability of many tenants within the private rental market by providing education and support aimed at increasing the ability of tenants to maintain successful tenancies and security of tenure. The service is now seen by the community as a necessary program within the existing service system. Further, as a program that will aid the success of many of the new initiatives under the Tasmanian Homelessness Intervention plan, PRTSS from the end of June 2005 to the end of June 2009 has supported 3,525 households through the provision of 20,979 units of assistance. Examples of some of the outcomes achieved by the service have included:

- Prevention of homelessness
- Linking households to appropriate community and social supports
- Improvement of education and employment outcomes
- Improved landlord and tenant relationships
- Reduction in the personal financial debt of tenants
- Increased understanding of tenant obligations and rights
- Landlords increasing their understandings of their obligations and tenant rights
- Improved neighbour relationships
- Reduced rent
- Access to appropriate income, including rent assistance
- Improved living conditions

All of this has been achieved through the program working one-on-one with clients through assertive outreach, group information sessions and the provision of information. The service meets expectations under the National Affordable Housing Agreement and related National Partnership Agreement reform requirements and policy directions.

Shelter is concerned that should ongoing funding not be made available for this program from the 2010-2011 Budget many individuals and families will not have available to them the services currently provided by PRTSS. This will increase the risk of homelessness for many Tasmanians, create a gap in the current and future service

system and increase strain on already under-resourced services.

Further to this Shelter notes that Public Housing Tenants are currently excluded from accessing the support of PRTSS. Shelter members are concerned about the public housing debt many tenants incur, and the impact of this debt on their long term housing options. Often they are suspended from reapplying for public housing but cannot access private rental, so become homeless. Should the PRTSS target group be broadened to include public tenants, the support and tenancy education provided would assist these tenants in developing living skills, stabilising "at risk" tenancies, increasing the tenant's ability to access the private rental market, and decrease the risk to Housing Tasmania's revenue.

Recommendation 2.1.4: Bond Assistance for Community Housing Tenants
That the Private Rental Support Scheme be extended to cover all community tenants (and SRF tenants) on low incomes with an increased budget to cover this.

Lead Agency:

Department of Health and Community Services: Housing Tasmania

Links to Tasmania Together:

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 8: Open and accountable government that listens and plans for a shared future.

Summary:

With the reform agenda outlined under the National Affordable Housing agreement there is strong emphasis on the expansion and promotion of the community housing sector. In response to this there has been a growth in community housing providers and Special Residential Facilities (SRF). (Note boarding house tenants, including the Supported Residential Facility tenants, are not charged bond but would benefit from other PRSS assistance such as help with rent).

Yet the issue of equity of assistance for all community housing tenants has not been addressed. Currently, some tenants are eligible for bond and other forms of PRSS assistance while others are not eligible, not for reasons of income or need but due to title arrangement of the provider. Yet the tenants are still the same client group on low incomes paying similar rent with the need to access bond. The lack of equity is even more highlighted now, as tenants from providers such as Tasmanian Affordable Housing Ltd (TAHL) and Community Housing Limited - Tasmania can access PRSS assistance but other community housing tenants cannot.

Shelter has consistently lobbied Housing Tasmania to change the PRSS eligibility guidelines to include low income community housing tenants. This policy change has wide support from members, including tenants, community housing providers and the Private Rental Support Services (PRSS).

This anomaly needs to be addressed this year in line with the reform agenda and to improve the support and outcomes for all tenants.

2.2 Consumer Protection

Shelter would like to congratulate the State Government on recent reforms to improve consumer protection. The introduction of the Residential Deposit Authority on the 1st July 2009, and announced plans for regulating Residential Tenancy Databases and review the Residential Tenancy Act 1997 (Singh 2009).

Shelter acknowledges these initiatives. The following section recommends ways to build on this work to improve the policy and legislative system to protect and support those low-income and disadvantaged Tasmanians who are renting privately.

Private rental properties housed 17.3% of all households in Tasmania (Housing Tasmania 2003). While private rental housing has historically been considered largely a transitional tenure for policy purposes – a stepping stone towards home ownership – this has changed. As housing prices have soared, the opportunity for many Tasmanians to become home owners has diminished. Vacancy rates in rental properties are consistently low (currently less than 2% statewide), and low cost rentals are increasingly hard to come by. As the rental market tightens, and the demand for properties increases, so does the opportunity to offer poor and sub-standard housing.

Recommendation 2.2.1

That the *Residential Tenancy Act 1997* be subject to substantial review.

Lead Agency:

Department of Justice: Consumer Affairs and Fair Trading

Summary:

In 2009 the Minister for Consumer Affairs and Fair Trading announced a review of the *Residential Tenancy Act 1997* (Singh 2009). At the time of writing it is unclear how extensive this review will be. Since the Act came into force in 1998 there have been substantial changes to the private and public rental market. Substantial increases of property prices in the past decade have increased rents significantly and have held people in the rental market by making the purchase of property less viable, making rental properties scarcer. At the same time the pool of public housing has reduced as a percentage of rental housing in Tasmania, increasing the waiting lists and the proportion of public tenants in the 'high needs' category. The *Residential Tenancy Act 1997* does not regulate sub-tenancies; it does not provide minimum standards; it does not compel landlords to maintain premises; it does not effectively limit rent increases; and it does not provide security of tenure for tenants.

Shelter members report that tenants are increasingly unlikely to enforce rights that do exist under the Act because they are afraid that they will be subject to retaliatory eviction, and will be unable to find anywhere else to live. Shelter recommends that review of the legislation be substantial, with significant input from all stakeholders.

The Need for Minimum Standards

Recommendation 2.2.2

That a state-wide housing standards code be developed in consultation with building industry bodies, local government and non-government tenant organisations, and that these standards be incorporated into Tasmanian legislation.

Recommendation 2.2.3

That the standards code covers heating, fixtures, power, water, fire regulations, plumbing, security, mould and other concerns essential to habitable living standards.

Recommendation 2.2.4

That the Residential Tenancy Commissioner is empowered to: issue orders to landlords to comply with these standards, and to specify a time period; and order that a landlord be liable for relocation costs if these are incurred by a tenant whilst the housing standard code is enforced.

Recommendation 2.2.5

That it be an offence for a landlord to lease a sub-standard dwelling.

Lead Department:

Department of Justice: Consumer Affairs and Fair Trading

Summary:

Tasmania is the only State or Territory without any minimum standards required for a rental property in the tenancy legislation. Tasmania is also the only jurisdiction with no requirement for routine maintenance of rental premises. The absence of minimum standards in the private rental sector poses a real risk to the health and safety of a significant number of tenants, particularly those on lower incomes. Many tenants live in premises that are in a state of disrepair, and tenant workers around the state commonly deal with premises that are substandard (Blunden 2004). Too often "cheap" rent and substandard conditions go hand in hand, and it is unacceptable that the already inadequate supply of accommodation at the lower end of the market should be particularly subject to such conditions.

Shelter Tasmania believes that specific minimum standards regarding both tenancy management and the physical condition of rental properties should be developed to protect tenants. Uniform provisions would help to enable a stricter enforcement of standards, and would contribute towards improved living conditions for tenants. The basic right of tenants to appropriate living standards must not be ignored.

Ability to enforce such standards is also crucial if they are to be successfully converted from legislation to practice. Consumer Affairs and Fair Trading must be empowered to enforce standards through specific legislative provisions.

Establishment of an Independent Housing Tribunal

Recommendation 2.2.6

That a single tribunal is established to hear all disputes arising from tenancies, be it for public or private rentals.

Lead Department:

Department of Justice: Consumer Affairs and Fair Trading

Summary:

At present tenancy disputes are considered by the Residential Tenancy Commissioner, the Minor Civil Claims Division of the Magistrates Court and, for public housing tenants, the internal appeals structures of Housing Tasmania. This system is confusing for tenants and, in matters involving concurrent jurisdiction, duplicates many services. A single tribunal would provide a streamlined approach to dispute resolution that would improve understanding, knowledge and handling of tenancy issues for tenants, landlords, government bodies and legal practitioners.

The interest collected from the lodging of security deposits (bonds) with the Residential Deposit Authority (Bond Board) could be used to help fund this single

tribunal. If so, the source of the funding should be reflected in a reduced application fee for tenants.

Recommendation 2.2.7

That the State Government enables legislation so that mid-lease rent increases on private rentals be capped at the Housing Consumer Price Index.

Lead Agency:

Department of Justice: Consumer Affairs and Fair Trading

Summary:

Shelter members have reported large increases in rents imposed on tenants during current leases, leading to financial hardship. At present, if there is provision for a rent increase in the lease agreement the landlord may increase rents every 6 months during the tenancy period. A tenant may challenge a rent increase that is excessive. The application fee to the Magistrates Court is \$42.35. The only issue the court is specifically directed to consider is the 'general level of rents' in the locality. A professional valuation to provide evidence of the market rent for the premises in question may cost a tenant between \$300-\$500, which is not recoverable even in the event of a successful application.

In effect, any rent increase may be granted and housing affordability is not taken into consideration when determining rent increases. Therefore, a household could move from a manageable level of rent, through the 'housing stress' level into 'housing crisis' during a tenancy, without changes in their income.

Property owners are in the advantageous position of knowing that the costs and inconveniences associated with uprooting a household are high, and many tenants will not challenge the rise through the court process. Tenants do not have a right to break the lease as a result of the rent increase unless they are willing to face costs of finding new tenants and paying rent until new tenants are found.

It is reasonable for a tenant to know the approximate cost of rent throughout the tenancy when signing a lease agreement. We submit therefore that a maximum rent increase of Housing CPI increase is fair for both Tenant and Landlord. If there are considerable changes in circumstances there may still be the option of seeking a rent increase through an impartial body. Landlords have a relative position of power against tenants due to the relative scarcity of housing and the essential nature of shelter, and therefore it is logical to place the onus of justification upon the landlord. The fact that most commercial leases cap rent increases at an agreed rate provides evidence of the type of contract reached when there is an equivalent power relationship between the parties.

A list of factors will help all parties, including arbiters, to determine fair rent increases (and decreases) and give greater certainty to the process. To conclude, Shelter recommends that rents may only be increased by the Housing CPI during the tenancy. Increases may only take place every twelve months, and only if stated in the lease agreement. If a landlord requires an increase in excess of the Housing CPI, then the onus is placed on the landlord to justify the excessive increase. A list of prescribed factors would be taken into consideration for rent increases (and rent decreases) in excess of the Housing CPI.

Recommendation 2.2.8

That in the event of a default or foreclosure, tenants are given the same rights as when a property is sold in normal circumstances.

Lead Department:

Summary:

Shelter members are reporting that they are dealing with people needing housing due to increased mortgage defaults from both former owners and tenants. Shelter recommends that tenants in fixed period leases continue their leases until the end of tenancy, as stated in their residential tenancy agreement, regardless of who has ownership of the property. Tenants in non-fixed leases should be given 90 days notice when a property is foreclosed or defaulted on by a landlord.

If a tenant has a lease and the title of the property they are renting is transferred to another owner, the lease is unaffected. However, Section 42(1)(e) and (f) of the *Residential Tenancy Act 1997* allows property owners to order vacant possession due to foreclosure (section 86 of the *Land Titles Act 1980*) or the default of a mortgagor (section 78 of the *Land Titles Act 1980*) and that a tenant has 28 days notice from service of the notice.

Tenants should have a right to continue their legally binding contract regardless of the ownership of the property. Therefore, 42(1)(e) and (f) of the Residential Tenancy Act 1997 should be repealed. The result of this for a foreclosed or defaulted property is a continuation of a fixed term residential tenancy agreement, and the option for a landlord to give 28 days notice to a tenant (under Section 43(1)(b) of the Residential Tenancy Act 1997) on a non-fixed term residential tenancy agreement. Further, Section 43(1)(b) of the Residential Tenancy Act 1997 should be amended to extend the notice period from 28 to 90 days.

Recommendation 2.2.9

That the *Residential Tenancy Act 1997* be amended to create non-fixed term lease immediately following expiration of a fixed term lease, and stop evictions without justification.

Lead Agency:

Department of Justice: Consumer Affairs and Fair Trading

Summary:

Currently the *Residential Tenancy Act 1997* protects all agreements to lease residential property as either a fixed term lease, or where there is no agreed term, as a non-fixed term lease – except for a crucial period of 28 days following the expiration of a fixed term lease. There are reasons under the *Act* for which a landlord can evict a tenant of no fixed term, such as for the purposes of selling or renovating the premises, in addition to any breach of the lease agreement. Following the expiration of a fixed term lease for a period of 28 days a landlord can evict a tenant without just cause. Shelter recommends that an eviction should only ever take place for reasons that are just and genuine, and that the *Act* should be amended accordingly. Such a measure would be in keeping with the laws of natural justice and ensure compliance with the *Anti-Discrimination Act 1998* by landlords.

Recommendation 2.3

That the legislative framework of the proposed Rental Deposit Authority be reviewed to ensure that funds generated in excess of infrastructure running costs are used to benefit tenants.

Lead Agency:

Department of Justice: Consumer Affairs and Fair Trading

Summary:

As the legislation currently stands, the funding for the mandatory rental deposit system will be generated from the interest earned from the security deposits paid to the authority by tenants, and that additional interest generated would be absorbed into the State Consolidated Revenue. The monies held by the Rental Bond Authority are equivalent to 4 weeks rent of the premises each individual tenant leases. The Department of Justice: Consumer Affairs and Fair Trading paper, 'Regulatory Impact Statement: Proposed Rental Deposit Authority for Tasmania' of April 2005 estimated that a Bond Board would cost approximately \$700,000 per year to operate, but that total interest generated at that time was approximately \$1,017,000, based on an estimated pool of \$17.4 million. Shelter submits that rents in Tasmania may have risen by up to twice that of the 2005 estimates, with a corresponding 2-fold increase of security deposits held. The potential interest generated by such a pool will therefore be significantly increased, and should exceed the cost of administering the Authority. Shelter recommends that as this money currently belongs to the tenants, any excess should be returned to the tenants in some form, preferably as tenancy support services.

Recommendation 2.4

That the State Government provide funding to expand shopfront tenant advocacy services into the North and North-West region.

Lead Agency:

Department of Health and Human Service: Housing Tasmania

Summary:

Shelter members have raised concerns about the poor standard of the properties rented, the significant number of absentee landlords, and unprofessional behaviour by landlords. Due to the lack of affordable housing and a competitive private rental market many tenants are too scared to raise issues around their tenancies, due to fear of eviction. Currently the Tenants Union, which provides advocacy and services, can only provide face to face advice in Hobart, with a mere 3.5 hours per week in Devonport. The lack of their services in the North and North West means that tenants are often unaware of their rights under the Residents Tenancy Act or are too fearful to assert those rights.

Shelter recommends that the Tenants Union's funding be increased to enable a full time worker in the North and Northwest.

3. Enhanced Capacity of the Community Sector

Recommendation 3.1

That a Sector and Policy Development Officer be funded in the office of Shelter Tasmania.

Estimated Cost:

\$95,000 per annum, indexed to CPI.

Lead Agency:

Housing Tasmania: Community Partners

Links to Tasmania Together:

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 2: Confident, friendly and safe communities.

Goal 8: Open and accountable government that listens and plans for the future.

Summary:

The State Government has set homelessness and social housing as key priorities under the National Affordable Housing Agreement for the next four years, with considerable funding allocated into these areas. New units have been established within government to oversee the reform agenda, such as the Housing Innovation Unit (HIU), the Homelessness and Indigenous Policy, Projects and Reform (HIPPR) and the Social Inclusion Unit.

To date resources have not been allocated to the non-government sector to meet these new requirements. The DHHS Peak Review was completed last year. Shelter was informed this would be used as a basis for parity across peak services and the possibility of additional funding. This has not eventuated. The KPMG project on the future direction of social housing explored a number of options and recommended the growth of community housing providers. There is significant work that will need to be undertaken on how to implement these changes, such as:

- Develop and implement an effective consumer consultation strategy
- Charter of tenants rights across social housing
- Stock transfer policy
- Identify the risk and benefits to the community providers and tenants
- Growth strategies for the community/affordable housing sector
- Risk management for Specialist Homelessness Services and Community Housing Providers
- Contribute to a skills audit of the community sector
- Consultation with the community sector to compile training needs in relation to best practice in tenancy management and support
- Build on the Shelter website comprehensive information on community housing in Tasmania
- Development the Tasmanian community housing standards in line with the National standards and appropriate learning materials

Recommendation 3.2

That Housing Tasmania provides a training funding pool for housing and SHS, in consultation with Shelter Tasmania to administer.

Estimated Cost:

\$100,000 per annum (indexed).

Lead Agency:

Department of Health and Community Services: Housing Tasmania

Links to Tasmania Together:

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 2: Confident, friendly and safe communities.

Goal 8: Open and accountable government that listens and plans for the future.

The future of the community services industry is dependent on the quality of its staff and the ability to secure a workforce for the future. A key ongoing issue for the community homelessness and housing sector has been the need for more appropriate training options than are available. Currently Housing Tasmania funds a private training company \$100,000 per annum to provide training to the Special Homeless Service (SHS) as part of the Community Sector Learning and Development Program (CSLDP), with a further \$200,000 being provided each year by Home and Community Care Services and Community Support Services. The mid-term review of Esset is now completed with recommendation to refine the service. For Shelter members (which include all SHS service) there is a loss of confidence in the current arrangement provided to deliver what is required by

their services. Members have reported that the training provided is often not relevant, or inadequate and pitched at too low a level for a professional workforce. To overcome this, members have strongly supported a reallocation of the current \$100,000 for Shelter to administer with appropriate administration resources. This will enable the services to determine their own training appropriate to their needs from the pool of funds. This could also include the granting of scholarships to courses, such as those offered by Swinburne University on housing management and policy.

4. Better Planning and Regulation System

Recommendation 4.1

That the State Government fund a Residential Development Taskforce, to inform the implementation of the regional planning framework to achieve better affordable housing outcomes.

Lead Departments:

Department of Primary Industries Water and Environment
Department of Health and Human Services: Housing Tasmania

Links to Tasmania Together:

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 8: Open and accountable government that listens and plans for a shared future.

Summary:

Shelter supports the need to link planning, regulation and development policies and processes to affordable housing targets. The framework for National Action on Affordable Housing (NAAH) states that a national approach be developed for defining affordable housing needs at geographical levels and how it can be reflected in planning policy and regulation (Framework for NAAH 2005). The Affordable Housing Strategy (2004-8) outlined the importance of planning to improve affordable housing outcomes.

The housing system is the subject of a large number of regulatory regimes, including:

- the land use planning and development approval system which regulates the type and location of housing and the provision of associated infrastructure
- residential tenancies legislation which regulates contractual relations between tenants and landlords
- regulation of consumer credit and financial institutions which covers various types of mortgage lending.

Affordability of housing is affected by special planning and supply in the form of zoning in planning schemes, which in turn impacts on housing prices. Research, overseas and in Australia, suggests there are planning regulations that assist in increasing affordable housing. Developer contributions and zoning requirements have been implemented to compel developers to contribute to affordable housing. Shelter also believes that Governments - especially State and Local - should have clear policies around the sale of Government land and buildings, to ensure that developers contribute to affordable housing. This can be done by requiring that new residential developments contain a proportion of affordable housing or contribute to an affordable housing fund.

The South Australian Housing Plan has committed to developing initiatives across the planning system, in partnership with the Minister for Urban Development and Planning, to ensure affordable housing forms part of all substantial new housing

developments (South Australian Government, 2006). The Government has targeted a minimum of 10% affordable housing and 5% high need housing in all significant new development. This has fostered the environment of the private and community housing sectors working together on new partnerships.

It was also identified by the Planning Institute of Australia (Tasmania) that the relation between State, regional and local planning is critical to increasing the supply of affordable housing and creating liveable communities, not just housing. It is not just the planning system which hinders the promotion of affordable housing, but a combination of the stakeholders across the system. This is not to deny there is a vacuum at the regional planning level. It was recommended that a regional plan, now underway, provide a framework for implementing Government policy and delivery of Public Private Partnerships that can provide a buffer from the vagaries of a simple market-led development approach by individual council areas.

To ensure better integration of housing and infrastructure Shelter calls on the State to set up a Residential Development Taskforce to work with the Commonwealth to consider the following:

- urban and regional planning issues
- transport and housing affordability
- planning for demographic change
- ways of encouraging affordable housing provision by linking housing policies with parallel agendas on better urban planning, strategic infrastructure investment and disposal of surplus government owned sites to leverage clear affordable rental housing outcomes
- the use of targets like the 15% affordable housing, of which one third must be for high need households, used by the South Australian Urban Land Trust (noted above) and others
- innovative forms of tenure such as community land trusts as a way of supporting home purchase for lower income households
- planning for mid-range cities
- environmentally sustainable housing and urban design, and appropriate building standards
- the role of the housing sector in responding to the threat of climate change.

5. Responses to Homelessness

Recommendation 5.1:

That funding be allocated to establish an ongoing Homelessness Steering Committee for the duration of the development and implementation of the Tasmanian Homelessness Plan. (To include dedicated funding for consultation with people at risk or experiencing homelessness, see Recommendation 1.2.1).

Lead Agency:

Department of Health and Human Services: – Housing Tasmania
Department of Premier and Cabinet: Social Inclusion Unit

Links to Tasmania Together:

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 2: Confident, friendly and safe communities.

Goal 5: Vibrant, inclusive and growing community where people feel valued and connected.

Goal 8: Open and accountable government that listens and plans for shared future.

Summary:

N.B. Shelter has already identified the need for an overarching Housing and Homelessness Advisory Committee to provide advice on the implementation and integration of social housing and homelessness reforms (**See Recommendations 1.2 and 1.2.1**). It is recommended that the Homelessness Steering Committee is a functional component of this unit.

In December 2008 the Rudd Government released a White Paper on Homelessness: *The Road Home* with a vision to halve overall homelessness and offer supported accommodation to all rough sleepers who need it by 2020. Each State and Territory entered into a National partnership Agreement on Homelessness. Shelter welcomes the key initiatives and actions outlined in the corresponding five year Homelessness Implementation Plan for Tasmania (July 2009 – June 2013). A key priority for the Tasmanian Government is to reduce the primary homelessness benchmark figure from 385 'rough sleepers' to 193, by the end of 2010.

Last year Shelter called for the Tasmanian Government to develop a Homelessness Strategy. This is now well underway. One of the six key initiatives outlined in the Implementation Plan is the development of a Tasmanian Homelessness Plan, which incorporates a homelessness strategy based on a whole-of-government and a whole-of-community approach to respond to, prevent and reduce homelessness. The Homelessness Plan will incorporate initiatives and services currently implemented under the National Affordable Housing Agreement, the associated National Partnership Agreements on homelessness, Social Housing and Indigenous Housing, and the Nation Building Economic Stimulus Plan (*Homelessness National Partnership Implementation Plan for Tasmania* 2009, p. 28). It is due to be released in the coming months.

Last year Shelter identified that the expertise of the Tasmanian Community Sector is crucial in both the development and implementation of the Homelessness Plan, working in partnership with the government to achieve its goals for social inclusion and to reduce homelessness. Shelter therefore welcomes the collaborative approach by which the Tasmanian Government has sought input from combined government and non-government reference groups. In addition, working groups have been established around the 6 key initiatives outlined in the Implementation Plan.

However, in order that a collaborative approach to tackling homelessness is maintained, it is important that an **ongoing** reference group (or Homelessness Steering Committee) is established to continue to work with Housing Tasmania in the overseeing of the Tasmanian Homelessness Plan.

In particular, Shelter identifies that in order for the effective development and implementation of the Homelessness Plan, close consultation with consumers is paramount. While limited consumer based data is available from government and non-government service providers, the means to achieve a thorough qualitative evaluation of consumer needs is lacking. Shelter has done some preliminary research into consultative methods that are currently used in homelessness research projects around the country. It cannot be overstated that direct and close consultation with consumers is **necessary** if policy frameworks are to be well informed and effective in their response to prevent and reduce homelessness.

A number of factors place households at risk of becoming homeless.

These include:

- living in insecure housing such as boarding houses or caravans

- suffering from a mental health problem or a drug and alcohol problem
- experiencing family violence
- reaching adulthood after a childhood in State care
- reaching the end of a custodial sentence

(National Shelter 2009)

Support for people in these situations can help prevent them from becoming homeless in the first place, and such supports are essential to any effort to reduce the level of homelessness.

Consultation with these people will help Government to:

- facilitate the access of highly disadvantaged households, including people experiencing homelessness, to social housing properties including the new properties provided under the Social Housing Initiative of the Nation Building Economic Stimulus Plan
- ensure that multiple disadvantage does not lead to exclusion from housing and support services, and that people entering the homelessness service system at any point (through a housing agency, a homelessness agency or generalist community agency) can get access to both the housing and the support they need to bring a permanent end to their homelessness
- closely link housing strategies and strategies around other important issues such as homelessness, family violence and child protection
- work with State and Territory governments to develop programs to prevent homelessness amongst people exiting corrections, leaving State care and leaving mental health facilities
- increase the level of support available to sustain households at risk of homelessness in their existing tenancies

(Extracted from National Shelter 2009)

Recommendation 5.2

That the State Government increase its contribution to existing Specialist Homelessness Services, funded under the National Affordable Housing Agreement, by 40% to address unmet need.

Not Costed

Lead Agency:

Department of Health and Community Services: Housing Tasmania, Community Partners

Links to Tasmania Together:

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 2: Confident, friendly and safe communities.

Summary

Since January 1st 2009, The Supported Assisted Accommodation Program has been subsumed under the new National Affordable Housing Agreement. The implementation of the agreement - in conjunction with the National Partnerships on Homelessness, Social Housing and Remote Indigenous Housing - serves to ensure that all Tasmanians have access to high quality, affordable health and human services when they need them. While Shelter welcomes the initiatives outlined in the Tasmanian Homelessness Implementation Plan, the reality is that currently Specialist Homelessness Services are experiencing an increase in requests for immediate emergency accommodation, indicating strongly that the demand for services continues to be greater than the capacity to respond.

In 2006 2,507 people were homeless in Tasmania, across the three tiers of homelessness (Chamberlain 2008a). There are currently 34 Specialist Homelessness Services (SHS) services in Tasmania funded under the NAHA. The

last evaluation of SAAP IV recommended that, to address demand, funding to these organisations needs to increase by 40%. Homelessness Australia has also called for a 40% increase in funding to be put into a range of early intervention and prevention programs. Despite the increase in demand for Specialist Homelessness Services in Tasmania, funding for Specialist Homelessness Services under the NAHA has not increased, apart from the 3.3% indexation.

Shelter acknowledges that the Tasmanian Government is currently working on strategies to prevent and reduce homelessness, but it also recognises that an **immediate boost in funding** for Specialist Homelessness Services would greatly assist in building their capacity to deal with the **current** demand for immediate emergency accommodation and support.

Recommendation 5.3

That the SHS brokerage dollars receive an increase in funds based on the previous 8 years indexation amounts to ensure they are able to adequately meet the needs of people who are homeless, or at risk, accessing services.

Not Costed

Lead Agency:

Department of Health and Community Services: Housing Tasmania, Community Partners

Links to Tasmania Together:

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 2: Confident, friendly and safe communities.

Summary

The Department of Health & Human Services introduced Brokerage Funds into the 2001/02 (then) SAAP budget to enable a more flexible way of assisting clients. The funds are designed to purchase goods and services to assist those who are homeless, or at risk, to achieve agreed client outcomes. The distribution of these dollars is primarily the responsibility of 7 Specialist Homelessness Services (SHS), referred to as case planning and support services and transitional support services. To date, the majority of the \$400,000 allocated per annum has been spent acquiring emergency accommodation in caravan parks, pub tops, hotels and motels (55% in the 06/07 period). Expenditure is also significant in the areas of establishing long term accommodation with the purchase of whitegoods, advertising for properties and removal costs.

Despite rising costs across the board in the 8 year period since brokerage funds were introduced, remarkably there has been no indexation applied to the initial \$400,000! Accommodation related costs have escalated over the past 8 years, which can be seen particularly in the area of purchasing emergency accommodation. The average cost per client has increased 15% in the 06/07 period alone, from \$95.59 in 05/06 to \$109.71. With 1,948 occasions of emergency accommodation provided in the 06/07 funding period, this represents a significant increase in the cost of providing these services. The impact of not applying indexation to these funds has meant an actual decrease in the dollars available to clients experiencing homelessness or at risk.

Recommendation 5.4

To enable appropriate service to Tasmanian young people who find themselves homeless the following changes are required:

1. That the State Government fund separate Specialised accommodation

options that meet the developmental needs of young people who are homeless; 13 – 16 years and 17 – 20 years.

2. Resources made available to Disability, Child, Youth and Family Services and the Gateway service system to allow appropriate and ongoing supports for young people (and their families) who leave home due to family conflict, recognising that a young person is at risk due to this conflict.
3. Acknowledgement that homelessness is a priority of all departments that work with young people, and that there is sufficient resourcing available to include early intervention responses aimed at targeting prevention of homelessness for all young people

Links to Tasmania Together:

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 2: Confident, friendly and safe communities.

Summary: Appropriate accommodation options for young people

Current funding for youth shelters in Tasmania targets young people 13 – 20 years in crisis services and 13 – 18 years in transitional to long term services. These arrangements impact on the ability of services to provide adequate and appropriate support to young people who are homeless and expose children less than 16 years to risks that are inappropriate for their stage of development.

Existing protocols between Disability, Child, Youth and Family Services and Specialist Homelessness Services excludes young people who choose not to live at home, due to family conflict, where Child and Family Services identifies that the young person is not at risk if they return home. Currently young people who meet this classification are identified by Child and Family Services as, "Choosing to be homeless" and therefore, although they may be homeless for extended periods, receive no assistance from the department.

With current service provision, this places young people less than 16 years in living environments with older residents who have existing Alcohol and Other Drug issues, been recently released from Risdon Prison, existing Mental Health issues, or pose high level risks to these young people due to intimidating/threatening behaviours. In turn this has an impact on both the psycho-social development of the young person and the likely hood of long term homelessness into adulthood and is potentially in conflict with the principles of the *Children, Young Persons and Their Families ACT 1997* as per Section 8.

Under the current protocols it is identified that support from Disability, Child, Youth and Family Services is not dependant on the child being placed on an assessment order. Due to constraints on current service delivery system, support for young people who are on orders can be difficult to obtain; and for young people not on orders this can be nonexistent. This is exacerbated where young people have existing intellectual disabilities that have led to them being homeless and supports are sought to assist in meeting needs to assist in returning to home or independent living.

Recommendation 5.5

That the Government acknowledge the needs of children in families experiencing homelessness and ongoing funding be provided to the CHILD program.

Estimated Cost:

\$300,000 per annum state-wide indexed to CPI

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Links to Tasmania Together:

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 2: Confident, friendly and safe communities.

Goal 4: Active, healthy Tasmanians with access to quality and affordable health care services.

Goal 5: Vibrant, inclusive and growing communities where people feel valued and connected.

Goal 8: Open and accountable government that listens and plans for a shared future.

Goal 9: Increased work opportunities for all Tasmanians.

Summary: Supporting children in families experiencing homelessness

Under SAAP V 2005-2010 the Tasmanian government contracted the operation of a Transitional Support Model for Children as a Pilot Program. This two-year program intended to provide transitional support for children (under the age of 16) accompanying parents within SAAP Immediate Emergency Accommodation services. The program commenced in early September 2007 and is titled CHILD, which is an acronym for Children and Homelessness, Intervention, Learning and Development.

CHILD has been implemented on a state-wide basis and delivered in the South, North and North West. Towards the end of the service agreement the CHILD program underwent an independent external evaluation and was found to have provided a service that is meeting the needs of vulnerable children within the Specialist Homeless Service system and is achieving substantial outcomes for those children and their families. Further, feedback from the SHS forums has been overwhelmingly positive for the program which generally has the support of the sector. The service has since been informed that it will not be receiving ongoing funding and once again a service gap will exist where children will be placed at risk.

Currently, Gateway is seen as the service system that will fill this gap. However, Shelter members have reported that clients who were being referred to the CHILD program are now not being accepted when referred to Gateway because their needs are not seen as high risk within that assessment process. Shelter is concerned that the specialist knowledge and support available through the CHILD program will be lost once the service ends on the 31st of December 2009 and calls for the Government to acknowledge the needs of children within families that are homeless as a priority.

Children who are homeless are more likely to perpetuate that state in adulthood and homelessness can become a way of life (*Chamberlain and Mackenzie 2003*). Therefore Specialist Homeless Services (SHS) play an important role in improving the lives of homeless children and preventing them entering into a cycle of homelessness.

Children in the SHS system often fall through the cracks, leading to longer term problems as they move through adolescence and adulthood. It has been assumed that children will benefit from the trickledown effect of the services provided to the adult/s. Whilst this may be true for the most basic of needs - for example, a roof over their head - other needs may go unmet - including developmental, behavioural and educational - which will have long lasting effects throughout their lives.

Children experience a number of negative educational, social and health consequences as a result of being homeless. Homeless children spend less time in school, have lower immunisation rates, display behavioural problems such as aggression, and experience psychological problems such as depression and low self esteem. Parents in homeless families are also likely to be suffering from depression or stress, which may

mean they are unable to give their children adequate attention or affection (*Homelessness, Issues in Society, Vol 243, 2006*). The current service system, without the CHILD program, is not able to address these issues nor meet the needs of children in families experiencing homelessness. The Gateway and existing child protection systems is designed to meet those at imminent risk of harm, which is where its resources are best served, and so is not able to address the needs of the children within the SHS system.

Recommendation 5.6

That a new medium term emergency accommodation service be funded specifically to meet the needs of young pregnant women and young mothers and their children.

Lead Agency: Department of Health and Human Services: Housing Tasmania, Community Partners

Links to Tasmania Together

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 2: Confident, friendly and safe communities.

Goal 5. Vibrant, inclusive and growing communities where people feel valued and connected.

Summary: Young pregnant women and young mothers and their children.

In 2001 with the SAAP restructure Tasmania lost the Independent Family Accommodation Service, a program that was funded to support young pregnant women and women with children. The loss of this program has left a gap in the sector for this very vulnerable and marginalised target group. The latest data on homelessness from the 2006 Census (Chamberlain 2008) has shown an increase of 17% since 2001 of families experiencing homelessness. Shelter Tasmania members report that there is a need for a service specifically targeted to support young pregnant women and young women and their children. This recognises that existing Specialist Homelessness Services are not able to adequately meet the needs of this target group, due to lack of resources and the complex developmental needs of this target group. It is seen that a program aimed at providing SHS and family support functions through a medium term accommodation model would reduce the likelihood of longer term homeless cycles and increase positive family outcomes, such as child health, and well being, education and employment outcomes.

There is also an ongoing need for appropriate supported accommodation for pregnant young women, and young women with new-born babies, in the north and north-west of the state. The specific support needs of this group are not adequately met by existing services, as they go beyond the scope of supported emergency accommodation and are significantly different from the needs of older women accommodated in Women's Shelters.

In the month of August 2008, five of the eleven young women accommodated by Karinya were pregnant, and over half of these were under sixteen years old. At a time when early intervention in the area of Child Protection is a major focus, appropriate services for this target group are a priority. Funding is required both to further investigate effective, appropriate models and to ultimately fund a suitable service in these regions.

Recommendation 5.7

That Specialist Homelessness Services are exempt from

interpreting fees associated with clients accessing their services or that funding (apart from brokerage) is provided to cover the costs of interpreter fees.

Lead Agency: Department of Health and Human Services: Housing Tasmania

Links to Tasmania Together

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 2: Confident, friendly and safe communities.

Summary: Funding for Interpreter Services.

Compounding the indexation issue (see Recommendation 7.2, 'Brokerage') has been the increase of Cultural and Linguistically Diverse (CaLD) people accessing agencies and requiring interpreter services.

When SHS brokerage first became available, many services were able to apply for and receive an exemption from the fees attracted by the utilisation of Telephone Interpreting Services (TIS). Unfortunately for nearly all services, these exemptions are no longer available. This has seen a rise (particularly in the South, due to settlement policies) in the expenditure of SHS brokerage on TIS. For one particular SHS in the South, \$13,320.00 was expended on such services, for the period 01/07/07 to 11/08/09, on 179 episodes of brokerage averaging \$80.00 per session. One family alone accounted for 24.9% of the total expenditure.

6. Improve Migrant and Refugee Housing Services

Recommendation 6.1

That additional funds be allocated to the Private Rental Tenancy Support Service (PRTSS) to increase capacity to work specifically with refugee and migrant communities to find housing and maintain tenancies in the private rental market.

Recommendation 6.2

That funding is provided for bi-cultural staff from the main refugee communities to be employed by existing SAAP support services on an 'on call' basis.

Recommendation 6.3

That public housing and, where possible, community housing providers build or purchase more 4 and 5 bedroom houses, with emphasis on larger bedrooms.

Lead Agency:

Department of Health and Human Services: Housing Tasmania

Links to Tasmania Together:

Goal 1: A reasonable lifestyle and standard of living for all Tasmanians.

Goal 2: Confident, friendly and safe communities.

Goal 5: Vibrant, inclusive and growing community where people feel valued and connected.

Summary

Shelter members and services provide a range of services for people from different cultural and linguistic backgrounds. The chronic shortage of affordable and appropriate housing is particularly experienced by migrants and refugees in our community. While representing a small group, the unique circumstances, especially of homeless refugees, places additional pressures on service resources

compared to the general homeless group. Refugees and migrants have difficulty accessing affordable housing and support needs. Service providers have difficulty assisting this group due to cultural and language barriers, as well as what service providers describe as 'government policy restraint'. Even though migrants and refugees can access mainstream services, Shelter members highlight the need for more specialist services for migrant and refugee needs.

Shelter members working with migrant and refugees noted the importance of specialised education services that empower refugees to settle in Tasmania and gain 'house hunting' and 'independent living' skills. There are gaps in the current mainstream services to provide such a service. Shelter members noted the need for more bi-lingual workers to work with mainstream service providers, rather than using interpreters to foster personal trust to be developed between the client and the bi-cultural worker, or between the service provider and the bi-cultural worker.

There is a chronic shortage of housing for migrants and refugees, especially of larger homes. Many refugee families have many children. Some of them prefer to share bigger bedrooms amongst several people rather than have one small bedroom per person. Yet, as noted by the Auditor General, Housing Tasmania is realigning its stock because demand for 3 bedroom houses has reduced and demand for 2 bedroom properties has increased. The realignment is based on a break up of current stock, and to the waiting list, by bedroom requirement. Currently community housing providers have very few larger houses. Due to the difficulty of migrants and refugees accessing housing in the private rental market there needs to be an increase in the supply of culturally appropriate housing from both public and community housing providers.

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