

## **SUBMISSION TO THE RESIDENTIAL TENANCIES REGULATION REVIEW**

on

### **Minimum standards for rental properties**

My submission concerns the spectacular failure of the Victorian Department of Health & Human Services (DHHS) to adhere to their own minimum standards for maintaining public housing stock in good repair. There is a need for stronger regulatory standards which must be enforceable when the Government is the landlord.

Amongst my public housing networks I have been alarmed to hear a multitude of complaints from tenants affected by long-standing delays across a variety of serious maintenance issues. Over the past decade these problems seem to intensify year by year. They concern the failure to repair 'big ticket' items and the neglect of estate upgrades (cyclical maintenance) as opposed to small responsive maintenance jobs which are organised through the Maintenance Call Centre.

As tenants, the vast majority of us adhere to our side of the bargain – we pay our rent on time and maintain the liveability of our properties but for many years DHHS has failed in its duty to be a conscientious and responsive landlord. This is despite three audit reports from the Victorian Auditor-General (2004, 2012, 2017) which highlighted the Housing Division's failure to maintain its assets in good repair and the absence of a comprehensive long-term management strategy for its \$17.8 billion asset portfolio

My [REDACTED] estate has not been refurbished in twenty years. So painting, carpentry, plumbing and other basic repairs to these properties have been neglected leading to broken kitchen fixtures, showers, useless ovens, etc. An unacceptable tactic from the local [REDACTED] Housing Office is to occasionally respond to the pleas from local Members of Parliament on behalf of a single tenant householder whose property then receives a partial upgrade.

This 'grace and favour' approach of only responding to personal appeals discriminates against vulnerable tenants who may lack advocacy or language skills - it is also contrary to the pre-2000 policy on upgrades which reflected consistency and uniform state-wide standards on maintaining public housing assets in good order.

This practice of only replacing and repairing fixtures on an ad-hoc basis means that the timelines of future obsolescence will be staggered and one estate will have households continually requiring upgrades, instead of a predictable pattern of depletion.

**Below are snapshots of significant public housing maintenance lapses from Victorian public tenants obtained through my tenant networks over the past six months.**

- [REDACTED] at least two households had to wait over a year to have their faulty gas heaters replaced, enduring two chilly winters with no adequate heating substitute.
- [REDACTED] High-rise: the foyer ceiling at [REDACTED] Road has now partially collapsed as pipes that had been leaking into the foyer for months were not attended to. Half of the foyer resembles a construction site with barriers around it. This indicates how neglect of

serious faults can potentially pose a safety hazard – the ceiling’s collapse could have occurred when people were present in the foyer.

- [REDACTED]: a tenant had complained for over five years about an extensive mould problem in the bathroom yet not one treatment was carried out until recently; a rodent and cockroach problem (many holes in the exterior brick veneer contribute to this problem). The tenant took to sending emails to request maintenance as she had previously been told there was no record of her requests. She had her property audited in 2015 and was told that due to the poor condition of the property, rendering, painting, carpeting, fencing and mould eradication were required and could assist in vermin control. This never occurred, despite an extensive mould problem, and the local housing office claims to have lost the audit reports!

Recently some work has been carried out, triggered by DHHS’s need to justify the 74% rent increase ([REDACTED] public tenants pay market rent due to historically low property values which have recently risen dramatically according to DHHS). However, the contractor refused to plug the holes in the exterior brickwork, claiming they are naturally-occurring ‘weep holes’.

- On the [REDACTED] estate the vandalism of laundries is an ongoing problem. Tenants report that these areas are not kept securely by DHHS. Vandalised doors are not repaired securely to prevent further break-ins and destruction of washing machines and hot water systems.
- Mould infestations seem to be a persistent problem in Victorian public housing, raising potential health hazards as DHHS doesn’t appear to be adequately treating the symptoms or the cause. An [REDACTED] tenant has endured a mould infestation which has spread over five years. An initial poorly repaired mould problem led to the mould spreading – three years later when they removed the tiles the wall was covered in huge waves of brown mould and a large section of black mould. While the bathroom was then re-tiled the tiles are now lifting up and mould has appeared on the ceiling. The tenant investigated and found that moisture can easily get behind the waterproof wall. This example clearly highlights DHHS’s negligence in not sending out building inspectors to check on the quality of fairly major works like re-tiling a bathroom. Many other examples can be provided where DHHS has never inspected significant work costing many thousands of dollars. DHHS is failing to adequately monitor the quality and cost of maintenance.
- At the [REDACTED] high-rise estate, vandalism of the laundries is also a problem. On the adjacent walk-up blocks, many households are expected to share one washing machine. In the tower blocks rats have damaged electric wires leading to power and/or internet outages. The pipes on the lower floors are rusty and leak water down the walls. There don’t appear to be adequate standards for cleaning inside the buildings or on the grounds and broken fences are not repaired. Similarly poor standards of cleaning and questionable contractual arrangements at [REDACTED] have attracted media attention:  
<https://www.theage.com.au/national/victoria/lucrative-public-housing-cleaning-contracts-extended-despite-fines-20190419-p51fmr.html>

These examples have all come to light in the past six months and represent the tip of the iceberg when it comes to DHHS’s pattern of failing to maintain the liveability, health and safety of its public housing assets.

Public tenants currently have few, if any, avenues of redress, short of preparing a case for VCAT which, if successful, would only cover an individual tenant’s property. The Victorian Ombudsman’s

office has demonstrated no enthusiasm for using its powers to recommend that DHHS attend to asset refurbishment.

In the case of this [REDACTED] estate myself and a neighbour provided the Ombudsman with a comprehensive outline of the long-standing maintenance issues across the estate but the lacklustre response rendered our efforts a waste of time.

The Ombudsman was content to accept the Housing Office's false excuse that there was no meeting room on the estate where they could hold an estate meeting to hear tenants' concerns about the state of their dwellings. Hence a refurbishment was not feasible! Whilst there is in fact a perfectly adequate meeting room on the estate in the [REDACTED], estate upgrades are not contingent upon a meeting with the tenants. **Property inspections and condition reports are the prerequisites for estate upgrades.**

I support calls for heating and cooling standards which should require insulation to be retro-fitted into all public housing and private rental properties. Due to the lack of insulation, temperatures in the upstairs rooms on this estate's townhouses can reach 45+ degrees. Reverse cycle split systems need to be installed with preference given to the elderly & very young. This would also eliminate the risks of carbon monoxide poisoning from gas heaters. However, one split system does not heat or cool all of the major rooms in a house, again underscoring the need for core energy efficiencies like insulation, along with solar panels and shade trees to help combat the 'heat island' effect that abounds in medium and high-density urban settings.

Finally, while the following recommendations may fall outside the scope of the Rental Regulations Review, they would improve DHHS's transparency and accountability and enhance public tenants' right to decent living standards:

- The DHHS online complaints facility should be accessible from the DHHS Public Housing web page so that serious maintenance lapses can be addressed by central management.
- The manuals outlining DHHS's Public Housing policies & procedures on various aspects of maintenance (property condition assessments, responsive maintenance etc) and other operational matters need to be accessible via the Public Housing web page on the DHHS site. These manuals are currently buried and only surface via a generic web search.

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[REDACTED] / [REDACTED]