

# Rights in Specialist Disability Accommodation

## Executive Summary



### PURPOSE OF THIS CONSULTATION

This paper is about getting views from the community about how we can best enhance the accommodation rights of individuals living in specialist disability accommodation (SDA) under the National Disability Insurance Scheme (NDIS), making sure they can be assured of security and certainty in the new system.

Under the NDIS, SDA will be separated into two different supports:

- Support services, known as Supported Independent Living (SIL); and
- Specialised housing such as supported accommodation or residential services, known as SDA.

Under the NDIS, SIL providers will be different from SDA providers. This separation will improve choice and control for NDIS participants by allowing people with disability to be in charge and choose one support or accommodation provider without necessarily changing the other.

Victoria will remain responsible for the tenancy rights of people living in SDA under the NDIS. The Government is exploring options to update rights and protections to reflect this new way of providing specialist disability accommodation.

SDA in Victoria is currently regulated by the *Disability Act 2006* (the Disability Act). At the moment, whoever provides staff support at the house is also the landlord. This makes it difficult to change providers without moving home.

The Disability Act also does not allow people with disability to have control over their SDA as rent and property issues are handled by the SIL provider.


We would like to see a new approach to rights and protections for SDA residents that may lead to changes in the legislative framework to give certainty to people with disability in keeping with the choice and control model of the NDIS.

### OUR VISION FOR SPECIALIST DISABILITY ACCOMMODATION

Changes to SDA are designed to provide people with more choice over who works in their home and what home they live in. This is an opportunity to reframe the law so that SDA residents can make informed choices about their home and services.

If you live in SDA, legislation should support you to change your provider of supports and know that your tenancy arrangements are secure.

As a result of these changes, people with disability will be able to exercise more choice and control about what happens in their lives. The NDIS approach will allow people with disability to freely choose the providers of SDA, separately to SIL, and not feel as though they have to compromise.



We would like to hear the community's thoughts on what rights and protections you would most like to see in tenancy rights for SDA residents.

### KEY ISSUES FOR FEEDBACK

Some of the key questions to think about when responding to this review are:

- What works well in supported accommodation currently?
- What doesn't work so well and needs to be improved?
- What is missing?
- Is there anything new Government should consider because of the NDIS?
- What should be covered in legislation?

Topics addressed in the paper that we want to hear from you about include:

- Updating the Residential Statement
- Housemates
- Accessing the house and room
- Paying rent and money management
- Modifying the house
- Repairing damages
- Eviction and relocation
- House management
- Legislation

### HOW TO PARTICIPATE IN THIS CONSULTATION

This review will happen hand in hand with the community to ensure that people with a disability, their families and carers, staff, service providers and advocacy groups can put forward their views and influence the outcomes of the review.

**This consultation will be open for responses until Friday 30 June 2017 at 5 P.M.**

The Government has created a few different ways for you to participate in this review. You can write a submission, use the Easy English tools and questionnaires or participate in one of our focus groups for residents, peak bodies, workers, providers and advocates.

You can find alternative formats and more information about contributing to this review on our website here:

[www.engage.vic.gov.au/sda](http://www.engage.vic.gov.au/sda)

The Victorian Government will use the information gathered in this review to inform any future decisions on changes to the legislative framework in Victoria.

If you have any further questions about participating in this review, please visit us at our website here:

[www.engage.vic.gov.au/sda](http://www.engage.vic.gov.au/sda)

