



Submission to: The Victorian Social Housing Regulation Review 2021

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Executive Summary

Housing for the Aged Action Group (HAAG) welcomes the opportunity to respond to the Victorian Social Housing Regulation Review (Consultation paper 1 – Background and scoping paper). In making this submission we drew on our experience and expertise working with and for older people experiencing or at risk of homelessness for over 30 years. This submission is informed by the contribution and experience of our members, in particular our members living in public and community housing.

HAAG recognises housing as a human right and public health issue, intersecting with health and wellbeing and family violence and abuse. HAAG advocates for greater access to public and community housing and strengthened tenancy protections for older tenants in community housing. Investment in affordable, secure and appropriate public and community housing provides the necessary foundation for older people who have experienced homelessness and housing stress to gain a greater sense of security and control over their lives.

HAAG strongly supports the need for the Social Housing Regulation Review, to modify the regulations so they best support the long-term wellbeing of existing and future tenants and the growth of social housing. We support Victorian Government's stated principle that every Victorian deserves a safe, affordable and appropriate home and we call upon the Government to prioritise older people's housing needs in any changes to regulations governing social housing and within the broader 10-Year Strategy for Social and Affordable Housing.

Older women are a fast-growing cohort of people experiencing homelessness, as found by the Victorian Parliamentary Inquiry into homelessness, however the unique housing needs of older people are barely acknowledged in this consultation paper, or other related policy documents including the 10 Year Strategy. HAAG's responses to the consultation questions reflect the needs of this vulnerable and largely silenced cohort.

Recommendations

Recommendation 1: The consultation approach should ensure genuine participation by public and community housing tenants, which requires compensation for their time and travel, simple English and translated materials and partnership with trusted services, such as HAAG and ethno-specific agencies.

Recommendation: The Social Housing Regulation Review consider the role and effectiveness of the regulator, to ensure appropriate enforcement action when required

Recommendation 2: Communication from Government on the Big Housing Build, the review of the Social Housing Regulations and any future social housing investment be clear and transparent about stock transfers, to enable genuine community discussion and consultation

Recommendation 3: Further demographic data on tenants in private rental be obtained, and that older tenants be recognised as a growing cohort requiring specialist interventions to prevent homelessness.

Recommendation 4: Further demographic data on social housing tenants be obtained and analysed, and that older tenants be provided with appropriate aged care and other supports as required.

Recommendation 5: Housing managers undertake professional development on the needs of older tenants, services available and referral pathways.

Recommendation 6: Data on the size of the "missing middle" cohort be collected, and an appropriate policy response formulated, for example, exploring raising the asset eligibility for social housing for older women.

Recommendation 7: The Big Housing Build and any future investment in social housing by the State Government include growth in **both** public and community housing so that social housing tenants on the lowest incomes or with higher needs are not disadvantaged

Recommendation 8: There be a consistent and effective complaints management and dispute resolution system across the social housing system, including appeals.

Background on Housing for the Aged Action Group (HAAG)

HAAG is member-based, community organisation specialising in the housing needs of older people. The organisation has over 500 members actively campaigning for housing justice. HAAG's service arm is the Home at Last (HAL) service which provides a one-stop shop of housing information, support, advice and advocacy for Victorians over 50 years of age. This assistance is provided through an intake and referral service assisting over 1,000 people per year. We also provide outreach support to re-house older people who are homeless or at risk of homelessness into long term affordable, age-appropriate housing.

We have an early intervention and prevention approach to homelessness, which involves providing community and professional education to alert people to what places older people at risk of homelessness and pathways to support. Since 2015, we have had a strong Cultural and Linguistically Diverse focus, and a team of bilingual workers who provide community education to groups of older people from a non-English speaking background. We have recently expanded this program to include peer educators who have a lived experience of homelessness, and we are now starting work with the LGBTI community.

Our member base includes former clients who have been assisted by our Home at Last service into public and community housing and, as such, are valuable sources of information about the impact of social housing regulation on their lived experience as tenants. Our support workers have close working relationships with the offices of housing allocations teams and community housing providers and provide unique insight to inform this submission.

HAAG's consultation to inform this submission

HAAG is committed to elevating the voices of older people in all our work. To inform this submission, we are drawing on our research [Public vs Community housing: comparing on the rights and experiences of older tenants](#), which includes detailed interviews with community housing and public housing tenants, and our housing support team. We also drew on our previous submissions, research and policy briefs, which can be found on our website www.older tenants.org.au.

Comments on the Terms of Reference

HAAG broadly supports the terms of reference for the review of Social Housing Regulations. We support the focus on resident voices, outcomes and transparent reporting. We support options that provide residents with a stronger voice. We support the alignment of regulation for public and community housing, and the inclusion of affordable housing in the regulatory system.

Recommendation 1: The consultation approach should ensure genuine and continuous participation by public and community housing tenants, which requires compensation for their time and travel, simple English and translated materials and partnership with trusted services, such as, HAAG and ethno-specific agencies.

We believe that effective regulation requires a strong regulator who is willing to take consistent enforcement action across both public and community housing, when necessary. The review would benefit from a focus on the role and effectiveness of the regulator as well as the content and scope of the regulations themselves.

Recommendation 2: The Social Housing Regulation Review consider the role and effectiveness of the regulator, to ensure appropriate enforcement action when required.

What issues does this paper raise that are relevant to reform of social housing regulation?

HAAG supports the framing of the consultation paper around the importance of housing as a basic human right that is essential to dignity and wellbeing. HAAG believes that the public and community housing sectors should have equivalent standards and strong regulation in a range of areas so that tenants are treated equally regardless of which type of housing they live in. That includes consistent and transparent policies, eligibility criteria, application processes, tenant selection, rent setting, transfers, modifications, dispute resolution, evictions, and elevating tenant voices. We look forward to the opportunity to provide input into future consultation papers on these specific issues relating to regulation.

Transfer of stock

We continue to have serious concerns about the shift from public housing to community and affordable housing and the obfuscation of communication about this stock transfer within this paper and other government communications. We support genuine stakeholder consultation with tenants and this can only occur with clear communication about the direction of government policy and its implications for tenants. For example, “building new homes” does not mean “building more public housing” yet this is not communicated to the public and erodes trust in the engagement process.

Recommendation 2: Communication from Government on the Big Housing Build, the review of the Social Housing Regulations and any future social housing investment be clear and transparent about stock transfers, to enable genuine community discussion and consultation

Issues with private rental market

HAAG supports the acknowledgement in the background paper of the issues in private rental, including lack of supply, lack of affordability, lack of security of tenure, lack of accessibility, lack of tenancy support and lack of the ability for tenants to exercise their rights. Our research and case work experience shows that many older tenants are at risk of homelessness due to these issues in private rental and are unaware of risk factors and housing options available to them. We would further add that there is a risk of premature entry into residential care due to a lack of appropriate housing options for older people.

Recommendation 3: Further demographic data on tenants in private rental be obtained and that older tenants be recognised as a growing cohort requiring specialist interventions to prevent homelessness.

Current social housing tenants

We support the use of regulation to provide more integrated “housing first” type support to social housing tenants who require it. This support should include access to and knowledge of the aged care supports available to older tenants.

Recommendation 4: Further demographic data on social housing tenants be obtained and analysed, and that older tenants be provided with aged care supports as required.

Recommendation 5: Housing managers undertake professional development on the needs of older tenants, services available and referral pathways.

Allocation

We support the priority access for people aged 55 years and older who do not meet any other criteria for priority access. We recommend that the priority access for people escaping family violence be extended to include elder abuse by adult children, combined with appropriate professional education for the sector so that the circumstances surrounding elder abuse are well understood by housing providers and homelessness services.

With regards to time on the waitlist, we do not support the implication that older tenants are contributing to longer wait times due to having 'little desire to move and seeking to age in place in their communities'. There should be no pressure, actual or implied, on older tenants to leave public or community housing.

Prospective tenants accessing social housing

We support the recognition of unmet need by identifying prospective social housing tenants who are currently not accessing the social housing system. We also support the collection of outcomes data and giving tenants a stronger voice to ensure that their housing is appropriate. In addition, we recommend analysis of those currently falling through the gaps of the social housing system, due to the asset limits on eligibility for the Victorian Housing Register. There is currently a cohort known as 'the missing middle' who have a small amount of savings rendering them ineligible for social housing but unable to afford any other type of housing. This cohort is mainly older women who have faced a lifetime of systemic and structural disadvantage (for example, lower wages, lower superannuation, caring responsibilities removing them from the workforce, sexism and ageism) which means they find themselves with very few options in later life, outside the private rental market, which is unaffordable and inappropriate. Their lives are dominated by housing stress and uncertainty about the future. They are vulnerable to a life shock, such as eviction, job loss or illness, tipping them into homelessness.

Recommendation 6: Data on the size of the 'missing middle' cohort be collected, and an appropriate policy response formulated, for example, exploring raising the asset eligibility for social housing for older women.

Managing public housing

We support efforts to build the capacity of the social housing workforce, both within the public and community housing systems, to improve their capability and skills in assisting tenants.

Community Housing organisations rely on rental income to meet their ongoing costs. This provides a disincentive for Community Housing Organisations (CHO) to accept tenants on the lowest levels of income support, such as Jobseeker, due to the low level of rental income. The current financial model relies on Commonwealth Rental Assistance (CRA), which could change at the whim of the Commonwealth and would seriously affect the financial viability of the community housing sector. The reliance on rental income also increases the likelihood of eviction due to rent arrears or temporary absence. These financial constraints hinder the ability of CHOs to provide the same level of support for the most vulnerable and disadvantaged clients. We note the tension between

‘commercial imperatives’ and the principles of social landlords and are not convinced that they can be resolved through regulation alone.

Recommendation 7: The Big Housing Build and any future investment in social housing by the State Government include growth in **both** public and community housing so that social housing tenants on the lowest incomes or with higher needs are not disadvantaged.

Regulatory Landscape

We note that there is currently inconsistent dispute resolution for public and community housing tenants and no complaints mechanism for tenants in non-registered community housing or private rental housing.

Recommendation 8: There be a consistent, effective and independent complaints management and dispute resolution system across the social housing system, including appeals.

Background Information the panel should consider relevant to social housing regulation: older people experiencing or at risk of homelessness

An ageing population

- Currently more than 15% of Victoria’s population are older people.
- The number of Victorians aged 65 and above is set to triple by 2058.
- By 2057, people aged 65+ are expected to make up 22% of Australia’s population.
- The population is living much longer, with people aged 85+ increasing 153% compared with 32% overall population growth.

Increasing older homelessness

- There has been a steep increase in the numbers of older people who are both homeless and at risk of homelessness in Victoria between 2011 and 2016.
- Australia-wide, there were a total of 116,427 people over 55 who were homeless on Census night 2016.
- Older people in the 55-74 age bracket are the fastest growing cohort within the overall homeless population. (Australian Homelessness Monitor Overview, 2018). There were close to 3,311 people in Victoria who were over 55 and homeless on census night in 2016. This has risen from 2100 in 2011 and was an increase of 57.6%.
- In Victoria, in the 5 years between 2011 and 2016, there was a 70.8 % increase in the number of women between 65-74 who reported being homeless, and a 61% increase in women aged 75 years and over.
- 120,000 women aged 45 and over are estimated to be at risk of homelessness in Victoriaⁱ.
- Homelessness for older people is often hidden. Many of those who are homeless are living in poor quality, temporary housing such as caravans, cars, couch surfing or living with family in unsuitable, violent or overcrowded conditions.
- Older people need stable housing in order to ‘age in place’. This cannot occur in private rental where the medium turnover is currently 1.4 years in metro Melbourne.

Older homeowners decreasing

- There is a long-term trend of reducing numbers of older people who own their homes. In 1995, 85.1 % of people aged between 55-64 years owned their own home, and 85.2% of

those aged over 65 years. By 2014 these figures had dropped to 80.4% and 84.5% respectively.

- The number of people approaching retirement or who have already retired without paying off their mortgages is increasing significantly. Between 1996 and 2014, the number of homeowners aged 55-64 with a mortgage debt had tripled to 44.5%.
- The number of homeowners aged 65+ with outstanding mortgages has doubled to 9.7%.

More older people are living in insecure and unaffordable private rental

- The number of older private renters is set to more than double over the next 15 years.
- Australia-wide, the number of private renters aged 65 and over will increase from 246,439 in 2011 to 581,134 in 2031 – a jump of 131%. This represents the greatest tenant population increase of any age group during this period.
- Across Australia, 45% of older women who rent spend more than 30% of their income on rent.
- In 2016, 132,300 renters over 65 years were experiencing rental stress, representing a 42% increase from the 2011 Census.
- Anglicare in their 2018 rental ‘snapshot’ found that only 1.9% of rental properties in Victoria were affordable for a single person on an aged pension.

Elder abuse is increasing, and the lack of affordable housing is a contributing factor

- The Royal Commission into Family Violence stated that “meeting the accommodation needs of older women (and some older men) with limited financial resources may be the only effective way of protecting them from violence. For those who choose to leave their homes, an increase in appropriate and affordable housing is needed.”
- Home at Last service data has shown a 50% increase in elder abuse and family violence cases over the last financial year.
- Seniors Rights Victoria’s submission to the Royal Commission into Family Violence recommended improved housing options for both older women and perpetrators of elder abuse to improve outcomes for victims.
- National Ageing Research Institute (NARI) research into the outcomes of interventions into elder abuse recommended a review of affordable housing options for older people and adult children to address the need for accommodation options to escape abuse

The need for specialist services for older people

- Individual support is required for older people, particularly those with additional vulnerabilities such as speaking a language other than English
- Online application processes are difficult for older people who lack digital literacy, and can’t afford internet connectivity, which creates a digital divide.
- Older people are often “hidden” and do not go to or are unaware of services, so are not counted in data collection and their needs are under reported
- There is a lack of awareness of both the needs of older people and the aged care supports available to them amongst housing providers and the homelessness service sector

ⁱ HAAG and Social Ventures Australia, 2020, Policy Snapshot - At Risk:405,000 older women at risk of homelessness without urgent policy reform
https://www.older tenants.org.au/sites/default/files/at_risk_policy_snapshot_and_key_findings_web.pdf