

09 August 2016

Residential Tenancies Act Review
Consumer Affairs Victoria
GPO Box 123
MELBOURNE VIC 3001

Dear RTA Review at Fairer Safer Housing,

Residential Tenancies Act Review, Property Conditions and Standards - Issues Paper

The City of Boroondara would like to thank the Victorian Government for the opportunity to comment on the Property Conditions and Standards - Issues Paper for Fairer Safer Housing. We believe that everyone has the right to safe and secure housing, and welcome this commitment to review the Residential Tenancies Act. Council's response has a particular focus on the need to preserve good quality rooming houses in Boroondara.

Context: Boroondara's Registered Rooming Houses

Registered Rooming House (RRH) operators are required by law to meet prescribed minimum condition standards. In addition to monitoring adherence with these legal requirements, Council is committed to enhancing the health and wellbeing of rooming house residents, as acknowledged in Boroondara's 2013-2017 Municipal Public Health and Wellbeing Plan, and to working closely with RRH operators to encourage the preservation of good quality, low cost accommodation for tenants at risk of homelessness.

Boroondara is one of the most unaffordable rental markets in Victoria. Rooming houses play an essential role in providing an affordable housing option for our community and are important in meeting the housing needs of some of our most vulnerable and disadvantaged residents, ensuring their safety, participation and inclusion in our community. There are 18 RRHs in Boroondara; two are community owned and 16 are privately owned. Rooming houses assist in meeting the needs of low income residents who require medium and long-term accommodation. Residents include students, people who are unemployed, people who have a mental illness, people who have a substance abuse issue, and those at risk of homelessness. Rooming house tenants are likely to experience multiple forms of disadvantage, and many require support to meet basic needs such as access to food, transport, health and social services.

In 2014, Council conducted a Rooming House Survey to collect information about the operation of RRHs in Boroondara. Twelve of Boroondara's RRH operators completed the survey, which revealed that of the 165 residents living in the surveyed rooming houses:

- almost all (96%) were single adults
- most were aged between 30 and 60 years (63%)
- 54% were identified by the operators as having a mental illness
- 38% were from a non-English speaking background
- 19% were female
- 7% had a physical disability.

In addition, half the operators (50%) indicated that residents were most likely to stay more than 12 months. Council is also aware of women and children who need to find affordable housing as a result of family violence, as well as a growing number of older women seeking housing assistance in Boroondara.

Since January 2014, there have been 11 RRH closures in the City of Boroondara. Council is concerned about this rapid decline and would like quality rooming houses retained as an important part of our community.

Comments for consideration

The comments below are in response to the following three sections of the Property Conditions and Standards - Issues Paper for Fairer Safer Housing:

- 1. Property conditions in residential housing
 - 1.4.1 Regulation of property conditions in other tenure types
- 3. Property conditions at the beginning of a tenancy
 - 3.2 Measures of suitability
- 4. Property Conditions during the tenancy
 - 4.8 Repairs and maintenance issues for other tenure types

Historically, rooming houses have accommodated single men, some of whom may have a mental illness, disabilities, chronic illnesses, cognitive deficits, be frail aged and/or have experienced a traumatic past. However, in Boroondara some RRHs are now opting to provide student accommodation, as these residents are often perceived as easier to house. This displaces and further reduces housing options for those with more complex needs.

Council has also seen the closure of a number of RRHs in the municipality over the last few decades, with anecdotal feedback from previous RRH operators suggesting that the legislative landscape and regulatory requirements are too confusing and can be difficult to meet. It is important that the Victorian Government strikes the right balance between enforcing minimum property condition standards and retaining quality rooming houses in our community.

Whilst regulation of property conditions is essential, overly rigid regulation without associated support and capacity building for the RRH operators, may run the risk of forcing

the closure of more rooming houses in our community. The legislation needs to be flexible enough to allow for sensible timeframes for rectification of property conditions, depending on the risk to safety, loss of amenity to the tenant, and the difficulty of the repair. Council suggests that the previous compliance history of RRH operators should also be taken into consideration.

Council is aware that there are vulnerable and disadvantaged residents in the community who live in substandard properties and who may not request property maintenance for fear of jeopardising their security of tenure. In response to a previous RTA Review issue paper 'Security of Tenure', Council suggested that better guidance for RRH tenants is needed to support them to report requirements for repairs, maintenance and property modifications affecting their privacy, wellbeing, safety, amenity and accessibility in both private and communal areas of their RRH. Additionally when considering changes to regulations overseeing repair, maintenance and property modifications in RRHs, the Victorian Government needs to consider the specific needs of people with a disability and older adults in our community to ensure they are protected from discrimination in accessing or living in RRH.

Council agrees with the concerns raised in the issues paper about properties, particularly rooming houses, owned by a proprietor who plans to redevelop or demolish the house and therefore is not motivated to maintain or improve the property. If sub-standard properties are accepted as an RRH based on the proprietor's initial short-term focus, our most vulnerable and disadvantaged residents are at risk of living in poor housing conditions for longer than expected timeframes. Accepting a lower standard of property conditions for RRHs may reinforce the notion that rooming house residents are less entitled to quality housing than other residents.

We look forward to the outcomes from this review and the opportunity to provide comment on further issues papers.

Yours sincerely



Dr Helen Molnar
Manager Community Planning and Development

