



Victorian Residential Tenancies Act Review

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**Fairer Safer Housing
Residential Tenancies Act Review
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Women's Health West welcomes the opportunity to provide feedback and recommendations to the *Laying the Groundwork - Consultation Paper* for the Residential Tenancies Act 2007. We offer the following recommendations:

Recommendation 1: Sex-disaggregate all data pertaining to tenancy characteristics to ensure the different experiences of women and men in the rental market are captured.

Recommendation 2: Gender responsive principles are embedded and actioned in the new Residential Tenancies Act to ensure that the different ways in which women and men are impacted by the Act and rental market are acknowledged and redressed.

Recommendation 3: Inclusion of women as a group with particular needs in Stage 2 of the review.

Recommendation 4: Develop a long-term affordable housing strategy to redress the increasing public housing waitlist and unaffordability of private rental for low-income Victorians.

Recommendation 5: Allocate a dedicated supply of low cost housing to means tested households.

Recommendation 6: Ensure protections are in place for tenants so that they do not experience discrimination in the housing market, due to factors unrelated to maintaining a tenancy.

Recommendation 7: Improve measures to sustain tenancies and prevent homelessness for women who can safely stay in their housing.

Recommendation 8: Establish a rapid rehousing program to assist women and children escaping family violence to be promptly rehoused with appropriate support.

Introduction

Women's Health West (WHW) has actively contributed to the health, safety and wellbeing of women in the western region of Melbourne since 1988 through a combination of direct service delivery, research, health promotion, community development, capacity building, group work and advocacy. Our health promotion, research and development unit offers a range of programs and projects targeted to prevention and early intervention strategies to improve outcomes for women's health, safety and wellbeing. We are leaders in the development of regional strategies to further our work, seeing partnership within and outside the sectors in which we work as crucial for bringing about effective and sustainable outcomes for women and children.

In 1994 we expanded our organisation to encompass delivery of family violence services for women and children ranging from crisis outreach and court support, to housing establishment and crisis accommodation options, to counselling and group work programs. WHW has been an active and strong supporter of family violence reform at a regional and statewide level, integrating and coordinating family violence services in our region, and ensuring the integration of those services with a range of related sectors, including the housing sector.

As a feminist organisation we focus on redressing the gender and structural inequalities that limit the lives of women and girls. WHW's work is underpinned by a social model of health, recognising the important influence of, and aiming to improve, the social, economic and political factors that determine the health, safety and wellbeing of women and their children in our region. By incorporating a gendered approach to health promotion work that focuses on women, interventions to reduce inequality and improve health outcomes will be more effective and equitable.

Women's Health West's service provision experience and expertise in working with women to provide safe and secure housing

WHW has a history of working with women and their children to ensure their health, safety and wellbeing. A key component of this work is to provide safe and secure housing for women and their children, experiencing and escaping family violence. Our response to this consultation paper draws from expertise gained from the following WHW program areas:

- The family violence outreach program: A program that aims to minimise the impact of family violence by providing women and children in Melbourne's western region with access to timely and relevant family violence services and resources.
- 24-hour crisis response: The provision of 24/7 crisis support to ensure that women and their children receive appropriate information and advocacy.
- A Place to Call Home: Provision of secure, long-term housing and case management support to families who have experienced family violence so that they do not have to move more times than is necessary and prevent disrupting new-found stability.
- Crisis accommodation service: Provision of short-to-medium term accommodation for women and their children escaping family violence when it is not safe for them to remain

in their own home. The accommodation services we provide include a refuge, crisis accommodation properties and outreach services to other crisis and transitional housing properties.

- Private rental brokerage: A program that intervenes to ensure that women with or without children do not become homeless. This occurs through assisting them to establish and/or maintain private rental accommodation through access to brokerage funds in conjunction with case management support.
- Safe at Home: A program that intervenes to ensure women and their children do not become homeless by providing practical and financial assistance that responds to their immediate safety needs to allow them to remain in their home.
- Culturally and linguistically diverse housing support: Provision of a tailored response to migrant and refugee women escaping violence to access transitional, private and public housing.

The changing housing context

WHW commends the State Government on taking action to provide fairer, safer housing for all Victorians. Safe and secure housing is a social determinant of health and many Victorians are currently without this basic necessity. For those without safe, secure and affordable housing, their opportunities to participate in society are severely hindered and the implications can be felt within families and across generations. We would also like to commend the Government on its intention to refer to outcomes from the Royal Commission into Family Violence and the ways that housing impacts on women and children who have experienced and are escaping violence.

Currently in Melbourne and elsewhere in Victoria there is a chronic shortage of affordable housing. Home ownership is increasingly out of reach for many Victorians and particularly the most marginalised and disadvantaged in our community. Many households are becoming long-term or life-time renters as outlined in this consultation paper. This, in combination with population growth, is leading to a lack of supply in affordable rental properties particularly for low-income earners and people who experience socio-economic disadvantage (Council to Homeless Persons, 2015).

The current system is inequitable, hurting the disadvantaged communities the greatest, and action is urgently needed to ensure an equitable system so that all Victorians are able to access and secure safe housing within their means. Women, and particularly single women, women with a disability, women from a culturally and linguistically diverse background and Aboriginal and Torres Strait Islander women are at risk due to the lack of affordable rental accommodation as a result of a number of complex social and economic factors and the persistence of gender inequity within our society. It is therefore paramount that data on tenancy characteristics is sex-disaggregated to ensure analysis of data is not gender blind and that the differences between the experiences of women and men in the rental market can be determined and responded to accordingly.

Recommendation 1: Sex-disaggregate all data pertaining to tenancy characteristics to ensure the different experiences of women and men in the rental market are captured.

Recommendation 2: Gender responsive principles are embedded and actioned in the new Residential Tenancies Act to ensure that the different ways in which women and men are impacted by the Act and rental market are acknowledged and redressed.

Recommendation 3: Inclusion of women as a group with particular needs in Stage 2 of the review.

Does the current Act enable and encourage a rental market that provides sustainable, secure and safe housing to women? Why or why not?

Through WHW's work in the west, we engage with women who cannot access sustainable, secure and safe housing through the current Act. One in three Australian women will experience physical violence over their lifetime (VicHealth, 2012). In addition, family violence is known to be the single greatest contributor to women's homelessness in Australia (Australian Institute of Health and Welfare, 2005). We know that the shortage of affordable housing in Victoria can deter victim/survivors from leaving violent relationships as they do not have an alternative place to live. This results in women and their children being forced to stay in violent, unhealthy and highly dangerous living arrangements. If women do leave their homes, they can be pushed into homelessness due to the inaccessibility of the private rental market and a shortage in public and temporary transitional housing.

Finding safe housing for women during crisis is one of the greatest challenges for Victorian family violence services, such as WHW. Waiting lists for women for social housing can be years, which is often not a viable option, and spaces in refuges are limited and short-term. When housing can be found for women, it is often not sustainable or is shared accommodation which is not always secure or appropriate, especially for older women and women from culturally and linguistically diverse backgrounds. Housing stocks need to be allocated to low-income earners, and in particular for women.

According to the National Housing Supply Council the shortage in housing is most acute, and felt most severely by households in the lowest 20 per cent of the income distribution. In December 2014, 11 per cent of rental properties were deemed affordable to households on a low income. However, for single people and single parents, the number of affordable properties fell to 0.3 per cent and 3.3 per cent respectively (DHS, 2014).

Recommendation 4: Develop a long-term affordable housing strategy to address the soaring public housing waitlist and increasing unaffordability of private rental for low-income Victorians.

Recommendation 5: Allocate a dedicated supply of low cost housing to means tested households.

The difficulties for women in securing rental properties for themselves and their children are often a result of discrimination from prospective real estate agents and landlords, as well as fierce competition and offers to pay more than the advertised monthly rental rate. Through our work, WHW has encountered discrimination of women due to a number of factors, including being a single mother, having Centrelink support, having a disability, their cultural background, being of Aboriginal or Torres Strait Islander heritage or their age.

Recommendation 6: Ensure protections are in place for tenants so that they do not experience discrimination in the housing market, due to factors unrelated to maintaining a tenancy.

Further challenges for women escaping violence include that they might not have the literacy skills or language proficiency to understand contracts and leases and subsequently advocate for their rights. They also lack references or guarantors, do not have sufficient housing history and have to pay large amounts of money upfront (for example, 2 month's rent for a bond) while also trying to cover court costs to persecute perpetrators. It is also difficult for women to remove their name from a lease of a property when they leave due to violence and therefore they encounter a bad rental history. This can prevent them from finding a new place to rent and they can be held responsible for damages to properties by ex-partners. Strengthening programs such as Safe at Home, the Social Housing Advocacy and Support Program, legal representation for women facing eviction and private rental brokerage schemes will assist women to better navigate the system and ensure their rights are upheld and protected.

The availability of transitional housing for women and children after family violence is paramount to reduce stress and ensure their safety. While the government supports initiatives to relocate families in response to family violence through such programs as A Place to Call Home and crisis accommodation, current housing does not meet the demand. Australia has a very small social housing sector, making up approximately 5 per cent of all housing. This is significantly less than other developed countries including the United Kingdom (17 per cent), New Zealand (7 per cent) and Canada (6 per cent) and more than 154,000 households in Australia are on waiting lists for public housing. More social housing is urgently needed.

Recommendation 7: Improve measures to sustain tenancies and prevent homelessness for women who can safely stay in their housing.

Recommendation 8: Establish a rapid rehousing program to assist women and children escaping family violence to be promptly rehoused with appropriate support.

References:

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