



Public Housing and Community Housing:

**Comparing the rights
and experiences
of older tenants in
Victoria**

**Claire Hurren,
Housing for the
Aged Action Group,
November 2020**

Contents

Introduction 3

About HAAG 4

About this report 5

Housing for older people on lower incomes 5

What is Social Housing? 6

Public housing supply and demand 7

The legislative framework and policies for public and community housing 9

Methodology 10

Interview findings 11

The experiences of housing support workers 11

Tenant selection and housing offers 13

Discrimination 17

The sign-up process 23

Housing barriers and worker advocacy 26

The voices of older tenants 28

Gratitude for housing and support 29

The sign-up process 31

Rent setting, communication and affordability 33

Maintenance 38

Modifications and structural accessibility 44

Tenant rights and responsibilities 47

Housing supply and management 49

Impacts of Coronavirus 52

Conclusion 53

Recommendations 55

References 56

Appendix 1: Key Policies for Public and Community Housing 60

Appendix 2: The Legislative Framework for Public and Community Housing 66



Introduction

In Victoria the provision of social housing is progressively moving away from government owned and managed public housing to the growing community housing sector, which is delivered and managed by not-for-profit organisations. While the rights of tenants for both public and community housing are set out under the Residential Tenancies Act 1997 (Vic), community housing providers (CHPs) have separate policies relating to housing allocation and tenancy management. The differences in policy and management have a bearing on the rights of tenants and access to secure, safe and affordable housing for older people on low incomes who are experiencing, or at risk of, housing stress and homelessness.

Housing stress and homelessness is an increasing issue for Australia’s ageing population. Home ownership is declining and the private rental market does not provide the necessary security, affordability, and adaptability to enable people to age in place (Morris 2008; Ong et al. 2019). Access to safe, secure and affordable housing is a fundamental human requirement, providing the necessary basis for older people’s health, wellbeing, and social inclusion (Australian Institute of Health and Welfare (AIHW) 2019(a); Morris 2008; Morris 2018; Ong et al. 2019). If older people are unable to access appropriate housing or are not afforded adequate and uniform tenancy protections, they remain exposed to homelessness, precarious housing, elder abuse, or premature entry into aged care. As such, access to suitable public and community housing with protections that include affordability, security of tenure and adaptability to age in place is crucial for those who are disproportionately impacted by the failures of the housing market. This project aims to explore the impact of shifting social housing policy and delivery on tenant rights, by comparing public housing and community housing with an emphasis on the experiences of older tenants.

About HAAG

Housing for the Aged Action Group (HAAG) is a member-based organisation in Victoria that provides specialised housing information and support services to people aged 50 years and over who are experiencing, or at risk of, homelessness and housing stress. HAAG was formed in 1983 by a group of older tenants in response to a lack of suitable public housing for older people. HAAG continue to work with older people through community engagement, community education and advocacy to achieve systemic change and housing justice. HAAG has an early intervention and prevention approach to homelessness and actively campaigns for a society where older people have safe, secure and affordable housing that supports the right to age in place. HAAG are campaigning for better regulation of community housing, retirement housing and tenancy through alliance building, networking and joint advocacy. HAAG recognizes housing as a public health issue, influencing health, family violence and abuse, and educational outcomes.

Home at Last (HAL) is a unique specialist housing service for older people, providing information, support, advice and advocacy. This includes:

- Statewide Information and Referral: providing support to over 1,000 older people a year about housing options, as well as referrals to housing support and other services.
- Outreach Case Management Support: providing assistance to older people on low-incomes who are experiencing, or at risk of, homelessness to access long-term affordable housing (mainly social housing). This includes assistance with housing applications, support during the move, establishing a new home and referrals into aged care and other supports. We house over 100 people per year; the majority (60%) are older women.
- Retirement Housing Advice and Advocacy: providing specialist information, support and advocacy for people interested in, or living in, retirement housing. This includes lower cost retirement villages, residential parks, rental villages and caravan parks.
- Aged Care Service Navigation: providing assistance to older people to register for aged care services.

HAL is funded through the Commonwealth Home Support Program's Assistance with Care and Housing and Aged Care Service Navigator pilot project, the Victorian Department of Health and Human services, and Consumer Affairs Victoria. The demand for housing support is increasing, with clients contacting the HAL team due to housing crisis, including eviction, inadequate or inappropriate dwellings, and housing affordability stress.

About this report

This project aims to compare tenants rights and legislative and policy frameworks for public housing and community housing, with a focus on how these are experienced by older tenants. By foregrounding the perspectives of older tenants, this project hopes to provide insight into the personal impact of the systems that shape tenant's housing experiences. This report also includes the experiences of housing support workers, to provide additional insight into the processes by which tenants access public and community housing.

Ultimately, it is hoped that this report can illustrate the differences between public and community housing from a tenant's perspective, and assist with advocacy towards 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.

Housing for older people on lower incomes

The rates of housing stress and homelessness are increasing for Australia's ageing population. According to 2016 census data, people aged 55 and over are the fastest growing cohort of Australia's homeless population (Australian Bureau of Statistics 2018). With home ownership in decline, a growing number of older people are relying on the private rental market (Australian Bureau of Statistics 2017; Ong et al. 2019). However, older tenants in private rentals are highly vulnerable to rent unaffordability, tenure insecurity, and the lack of control over home modifications to maintain accessibility with age (AIHW 2019(a); Morris 2008; Ong et al. 2019; Productivity Commission 2015).

These vulnerabilities are compounded for particular groups within the older population who are disproportionately exposed to discrimination and disadvantage, with an increased risk of homelessness and housing stress. These groups include older women, older LGBTI people, people from non-English speaking backgrounds, Aboriginal and Torres Strait Islanders, and people with different abilities and access needs (HAAG 2020(a)). For the older population access to housing and an ade-

quate income is further impacted by ageism and workplace discrimination. An increasing number of people between the ages of 55 and 64 are receiving the unemployment payment, Jobseeker, which is insufficient to pay rent in the private market (Anglicare Australia 2019). It is therefore vital that older people have access to a viable housing alternative that is affordable, secure, and adaptable to their changing needs.



What is Social Housing?

Social housing is an umbrella term that refers to public housing, which is owned and managed by state government, and community housing, which is partly subsidised by government but owned or managed by non-government not-for-profit organisations. Public and community housing provide a relatively secure and low-cost alternative for those unable to access suitable housing through home ownership or the private rental market.

Older people make up a significant proportion of social housing tenancies. In 2018, approximately one-third of social housing tenants in Australia were aged 55 years and over, representing 35% of tenants in public housing, and 30% in community housing (AIHW 2019(b)). While the term ‘social housing’ is used to collectively refer to public housing and community housing, there are key differ-

ences in the policies and tenancy protections provided, which have a direct impact on tenants. In this report, the term ‘social housing’ will be used where the explicit separation of data for public housing and community housing is not available.

Public housing supply and demand

The recurrent yearly expenditure on social housing in Victoria is in decline and is less than half the national average per person (Productivity Commission 2019). Victoria’s supply of social housing is also comparatively low, providing accommodation to just 3.5% of the population, well below the national average of 4.5% (Victorian Auditor-General’s Office (VAGO) 2017).

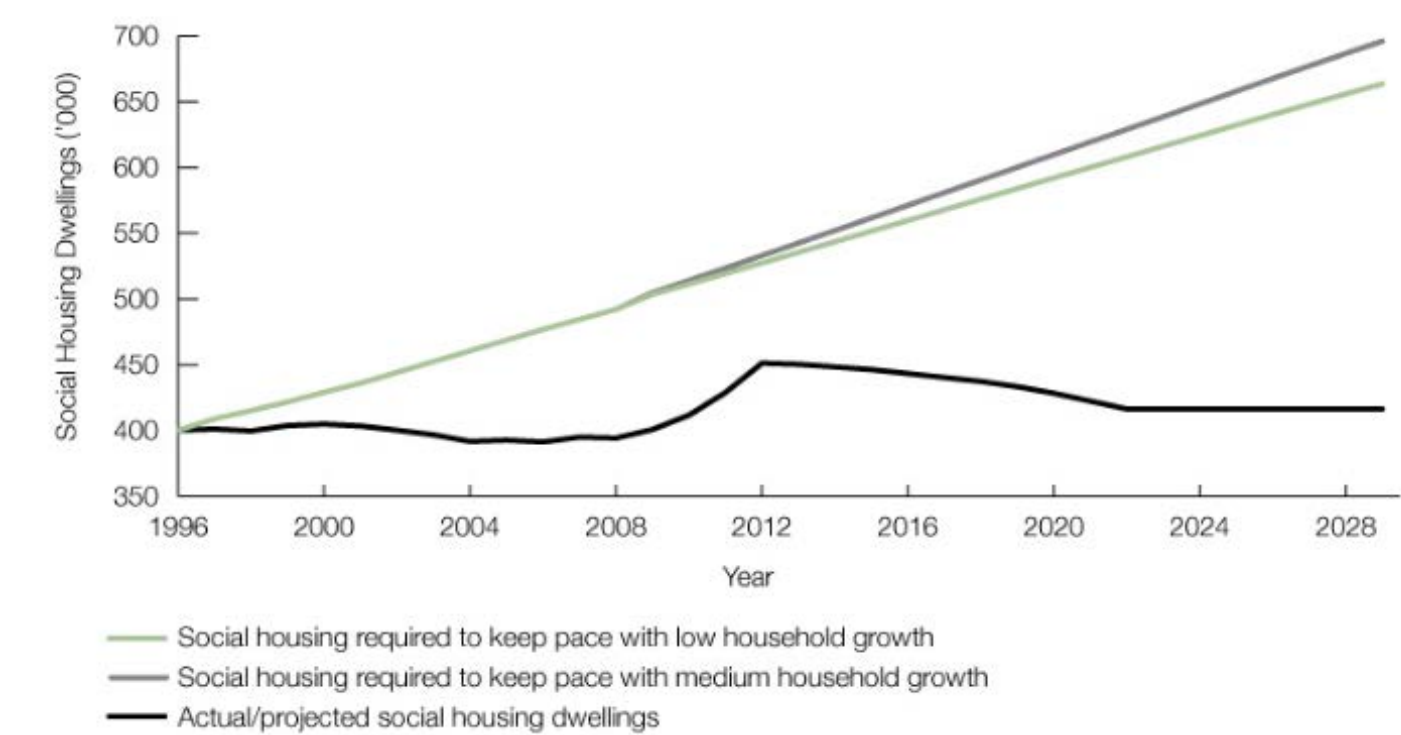
The demand for social housing in Victoria far exceeds supply and is steadily increasing. The unmet demand for priority access alone has increased faster than Victoria’s population growth, with an 8.4% increase in population between September 2016 and June 2020 compared to a 57.8% increase in priority access demand over the same period (Rouch 2020). A proportion of this increase in volume reflects the introduction of the ‘Special Housing Needs aged 55 and over’ priority access category in 2017, in response to growing demand for this demographic.

At June 2020 there were 53,120 household applications on the Victorian Housing Register (VHR) waiting for social housing, or a transfer to appropriate housing (Department of Health and Human Services (DHHS) 2020). This household wait list figure translates to approximately 100,000 people who are waiting for safe, secure and affordable housing in Victoria (Rouch 2020). However, the waitlist figure does not accurately reflect unmet housing need due to the unexpressed demand from those in rental stress who qualify for public and community housing but have not applied (VAGO 2017; Yates 2017). The actual demand, accounting for the full number of households in rental stress, is estimated to almost double the waitlist figure (Yates 2017; Infrastructure Victoria 2016).

With an increasing aged population, decreasing homeownership, and a private rental market that is both unaffordable for many older people and unadaptable to their needs, the demand for public housing for people aged 55 and over is steadily increasing. It is expected that by 2031 the unmet demand for social housing for this age group alone is likely to increase by approximately 78% from 2016 figures (Ong et al. 2019). However, the supply of public housing is not growing to meet this

demand. Instead Victoria’s total public housing stock declined by 581 dwellings between 2006 and 2016, largely due to the disposal of 6,466 public housing dwellings over the same period (VAGO 2017). This decline has been met with increased state and Commonwealth investment in community housing, partly at the expense of public housing through the sale and transfer of publicly owned and managed housing stock to community housing organisations. Over the same period, community housing dwellings increased by 81%, together representing a 12% increase in social housing dwellings in Victoria, however this has not kept pace with overall household growth (VAGO 2017).

Figure 1: Social housing demand and supply projections



Source: FaHCSIA 2010

The legislative framework and policies for public and community housing

In Victoria, the rights and responsibilities for landlords and tenants of rented properties, including public and community housing, are set out under the Residential Tenancies Act 1997. As landlords providing a public function, and in receipt of government funding or assets, the Director of Housing and registered CHPs have responsibilities that extend beyond general tenancy matters, and are subject to additional regulation under the Housing Act 1983 (Vic). A key objective of the Act is to facilitate the provision and appropriate allocation of affordable, suitable, and well-maintained rental housing by government and non-profit bodies, serving the housing needs of low-income tenants and promoting security of tenure (Housing Act 1983 (Vic), s.6). The Housing Act also provides for the registration and regulation of participating CHPs, through the Registrar of Housing. The Registrar of Housing monitors performance standards for registered CHPs that include the following:

- Fair and transparent allocation of housing
- Allocation policy that is sensitive to applicants with complex needs and low incomes
- Facilitating access to support for applicants and tenants with complex needs
- Policies and procedures which strive to sustain tenancies
- Available and accessible information about tenancy management and rent policies
- Policies and strategies to deliver housing at affordable rents to low income tenants
- Policies and strategies for tenants in financial difficulties and with rent arrears
- Properties that are well maintained
- Complaints and appeals processes
- Maintaining financial viability

An overview of the relevant key policies and legislative frameworks that apply to public and community housing are outlined in Table 1 (see appendix). Information contained within these tables has been sourced from publicly available information from the Department of Health and Human Services (DHHS), the Housing Registrar, and the Performance Standards for registered community housing agencies. As each community housing provider has their own individual policies, the information provided in the table is intended to provide an overview only. The main differences between

public housing and community housing policies relate to housing offers, tenancy allocation, rent setting, and accessibility modifications.

A further key difference between public and community housing is in the degree of policy consistency and transparency. The policies that govern public housing tenancy allocation, rent setting, and management are consistent across all properties and are uniformly regulated by the Department of Health and Human Services (DHHS) through the local Office of Housing. On the other hand, individual CHPs have separate policies as well as varied financing models and funding agreements. Registered CHPs are required to demonstrate the ability to remain financially viable, generating adequate income from mixed-income rentals to finance operating costs and stock management (Housing Registrar 2019). These conditions impact on tenancy allocation, target groups, rent setting, and tenancy management.

Methodology

This project is based on semi-structured qualitative interviews with eighteen older public and community housing tenants living in Melbourne, and five housing support workers from HAAG's Home at Last (HAL) service. The eighteen tenant interviews consisted of nine tenants residing in public housing and nine tenants residing in community housing. The tenant participants were all over 50 years of age, had been in their current tenancy for a minimum of six months and were in receipt of a government income support payment, such as the Aged Pension, Disability Support Pension or Jobseeker. A number of the participants were from culturally or linguistically diverse backgrounds, with two interviews conducted with the aid of an interpreter*. All participants were former clients of HAAG's HAL housing support service, and responded to an invitation to participate in the research project.

Two of the tenant interviews were run as focus groups; the first focus group was held with four public housing tenants, and the other with six community housing tenants. The remaining interviews were conducted individually, with six face-to-face and two over the phone. The interview questions were structured around the following key tenancy policies; rent setting, maintenance, modifications, and access to information about tenancy policies and tenant rights. Participants were also asked about their experience of applying for, accessing, and living in public or community housing.

The five HAL housing support worker interviews were conducted face-to-face; two workers were interviewed individually and three were interviewed together as a focus group. Questions focused on housing allocations and worker's experiences in supporting clients through the housing offer and sign-up process.

Interview findings

The interview findings from HAL housing support workers will be presented first, followed by the experiences of older tenants in public and community housing. Presenting the findings in this order offers insight into the initial housing application and offer process, providing a background to the experiences of older tenants in public or community housing.

Each of the themes emerging from the interviews will be presented with an outline of public housing policies that are relevant to the theme, followed by the interview findings with examples from public housing. The relevant community housing policies will then be presented, followed by interview findings and examples that are specific to community housing. This allows for a comparison of the differences in housing policy and tenant experience.

The experiences of housing support workers

Five housing support workers from Housing for the Aged Action Group's (HAAG) Home at Last (HAL) service were interviewed as part of this project. HAL's housing support workers provide assistance to older people with the housing application and offer process, as well as the move and transition into public or community housing. Participants were asked questions relating to housing access, including the role of the centralised VHR waitlist and tenancy allocation processes for both public and community housing. Questions were also asked about the tenancy sign-up process, including rent setting, modification requirements, and access to information about tenant's rights and responsibilities.

The following four key themes emerged from the interviews, with differences noted in the housing allocation and sign-up process between public housing and community housing.

1. Housing offers and tenant selection:
 - Use of the VHR waiting list
 - Screening practices
 - Impact on clients/prospective tenants

2. Discrimination:

- Income type or amount
- Assumptions about a person's character and ability to manage a tenancy
- Anticipated additional health and support needs
- Modifications and accessibility needs

3. The sign-up process:

- Rent setting
- Information about rights

4. Barriers and worker advocacy



1. Tenant selection and housing offers

A housing offer refers to the formal process of making an offer of housing to an eligible applicant, where the applicant has the opportunity to view the property, accept the offer and sign a tenancy agreement (DHHS 2020(b)). In Victoria, applicants that are eligible for public or community housing are assessed for general or priority access based on circumstances, income and asset criteria, and are then placed on the VHR waitlist. The purpose of the VHR is to facilitate suitable housing allocation through a single centralized waitlist, based on an applicant's needs, priority category, housing availability and suitability (Housing Act 1983 (Vic)).

Participants reported a number of differences in the tenant selection and housing offer process between public housing and community housing. The key differences were in the use of the VHR waiting list, and the additional pre-offer selection and approval processes used by community housing providers. Common themes emerged around the impact of these differences on the right of prospective tenants to a fair and equitable allocation process based on eligibility, demonstrated need, and property suitability.

(a) Use of the VHR waiting list

Public housing offers are strictly prioritised to applicants in the priority access categories of the VHR. Prospective tenants are selected from the top of the VHR waiting list by the Office of Housing, based on priority category, property location and the suitability of the housing on offer. As a social landlord, the Director of Housing and DHHS have an obligation to ensure tenancy allocations have regard to the relative housing needs of eligible applicants, and to make client focused decisions with due regard to human rights (DHHS 2019). Applicants are offered an opportunity to view an available property prior to accepting the offer and signing the lease agreement.

Interview participants described the offer process for public housing as consistent and clear:

“ With Office of Housing ... it's the same process every time. So you get the offer formally, written, asked to come in for the offer interview. ... If you agree to see the property it's considered a formal offer. The client will go and view the property, if they're happy with it then do the sign up ... so it's quite consistent. Whereas with community housing it's very different, it varies a lot ”

- Housing Support Worker

For community housing, participation in the VHR is voluntary. Registered CHPs who do participate are required to allocate 75% of targeted allocations to applicants approved for a priority category through the VHR waitlist (CHIA Vic 2017). The proportion of properties that are considered for targeted allocations from the VHR priority categories varies across CHPs, depending on individual agreements with DHHS. Prospective tenants may be sourced directly from the centralized VHR waitlist, though not necessarily from the top of the waitlist. Prospective tenants may also be sourced through nomination rights via a third party or support provider. In some instances, approval for an offer in community housing is subject to additional criteria beyond the already established VHR eligibility and priority categories, for example where housing is only provided to specific target groups.

Participants noted that the additional criteria across housing providers varies and is not always transparent, making it difficult to provide clients who wish to apply for community housing with clear and consistent information on the housing offer process:

“It’s like the whole selection process is unclear, if my clients want to live in community housing, you know, unlike public housing where you can very clearly tell them ‘okay so this is the process once you’re on the top of the list then if a vacancy happens then you’ll be offered that property’. But I can’t say the same to the client who only wants community housing because the whole selection criteria is unclear, every housing provider has their own criteria.”

- Housing Support Worker

All participants noted that vacancies in community housing are communicated directly to housing support workers, who then nominate a suitable priority approved client who is on the VHR waiting list. However, nominating a client does not guarantee that they will be approved by the community housing provider, irrespective of how long the client has been on the waiting list. Participants raised concerns regarding the fairness of the tenant selection processes for community housing, describing it as “unpredictable because you’re not relying on waitlists” with additional specific criteria enabling housing providers to “filter” and selectively “pick” tenants:

“Under the VHR my understanding, the purpose of it is to create like a fair system. Kind of like with public housing, first in first served. But it’s just not happening. ... They can just, you know, filter out people on a waitlist. They have this, this, and this criteria that they just filter out. So it doesn’t matter how high you are on the list or how long you’ve been waiting or what category you’re in necessarily, you might get filtered out.”

- Housing Support Worker

(b) Screening practices

For public housing, the selection of tenants according to demonstrated need, housing availability, and suitability includes the VHR priority category and wait times, housing size, and special accommodation requirements such as access needs, health and support needs, or location requirements. Participants reported no additional selection or screening practices beyond these requirements for public housing.

For community housing, housing offer processes can vary and are made in accordance with individual CHPs allocation policies and practices. Allocation practices such as interviews, discussions with support workers, selection panels or other processes used by CHPs constitute pre-offer activities (DHHS 2020(b)). Thus, CHPs may approve or decline to offer an applicant housing at this point.

Participants described various pre-offer selection and approval processes for community housing. In some cases an eligible applicant is required to progress through additional steps before being approved for a housing offer.

“Some of them will have a phone interview and will want to meet them [the client] in person, others will just take our word for, you know, referring the client.”

- Housing Support Worker

Participants reported that some providers hold group interviews with multiple eligible applicants for a single property offer, noting that this process invited comparisons of need between applicants:

“Others have a group interview... Like sometimes they will have, you know, interviews for multiple people and only select one, for the client they want. Showing the same property to a couple of people together. And it’s just very bad practice.

People just competing with each other.”

- Housing Support Worker

Such practices replicate the highly competitive private rental market where tenant selection is subject to landlord preference, impacting on access to affordable housing for applicants that are considered less desirable or higher risk (Power 2017; Victorian Equal Opportunity and Human Rights Commission (VEOHRC) 2012(a)). In a social housing context these practices position vulnerable clients in competition with each other and engender judgments of who is more deserving of housing. This discretionary power undermines the right of eligible applicants to a fair, transparent and equitable allocation of housing that is sensitive to clients with complex needs, as set out in the Performance Standards for Registered Housing Agencies (Housing Registrar 2016).

(c) The impact on clients and prospective tenants

Some participants expressed concern that these processes for community housing subjected applicants who are in urgent need of housing to a series of personal and inappropriate questions that did not relate to eligibility or the suitability of a property:

“ The community housing provider was really picking and choosing ... they were going through an interview process and some of these clients were people sleeping in cars and, you know, absolutely crisis situation, urgently needed assistance, and then some were victims of trauma and all sorts of health issues. And then having to go through this very formal interview process, and they ask sensitive questions that are inappropriate. ”

- Housing Support Worker

As noted in the example above, applicants are often experiencing immediate crisis with an urgent need for housing, they may also have health concerns or a history of trauma and distress. This finding emphasizes the need for interactions that are person-centered and sensitive to an applicant's context, including an awareness of how pre-offer questioning may be experienced by the applicant.

Similarly, participants voiced concern about the process of being nominated for a housing vacancy only to be rejected by a housing provider on grounds unrelated to eligibility, need or urgency, and the negative impact this had on clients. A worker gave an example of a client on the VHR waiting list in urgent need of housing who was put forward multiple times for community housing offers, but had been rejected each time:

“ So even sometimes if they [the housing provider] contact us, you know ‘We have this property is coming up with you, can you give us some names?’ and even if we nominate some client it doesn't guarantee they will get an offer. And it's very frustrating because I got a client I nominated for multiple times, and every time is unsuccessful. So it's kind of very hard for me to say oh you know ‘Are you interested in this property? But it may not happen, just like last time’. You know? ”

- Housing Support Worker

2. Discrimination

A key difference noted between public and community housing was in CHPs allocation policies and practices, and their discretionary power when selecting tenants, as indicated above. Participants described examples of tenant selection practices for community housing that did not appear to relate to eligibility requirements or property suitability. Selection practices were considered discriminatory where housing applicants were treated less favourably because of their personal circumstances, health needs, history, or character. The basis for discrimination reported by participants were grouped into the following categories: (a) discrimination against a prospective tenant based on their income type and amount; (b) assumptions about a person's character and ability to manage a tenancy; (c) anticipated additional health and support needs; and (d) modification or accessibility needs.

(a) Income type and amount

For public housing, there are no additional eligibility requirements with regards to income beyond the already established VHR eligibility requirements. Participants did not report any issues in securing housing offers for clients based on income type or amount.

“ No issues at all. You just pay 25% of your income. You just gotta get on an income for public housing. ”

- Housing Support Worker

Under the performance standards for community housing, registered CHPs are required to ensure allocation of tenancies to applicants with low-incomes, to the extent permitted by other performance standards (Housing Registrar 2016). However, housing support workers reported difficulty in securing offers in community housing for clients on the lowest incomes, particularly those who are on the unemployment payment Jobseeker (formerly Newstart) as opposed to people with higher rates of income support such as the Age Pension.

“ They've only been accepting our clients who are on an income of age pension or disability pension, not accepting our clients who are on special benefits or Newstart. And we have a lot of clients who are between 50 years old and 65 years old who are on special benefits or Newstart and many of them are in a really urgent situation. ”

- Housing Support Worker

These findings point to a tension between the obligations of registered CHPs to ensure allocation of tenancies to applicants with low incomes and the requirement to generate adequate rent revenue to remain financially viable, as set out under the Performance Standards for registered housing providers (Housing Registrar 2016). Of note, registered CHPs that are required to charge rent at a maximum of 30% of a tenant's income will generate significantly less revenue from those on the lowest incomes. While discrimination on the basis of income type or amount is not explicitly protected under the Equal Opportunity Act 2010, the government and housing organisations have a positive duty to ensure reasonable and appropriate measures are taken to eliminate discrimination (VEOHRC 2012(a)).

Older people who are seeking tenure in public or community housing are facing significant financial barriers accessing other housing options. As this finding illustrates, targeting higher income tenants where more rent can be accrued results in fewer properties available to vulnerable applicants on lower incomes.

(b) Assumptions about a person's character and ability to manage a tenancy

For community housing, participants noted that some providers enquire about a client's personal history, circumstances, cleanliness, or character before deciding to put an offer forward.

“ Sometimes they ask about a history of drug use or things that are not usually on an application. So they like to know if they have a good rental history or where they've been staying. You know, if it fits the type of property that they have according to their, I don't know if it's their guidelines, so that's what I don't know. ”

- Housing Support Worker

Participants felt that this process discriminated against clients based on personal judgments about their capacity as a tenant.

“ There was one particular instance where the word 'couch surfing' came up for one of the clients and one of the housing workers there said you know 'Are they clean?' or 'Will they be able to keep their place tidy, can they manage living in a rental property?' So they sort of assume that because they're couch surfing they won't be tidy or if someone has – they also mentioned one of the clients had My Aged Care services in the home – so some of those council services were in the home and it was assumed that because the client couldn't manage to look after

their own property that they can't keep it tidy. ”

- Housing Support Worker

(c) Anticipated additional health and support needs

For public housing, participants did not experience difficulty securing housing offers for clients with complex health and support needs:

“ If I have clients like that [with complex health or support needs] ... I would go for public housing, it's much easier to get the department to do things. ”

- Housing Support Worker

For community housing, registered CHPs are required to develop allocation policies that are sensitive to applicants with complex needs and to ensure allocation of tenancies to this group with appropriate access to support (Housing Registrar 2016). However, participants reported difficulty in securing community housing offers for clients with health or support needs, such as substance use or mental distress. In some cases, information recorded with the VHR housing application to demonstrate a client's vulnerability and urgency for housing may influence a housing provider's decision to not grant a housing offer:

“ If you're writing a support letter for the client we do put information in there saying how vulnerable they are and how much they're in need. But that can be used against them in community housing. ”

- Housing Support Worker

Participants reported an overall tendency for community housing providers to preference clients with low-support needs:

“ They want to have people who require low support. They don't want to get like, people with many issues. But in general, you know, they are the most vulnera-

ble people that need the housing most. It's very sad. ”

- Housing Support Worker

Another participant reported being told by a housing provider that they “don’t want any problem clients”. These findings indicate a capacity for CHPs to exclude applicants that are perceived to be potentially ‘problematic’ through pre-offer screening practices, a finding that has similarly been reported elsewhere (Ruming 2015(a)). This tendency was seen as “labeling clients as a problem” rather than acknowledging and addressing the structural causes for their homelessness. Such practices undermine an applicant’s right to a fair and transparent allocation of housing, and further marginalises applicants on low incomes who are in urgent need of stable housing and holistic support.

(d) Modifications and accessibility needs

Housing support workers were asked about their experience securing appropriate housing for clients with specific mobility and structural accessibility needs, including property modifications that support the ability to age in place. Accessible and age appropriate housing, with the option to make necessary modifications, is an essential requirement for supporting independence, comfort, health and safety in the home, and avoiding the disruption and displacement of having to relocate (VEOHRC 2012(b)). Of note, experiences of homelessness and precarious housing can contribute to premature ageing and an earlier onset of health issues than the general population (AIHW 2018). This emphasizes the need for housing that is appropriate and responsive to the needs of the population it serves, many of whom have experienced extreme housing stress, homelessness and associated health impacts.

For public housing, housing offers are made with consideration to any special accommodation requirements noted in a prospective tenant’s application, such as ground floor or lift access. Certain accessibility modifications can be made for prospective tenants in suitable vacant properties where there is supporting confirmation of need from a health care professional. Minor modifications such as grab rails, lever taps, or shower seats can generally be made to all types of properties (DHHS 2019). In most cases, modifications are provided free of charge if there is a supporting letter or report from a health care professional (DHHS 2019).

Participants noted that public housing stock allocated to the over 55’s priority category is often already modified to meet anticipated structural accessibility needs and can support ageing in place.

“ Most of public housing properties, they already come with grab-rails because they are properties for people over 55, so most of them they already have those requirements. ”

- Housing Support Worker

Participants also described the process for obtaining additional accessibility or health related modifications as clear and straightforward.

“ With public housing it’s pretty straightforward because the client’s doctor fills in a medical form and their special requirements, so if they need, like, grab rails in the shower or in the toilet, a step-less shower, the doctor indicates the special needs. And so they’ll only be offered a property that has got those requirements. And then with public housing properties if in the future if they need something, modifications can be made. You just need to get an OT assessment, and that can occur. ”

- Housing Support Worker

For community housing, offers are made according to the allocation policy for each CHP, with consideration to any special accommodation requirements and the suitability of the available property (DHHS 2019). Only properties that are suitable for modification in accordance with individual CHPs property and asset management policy can be modified.

Participants reported considerable difficulty in securing community housing offers for clients with certain accessibility needs, unless a property is already fully modified for disability access. Obtaining accessibility modifications for prospective tenants was also identified as an area of difficulty, with participants noting that CHPs preference “people with no disabilities, because they cannot make any modifications to their properties”. This was identified as a significant barrier for the majority of clients, who may need “ground floor access or internal modifications like grab rails”.

“ With community housing it’s impossible to get any modification done ... they don’t have the money, they don’t want to modify. ... They might have some modified properties, and they let me know saying that this property is fully disabled modified, but some don’t so we make the recommendations accordingly. ”

- Housing Support Worker

One participant provided an example where housing providers routinely filter out applicants with any accessibility requirements, even if the property on offer is structurally suitable:

“ I’ve had workers from community housing providers that say they have filtered for clients that have no special accommodation requirements at all. So they filtered anyone that has any requirements, so that would include – even if their property has no stairs – it would include clients that have only, you know, ‘can’t manage a flight of stairs’, even with properties with lift access. So it would filter them out immediately, they wouldn’t even consider it. ... It’s just because these properties don’t have modifications, so they think that if they filter any modifications it just means we’ll get people who are able to manage any property and they won’t get any issues. ”

- Housing Support Worker

The above quote highlights examples of discrimination against prospective tenants on the basis of personal attributes, where the property is structurally suitable. Under Section 52 of the Equal Opportunity Act 2010, it is unlawful to discriminate against a housing applicant by refusing accommodation or processing an application differently, based on the applicant’s personal characteristics. The practice of eliminating applicants based on physical attributes (where the property on offer is suitable) undermines the rights of prospective tenants to fair and equitable housing allocation, based on the applicant’s needs, priority category, housing availability and suitability, as per the Housing Act 1983 (Vic).

Participants noted that the limited supply of accessible and age-appropriate housing created additional barriers for clients, with serious consequences for their health and safety. For example, some clients, aware of the difficulty in securing structurally appropriate housing, will elect not to make a specific request for housing that meets their mobility needs. Clients may also forego modification requests in order to increase their chances of being housed.

“ Sometimes our fear is like when you are completing special accommodation requirements when you put too many requirements, they don’t have the properties with those requirements, so there’s an extended waiting time for them. ... The clients know that. Even when they have a need they prefer to say ‘Oh no just like complete it like that because I really need housing and if I am more specific about what I need it will be more difficult to find something’. ”

- Housing Support Worker

The severe public housing shortage and discrimination against prospective tenants with structural accessibility requirements in community housing impacts on access to a safe and dignified home where tenants are able to age in place.

3. The sign-up process

The sign-up refers to the process where a household has formally accepted a housing offer and is provided with relevant tenancy information before signing the residential tenancy agreement. Rent setting policy and communication was a key difference identified in interviewee’s descriptions of the sign-up process between public housing and community housing.

(a) Rent setting

For public housing, rent is income-based and fixed at a maximum 25% of total household income. Rent increases are applied relative to increases in household income; if household income decreases rent decreases can be applied immediately (DHHS 2019).

Participants described clear and consistent policies for rent setting and security of tenure for public housing, noting that these policies were well communicated to tenants during the rental sign-up. Participants felt confident that clients would be able to manage their rent and that rent would not exceed the maximum 25% of household income.

“ One thing I do notice for public housing, you know, it’s very clear how they calculate the rent and they will have a document they will give you; ‘so this is how we calculate the rent, so this is the market rate, this is the rebate and this is, you know, after the rebate this is rent that you’re going to pay’. So they have documents that very clearly show how the rent is calculated. ”

- Housing Support Worker

For community housing, there is no standard model for rent setting. Rent calculations vary according to the property type, funding arrangements, and tenancy target group. Rents can be income based, market rent based, or a combination of these (Housing Registrar 2017). For lower income tenants, the maximum 'net' rent (excluding Commonwealth Rent Assistance (CRA)) at the commencement of a tenancy is 30% of total household income, tenants are charged the full amount of CRA that they are eligible for and this amount is added on top of the 'net' rent amount (DHHS 2019).

Participants described varied rent setting policies between CHPs and felt less confident that rents were transparent, would remain affordable and are adequately regulated.

“ For community housing normally it’s just verbal. The worker explains to you how the rent is calculated and it’s, sometimes it’s not even verbal, it’s just like ‘Okay, this is the rent you’re gonna pay’. And unless you ask ‘How do you calculate this?’ and then they might explain it to you. But it’s not as clear as public housing, so sometimes people get confused. ”

- Housing Support Worker

Participants noted that rent in community housing would not be adjusted according to decreases in the household income. One participant gave the following example:

“ In terms of community housing ... they will calculate the rent according to clients income at the time of the application, so it can be between 25% and 30%. But then if the client reduces their income, for instance if they have the age pension and something else like a job or something, the rent is calculated with that income at the moment, but then that rent is not going to go down when the client stops working. ... The other thing is that the rent will be set, for instance for a couple they will pay like \$250, just an example, but if one of them passes away the other one will still be paying \$250. So it is not going to be adjusted to the only income that they have. But in public housing they will adjust the rent, for if it is only one tenant or two. ”

- Housing Support Worker

Another participant reported miscalculations with rent setting in relation to the proportion of Commonwealth Rent Assistance (CRA) that a tenant is eligible to receive:

“ The rent is based on your income and then the rent assistance that you got from Centrelink. But the rent assistance that they calculated for the rent is based

on, you know, if you are able to get a hundred percent from rent assistance. Sometimes people only get part of it. And then it’s up to the housing worker to advocate on the client’s behalf to reduce the rent, because if the client only gets sixty percent [of CRA] then you should reduce the rent, you know, for whatever the client is getting. ”

- Housing Support Worker

(b) Information about rights

Participants were asked whether clients were provided with clear information on their tenancy rights when signing the rental agreement. No significant difference was identified between public housing and community housing, rather, the communication of tenant rights varied depending on individual public or community housing staff.

For public housing, participants reported that this information is provided, but the extent to which the rights and responsibilities are explained or made explicit can vary depending on the housing officer:

“ In public housing when you do the sign up, they do read out the Residential Tenancies Act, depending on the worker some of them go through every single point. But usually they’re just given the information and ‘read it in your spare time’. ”

- Housing Support Worker

For community housing, participants reported that the information is provided but often not explained to the tenant:

“ They just give you the documents. They don’t go through it. ”

- Housing Support Worker

Another participant noted the power imbalance between the tenant and the provider of housing across both public and community housing. This impacted on how tenant rights were communicated, if at all:

“ It’s a real power imbalance. And it’s like, you know, ‘you should be grateful and this is a privilege and not a right’. I’ve heard that directly said to the clients quite a few times in meetings. ”

- Housing Support Worker

Referring to housing as a ‘privilege’ undermines the human right to shelter, and arguably conflicts with the social landlord principles for public housing that require tenancies to be managed in a way that supports tenant wellbeing with due regard to human rights (DHHS 2019). For community housing, positioning housing as a ‘privilege’ conflicts with the social good mission of individual housing providers and the requirement to serve the needs of low-income tenants (Housing Act 1983 (Vic)). In recognition of this power imbalance, these findings underscore the responsibility for public and community housing providers to promote a rights-based culture, ensuring that information about rights are clear and accessible to tenants.

4. Housing barriers and worker advocacy

Barriers accessing housing was a dominant theme across the interviews, as illustrated in the above themes on discrimination. A significant barrier noted across both public housing and community housing was the increasing demand against a chronic lack of housing supply, despite increasing investment in community housing.

“ It feels worse than when I first started. When I first started working here in 2012 and in 2013, I could house people who were on the highest list within 3 months and people who are on the next list within say 12 months, but not anymore. It just feels like there’s more barriers, obviously its more people, its more demand, but it’s becoming harder to house people. ... The demands increase and there’s just not the housing. ”

- Housing Support Worker

This observation is supported by census data showing a 58% increase from 2006 to 2016 in the number of people aged 55 and over experiencing homelessness in Victoria (Australian Bureau of Statistics 2018), compared to a mere 12% increase in social housing dwellings across Victoria over the same period (VAGO 2017).

Participants emphasized the importance of advocacy to navigate barriers and facilitate access to safe, secure, affordable and appropriate housing for their clients in both public and community housing. For community housing specifically, advocacy involved supporting and representing highly vulnerable clients within a context of value judgements and selective tenancy allocation practices:

“ The [CHP] workers are trying to filter through that by asking us ‘Can the client manage a property’ and of course we say yes and yes and yes, and we do tell them that they can. But if we weren’t there, they would just immediately ignore that and not even bother calling the person if they didn’t have a worker, or of course if we weren’t advocating for them. ”

- Housing Support Worker

Support for clients included navigating the varied tenant selection criteria and interview processes for community housing offers:

“ It’s interesting to see how different the providers work, and we have to manage all of that and try and help the client as much as we can by ensuring they’re not disadvantaged by their situation. So, working with that to get them housed is sometimes really difficult. ”

- Housing Support Worker

Finally, advocacy was also positioned within the broader context of ageism and the specific barriers faced by older people:

“ But there is a context for it too, like older people always miss out on everything, you know. By being older that, you know, deserving, ‘you are on the way out’ kind of attitude. And they do need appropriate accommodation as much as a woman who is in domestic violence, or children or youth or, you know. Because it is also taking their independence away, premature admission to nursing homes, premature death, you know, there are serious consequences for them too. ”

- Housing Support Worker



The voices of older tenants

Eighteen older tenants were interviewed as part of this project, including nine public housing tenants and nine community housing tenants. The interview questions were structured around tenant's experiences of accessing housing, as well as key tenancy policies such as rent setting, maintenance and modification requests.

The experiences of tenants have been grouped under seven themes, with responses from public housing tenants followed by community housing tenants. This allows for a comparison between the policies and experiences of older tenants in public housing and community housing.

1. Grateful for housing and support
2. The sign-up process
3. Rent setting, communication and affordability

4. Maintenance
5. Modifications and structural accessibility
6. Tenant rights and responsibilities
7. Housing supply and management

1. Gratitude for housing and support

Gratitude for housing was a dominant theme across the interviews for tenants in both public housing and community housing, with all participants having previously experienced homelessness or extreme housing stress. The common expression of gratitude is revealing as it highlights the vulnerable position of older tenants in a context of increasing demand for public housing, shrinking supply and extending wait times. Participants also noted that support from housing workers was instrumental in being able to navigate the social housing system. This includes the process of establishing eligibility, applying for public or community housing, receiving an offer, and, ultimately, being able to secure stable and appropriate housing. The experiences of tenants in both public and community housing emphasizes the need for specialist and person-centered housing information and support services that are responsive to the needs of older people.

Public housing

Public housing tenants overwhelmingly described feeling 'grateful' and 'lucky' to receive secure and affordable housing. Tenants spoke of their housing as a home and a refuge, providing a sense of security, safety and belonging. These responses were prefaced with accounts of hardship, poor health, financial stress, and precarious housing or homelessness. Participants were acutely aware of the dwindling supply of public housing and the relative fortune of accessing an affordable home.

“ I was paying a lot of rent up there where I was in private renting. ... And I sit here and have my cup of tea and look out the window and I think how lucky am I? How grateful I am to Home at Last. They were marvellous. ... I would have died I think, you know if [the housing support worker] hadn't of got me this place. I had something to look forward to, you know what I mean? And I never want to move again. I love it here. ”

- Public Housing Tenant

“ Ugh, private rental! All can say is that I’m just grateful. ... If we didn’t have an organization like this, I think a lot more people would really be impacted. Because I know they determine what I have today. In my case, my security is due to them. ... The best thing that ever happened to me was finding this place because it gave me security, which is something, you know? ... Your home should be your castle, you know. You’re safe. I would not give that up for anything in the world. ”

- Public Housing Tenant

This theme of gratefulness and the experience of public housing as a sanctuary correspond with the findings from a study by the Australian Housing and Urban Research Institute (AHURI), drawing on the perspectives of social housing tenants and social housing providers. The study reported that tenants felt ‘lucky’ and ‘at home’ and expressed gratitude for their housing, disconfirming a view reported from some housing providers in the study that tenants “had a culture of entitlement” (Flanagan et al. 2020, p. 41).

Community housing

Similarly, all tenants in community housing expressed gratitude for access to secure housing and the sense of stability this provided:

“ I’ve just been, you know, I’m sort of overwhelmed with how good it is really. ... I think this is it for me. And I think we all, I mean I’ve talked to the other women in in these flats and you know, we all feel pretty secure that this is it, that nobody can chuck us out now. Which wasn’t the case when we were in [private] rental accommodation. So, you know, it’s pretty good. It does give a feeling of stability. ”

- Community Housing Tenant

The majority (6) of community housing tenants reported feeling happy with their residence, however the experience was different for the other three. In a context of extreme personal hardship and limited public and community housing supply, gratitude for housing meant that some participants had little option but to accept the first property offered, regardless of the condition or suitability. For example, the following two participants who were in urgent need of housing were offered community housing properties that were unsuitable and in poor condition:

“ I took the first property that was offered to me, and I hate it. The unit is really inappropriate. ... I was extremely grateful and I took it. When I went in, there was no power or anything so I couldn’t check anything, and then again I don’t think I was in a frame of mind to check because I was so stressed about being homeless and, you know. ”

- Community Housing Tenant

“ I’ve got to say at the time I was grateful to get somewhere ... I got notification to move out of the unit I’d been in and I’d been in there 18 years. And then it was like; well I can’t afford private rent now, what do I do? And I was kinda, you know, panic-stricken. ”

- Community Housing Tenant

The experience of these tenants highlight that the decision to accept or reject an offer based on the condition of the property is greatly impacted by the applicant’s circumstances, the under-supply of public and community housing, and the extended wait times. These factors undermine a tenant’s right to a safe and dignified home that is maintained in good repair, as per the Residential Tenancies Act 1997 (Vic).

2. The sign-up process

Participants were asked about their experience of the housing offer and lease agreement process. Responses indicated a marked difference between the experiences of public housing and community housing tenants, echoing some of the themes raised in the findings for housing support workers.

Public housing

All public housing tenants described the sign-up process as clear and straightforward, with formal notification of an offer and an opportunity to view the property and consider the offer prior to accepting it:

“ It was simple, it was clear and it was like, the housing agent she was like a nice person ... she explained it very well. ”
Public Housing Tenant

This finding is consistent with the interview findings for housing support workers.

Community Housing

For community housing, descriptions of the sign-up process were varied. Five of the participants described the offer and sign up process as a positive experience with a clear process, whereas the other four had negative experiences. For example, one tenant described the process as unclear and rushed and reported signing lease papers without opportunity to properly consider the offer:

“ It was virtually like the first place that I saw ... I went and gave it another look, the next thing I know I’m signing papers, I’m signing a contract. I just sat there crying, bawling my eyes out thinking ‘oh god, what happened?’ ... As much as I wanted housing it just wasn’t for me, there. ”
- Community Housing Tenant

Another tenant was not offered an opportunity to view the property prior to signing the lease agreement:

“ I didn’t get invited to come and look at the place before I signed the lease. All I knew was that there was this apartment in [street name], that’s all I knew. ”
- Community Housing Tenant

In another instance, a tenant urgently needing to leave an unsafe housing situation reported “missing out” on the housing offer after attending a viewing of the property. Two weeks later the same provider offered another property:

“ I had already been for an inspection and after being told I wasn’t going to get one of these properties I was devastated! I’d already had a look and then got told

two days later ‘Sorry, you’ve missed out’. ... Two weeks later I got a phone call to say ‘Oh they’ve discovered they had this one apartment that they weren’t aware that they had and they want to offer it to you’. I had already packed my things up to move out, I was prepared to live in my car that’s how bad it was. ”
- Community Housing Tenant

The above example indicates a capacity for CHPs to open a housing vacancy to multiple applicants, a finding also reflected in the interviews with HAL workers. After missing out in the initial offer, the subsequent housing offer was experienced as tenuous and retractable:

“ We were in there Friday morning signing up before they could rescind the offer! That’s how paranoid I was! ”
- Community Housing Tenant

As noted in the interview findings with HAL workers, this experience is comparable to competitive application processes in the private rental market where the imbalance between supply and demand for affordable housing enables landlords to selectively choose tenants (Power 2017; VEOHRC 2012(a)). In a social housing context, selective tenant allocation results in eligible applicants in urgent need being denied access to housing. This process undermines the rights of applicants to fair and transparent access and allocation of housing, as set out under the Performance Standards for registered housing providers (Housing Registrar 2016).

3. Rent setting, communication and affordability

Rent setting is one of the key areas where policy differs between public housing and community housing. Public housing has rent fixed at 25% of total household income for all tenancies (DHHS 2019). For community housing, rent setting can vary within and across CHPs based on tenant income, property market value, and tenant-mix allocations. Income-based rents generally apply to low-income community housing tenants, charging from 25% to 30% of total household income, as well as 100% of the Commonwealth Rent Assistance (CRA) that tenants are eligible for (Housing Registrar 2017). Of note, CRA does not necessarily make housing more affordable for tenants in community housing, rather, it is added on top of the 25-30% rent amount and collected in full by the CHP.

Participants were asked questions about rent affordability, communication of rent setting policies, and changes in rent.

Public housing

All public housing tenants reported that the rent policy was well communicated and understood. Tenants were aware that rent only increased relative to increases in their income and would not exceed 25% of their total household income. The majority of participants indicated that the cost of rent felt manageable.

“ My rent changes every 6 months, I do get notified by letter. It’s according to my social security income, so if I get more social security payment then it increases. That’s the explanation that I get in the letters. It doesn’t go up that much; it’s like housing regulations. I have enough to buy all that I need. ”

- Public Housing Tenant

The clear communication and reliability of the rental policy afforded tenants a sense of security and confidence that rent would not increase beyond what was manageable. In fact, a number of public housing tenants expressed a lack of concern about rent increases and notification letters, owing to the stable income-based rent policy:

“ I mean, if they put up the rent \$15 I would take notice. But to be honest I know it’s only going to be \$1 or \$2. I don’t even look at it; I throw it in the rubbish bin. But, I’m very lucky. ”

- Public Housing Tenant

“ It’s 25% of my income. There was only a slight change. ... And the change is only within \$1 so I do not bother. I know it is 25% because the people at [the Office of] Housing explained it to me. ”

- Public Housing Tenant*

Other participants highlighted the need for careful budgeting to manage other expenses, particularly those with lower incomes.

“ It’s in the letter. ... As I said, it’s not much but you know what, when somebody’s working on \$400 every two weeks it’s not a little bit as they say ... there’s bills that come up and then there’s other things that come up, you know? So you have to work out what’s more important this week and I have to budget myself. ... I

know it’ll be easier for me when I get on the pension but I’m not on the pension yet. And I’m not complaining about it because, you know what, it is what it is. As I said, I’m happy I have a place to live. ”

- Public Housing Tenant

Of the nine Public Housing Tenants interviewed, only one participant was clearly aware of the steps they could take in the event of an unaffordable rent increase or financial hardship. Participants expressed reluctance to complain about rent increases, even where they struggled to afford other necessities. Instead, participants relied on resourcefulness and careful budgeting to manage other expenses around rent. This finding indicates that although there may be mechanisms in place for low-income tenants to raise affordability issues, it should not be assumed that those options will be pursued. This finding also stresses the importance of maintaining and protecting income-based rents below 30% for low-income tenants, in recognition of the greater risk of housing affordability stress for those in the lowest 40% of income distribution (AIHW 2019(a)).

Community housing

For community housing tenants, the responses were more varied and are grouped according to (a) rent affordability, (b) rent calculation, and (c) communication of rent policies and procedures.

(a) Rent affordability:

Five participants indicated that they felt rent was manageable with careful budgeting, as the following quote indicates:

“ On the disability pension I can manage but, you know, I’ve got to really budget. I mean, I couldn’t go out and buy myself a new car, I budget on my petrol, you know, I walk instead of driving the car to save petrol, things like that. ”

- Community Housing Tenant

Whereas the other four participants reported that rent did not feel manageable and that they struggled to afford other necessary expenses:

“ On Newstart? No way! ... I got a \$4 pay rise from Newstart, a fortnight \$4 pay rise. And guess who took it? The whole lot! ”

- Community Housing Tenant

“ There’s been times where I’ve gone without food, just scrape money together. Fortunately, for my daughter and son-in-law I do a lot of baby-sitting for them, where I’m not here wasting power and buying food and, you know. ”

- Community Housing Tenant

“ The last two years the cost of living raised ... but our pension is the same. The rent is, compared to other places, it is higher than public housing, they should be, at least as far as I see it, considering these things. We are living with the pension, the pension is not sufficient at the stage of the cost of living. ”

- Community Housing Tenant

(b) Rent calculation:

The majority of community housing participants (7) were unsure how their rent was calculated:

“ I kinda mentioned how does it work, you know, the rent? And she goes ‘Oh it works on market value’ and I said ‘Oh okay, so then if I get disability I’d be paying over this amount?’ and then she said ‘Well of course it’s gonna jump up that high’ and then she goes ‘Oh it doesn’t go up it goes on market value’ then she says ‘Oh it doesn’t really’. So she didn’t really um, yeah, she wasn’t really clear about it. ”

- Community Housing Tenant

“ I was given a very basic information package but I was not given a breakdown of how they came to my rent. And that’s interesting because I’ve had two rent reductions since. I’ve requested, but had no answer, that the same person who did my rent he should have all, as a worker, he should have all of his people that he signed up they should be evaluated. Because let’s just say he made a mistake with me, he could have made it with other people that he signed up. And because they don’t have a transparent rental policy it’s a confusing thing. ”

- Community Housing Tenant

In some cases, community housing tenants on the same income were paying different rental amounts to the same housing provider:

“ [My neighbor] and I are on the same income. [My neighbor] pays \$60 dollars more than me, yet we are both on Newstart. ”

- Community Housing Tenant

One participant attributed part of the difference in rental cost to service charges that are added on to the rent:

“ If you’re in a modern place with a lift and if you have communal facilities like a laundry downstairs, you pay extra. That’s what they don’t tell you. And it’s up to you to find that out yourself. ”

- Community Housing Tenant

Whereas another tenant reported that their rent did not cover access to all building facilities. The tenant gave an example of additional charges to access the allocated car parking, a condition that had not been communicated during the lease agreement:

“ I rung up one day and I’d spoken to the property manager and she said ‘Oh you don’t have a car spot because you don’t pay rent for it’. ”

- Community Housing Tenant

(c) Communication of rent policies and procedures:

Unclear communication of rent policies and calculations was a common theme for community housing tenants as illustrated in the examples above. Similarly, one tenant spoke of unclear communication regarding the rent payment processes. For example, the process for adjusting rent payments for rental increases was unclear and resulted in arrears:

“ I got a letter in, I think it was July, saying that my rent was going up four dollars a week from August. And then I got a letter from [the housing provider] saying that I was in arrears. Having never done this sort of housing before I didn’t realize I had to go to Centrelink and tell them to release the extra four dollars a week, and of course the arrears turned out to be 88 dollars! Well I was panic stricken. Like, where do I get 88 dollars from? So I had to pay that over three payments, which

is something I hadn't budgeted for, thinking it was already coming out of the Centrelink payment. ”

- Community Housing Tenant

The tenant experienced the outcome of the miscommunication as a threat to their tenancy and security:

” I was really stressed ... thinking what on earth has happened, am I gonna be thrown out of here? ... And here I had for 18 years this perfect record with private rent, and now this! ”

- Community Housing Tenant

The majority of participants were not aware of any processes for contesting rent increases or applying for hardship relief. However, one participant indicated that they felt they could approach their housing provider if rent became unmanageable or in the event of financial hardship:

” I think you could appeal to [the housing provider], yeah. They're fairly flexible I think with things like that. They're pretty approachable. ”

- Community Housing Tenant

4. Maintenance

Tenants were asked questions about the processes for requesting maintenance and the response time frames, as well as experiences with outstanding or ongoing maintenance issues. Maintenance requirements for both public and community housing are uniformly governed under the Residential Tenancies Act 1997, with urgent maintenance requiring 24-hour resolution and non-urgent repairs within 14 days. A slight yet significant difference was reported between the experience of maintenance in public housing and community housing.

Public Housing

For public housing, the majority of participants noted that their properties were well maintained, with utilities in good working order and some properties freshly repainted and re-carpeted at the commencement of their tenancy:

” They already renovated, they changed the carpet they painted the walls. Yeah, it's brand new to walk in. Everything was all set. ”

- Public Housing Tenant

” [The Office of] Housing actually already fixed everything before I moved in. ... I was told even changing the light bulb you can always ask them. ... Overall I think it's very well maintained. ... And the public area, like the corridor, the elevator and the lobby, there are special people always taking care of those areas and they clean them. ”

- Public Housing Tenant*

While the public housing tenants participating in this study reported feeling satisfied with the maintenance of their properties overall, a significant proportion of public housing properties in Victoria are severely under maintained due to declining government investment (Productivity Commission 2019). One exception to the findings in this study was noted by a current community housing tenant who had previously lived in public housing:

” I was in public housing for 7 years. When I moved in the shower drain was actually held together with blu-tac. So, I had a lot of problems when I first moved in. The range-hood, it was just disgusting. I couldn't get in and clean it, I tried to clean it and they were adamant they weren't going to replace it and I just created such a stink that they ended up replacing it, but it was just brown cigarette smoke. They repainted, but the smoke detector was orange from this smoker's, you know, fire alarm up there. ”

- Community Housing Tenant

The majority of public housing tenants (7) reported timely attendance to maintenance requests during their tenancy, which were completed within 24 hours for urgent issues and 14 days for non-urgent requests, in accordance with requirements under the Residential Tenancies Act 1997 (Vic).

“ Emergencies they take care of really quickly, like if it’s a leaking tap or a blocked toilet or something like that they’ll do it straight away if you classify it as an emergency. The other ones they may take a little while longer, but they still fix them up as well. Four or five day’s maybe, maximum a week. ... They don’t leave us with a problem they always come and help. If there’s something that’s broken down and I report it straight away they do come and fix it. That’s how they look after the tenant and the house as well. ”

- Public Housing Tenant*

However, two tenants were reluctant to follow up on or lodge maintenance requests that they did not consider an emergency. There was an emphasis on not wanting to inconvenience housing management, even where the maintenance issue inconvenienced the tenant:

“ I haven’t worried about ringing him back because I think there’s a fair bit of work to do with that. ... They’ll probably have to order the stove in if they want to put another one in because I don’t think it’s any good that one, you know, it’s too old. [The oven] hasn’t been working for a while. ... I use the microwave or, I don’t know. I eat soups and that a bit, you know. ”

- Public Housing Tenant

“ There’s a number that they gave me for maintenance, so that’s what I ring ... And bits and pieces have to be repaired here and there but it’s not an emergency, you know, I can get by ... And I understand people are busy. So, I don’t want to waste their time. ”

- Public Housing Tenant

Similarly, some tenants were cautious about asking for maintenance and expressed reluctance to ‘complain’ or appear ‘ungrateful’ for their housing:

“ When I first got in there I was so grateful I got a place. I didn’t care, you know. He said to me ‘14 days, you check and see what you’ve got’ ... but I was just so grateful to get a place, I didn’t want to complain. I was scared by complaining they’re gonna throw me out in the streets again. You know, that’s the thing I look at. I’ve been on the streets so I know what it’s like and I don’t want to go on the streets again, so I was just grateful that I got a place. I’m home. I don’t want to go out there again. ”

- Public Housing Tenant

As illustrated in the above quote, tenants are unlikely to complain if they fear that it will invite retaliation from a housing provider, and risk re-exposure to homelessness. Despite being aware of their tenancy rights and protections, one participant spoke of a heightened sense of risk and vulnerability associated with ageism:

“ I’m afraid if I complain too much, they’re gonna say ‘Well she’s complaining too much, get her out of there’. I know deep down they can’t but still in my mind it’s difficult. I’m 66 now, when I was 21 it was a different story. ”

- Public Housing Tenant

Community Housing

The majority of community housing tenants (6) reported that properties were well maintained and that maintenance issues were attended to in a timely manner:

“ Immediately they come to change a light or do anything, gas problem, yeah everything they come. There’s no problem, the tenancy is fantastic really. ”

- Community Housing Tenant

Over half of the community housing tenants attributed this to the property being newly built and therefore not in need of repair.

“ I mean it was a completely new flat so, you know ... because it's new there's not any maintenance problems at the moment. ”
- Community Housing Tenant

Three participants had negative experiences with maintenance issues. For example, one tenant reported inaccurate information concerning responsibility for maintenance:

“ There was a notice in the lift that any non-urgent maintenance, and particularly after hours, the tenant is liable for that. And I was shocked, but it was only up there for a week and then it was taken down. How do you expect a tenant in social housing to be able to come up with money to, you know, pay whoever to come out? ”
- Community Housing Tenant

Another tenant reported multiple and recurring maintenance issues at the beginning, and throughout, their tenancy:

“ Maintenance has been a huge issue ... I had no water in the bathroom in the hand basin, I had to shower with gumboots on because the shower was blocked and it kept coming up. I had to have four lights replaced. A blind fell down on me, damaged my shoulder because it was so heavy, then they kept putting that blind up and it kept falling. It was just disaster, I've had nothing but disaster! ... They keep saying, “You chose that property”. That's what keeps coming back at me. The housing workers say that to me time and time again when I raise the maintenance issues. ”
- Community Housing Tenant

As described in the above quote, the tenant's right to a home maintained in good repair was undermined on the basis that they 'chose' the property. This tenant's experience highlights a number of issues. Firstly, in the current housing context people on low-incomes who are homeless or at risk of homelessness, and thus in urgent need of housing, have little choice but to accept the first housing offer. The following quote illustrates this point:

“ I was homeless, I was going to take the first thing that I was offered! ”
- Community Housing Tenant

Secondly, an applicant's acceptance of a housing offer, regardless of the present condition, does not indicate a desire to live in sub-standard conditions nor exempt the housing provider of their obligation to maintain the property in good repair. A further point, when considered alongside the theme of gratefulness and the reluctance to complain, is that the willingness of some tenants to assert their right to a property maintained in good repair may be compromised due to the inherent power imbalance between the tenant and the housing provider (Chisholm, Howden-Chapman & Fougere 2020; Curry 2019).

Finally, one tenant interviewed by phone during the Coronavirus pandemic reported that the heating units in tenant's dwellings had not been working for over a year and repairs had been delayed further due to COVID-19. Tenants were required to purchase their own individual heaters or go without heating during winter:

“ Last winter they should have fixed it ... finally they decided to plan to get the heaters to work, but since coronavirus and lockdown we are restricted to using our own heater, there's no choice, you have to have your own and that's how I keep warm. ... Before lockdown they were planning to fix it, but now because of the lockdown they postponed it. ”
- Community Housing Tenant

These examples highlight the limited power that tenants have to exercise their rights in an unequal housing market. A number of studies support this finding and emphasize the importance of supporting tenant's rights through adequate regulation, minimum standards, and proactive measures that ensure housing and utilities are appropriately maintained for habitability and safety (Chisholm, Howden-Chapman & Fougere 2020; Curry 2019; National Shelter 2020).

5. Modifications and structural accessibility

Participants were asked questions about the structural accessibility and suitability of their residence to support ageing in place. Providing modifications to improve accessibility and safety in the home contributes to improved health outcomes and supports the ability of older adults to remain living in their residence and community for as long as possible (Morris 2018; VEOHRC 2012(b)).

Public housing

Eight out of the nine public housing tenants reported that their building was specifically designed for older people with appropriate accessibility supports to enable ageing in place.

“ My apartment is especially designed for senior people. There is no bathtub because bathtub it’s easy to slip down and it’s not easy to step in. They installed a washing machine in everybody’s bathroom, instead of installing them in the public laundry. So that’s very convenient. Also, in the bathroom there is rail to hold onto when taking a shower and there is even chair installed on the wall so that you can sit down. And also, there is no big step walking into the bathroom. And there are elevators so we don’t need to climb the stairs. All those designs catered especially to the senior people. ”

- Public Housing Tenant*

A number of tenants reported having modifications made to their residence to support health and accessibility needs, as per public housing modification policy noted in the HAL interview findings above (see also Table 1 in the Appendix):

“ I have had modifications inside. The taps, for my rheumatoid, I couldn’t close and open them so they put those hospital ones, they put it all the way through. They just came and fixed it all up for all of us. We have been very spoilt. ”

- Public Housing Tenant

For tenants, the provision of stable and appropriate housing, with the ability to have necessary mod-

ifications made in the home, was experienced as enabling; supporting their health, comfort, dignity and autonomy:

“ They do it in preparation for the time that we’re in a wheelchair. Because I know I’ve got wheelchair access at the back and all that. I’m fairly independent because for me I like a little bit of independence. I wouldn’t like to go into the nursing home; I mean that’s a very, very, very last. As you get old you still want to be independent. Because, we’re still human beings. ”

- Public Housing Tenant

As illustrated in the above quote, the provision of appropriate and dignified housing supported self-determination, enabling tenants to live as they chose and providing protection against premature entry into aged care. Importantly, the Australian Law Reform Commission (2017) identified promoting the autonomy, dignity and agency of older people as a key recommendation for combating elder abuse and addressing ageism.

Modification to provide adequate cooling for health and comfort was a main concern for the majority of public housing tenants. Two tenants expressed a need for adequate cooling but were not aware of the process for applying for an air conditioner. Whereas another two participants reported having air conditioning paid for and installed by the department on medical grounds with evidence of need from a treating health practitioner, as per the medical cooling modifications policy for public housing:

“ When I came there was no air conditioning. I applied and [the housing support worker] helped me with how to provide the air conditioning. I was so very happy. And [the housing support worker] was very good helping me. They [the department] paid for it. It’s a very good institution. ”

- Public Housing Tenant*

However, another tenant’s application for air conditioning was not approved, leaving them with very few options to escape from the heat:

“ The only thing they won’t do, and my doctor has written to them, is air conditioning. It’s so hot in those places you can’t breathe. And either my doctor’s not writing the right letter, I don’t know, so I just gave up. And yesterday it was like an oven. It’s like you go outside it’s worse, you go inside it’s just as bad, so where do you go? Do you just sit there and die? I mean, what are you supposed to do? I don’t have family around me, [my neighbor] is the only close thing to family I got, her

and I phone each other for that reason, to make sure we're okay. ”

- Public Housing Tenant

These examples highlight the relationship between housing and health, and the importance of protecting vulnerable individuals from heat stress. A research review undertaken by the World Health Organization (WHO 2018) noted a correlation between high temperatures of low-income residents' dwellings where adequate cooling is not available and an increased risk of adverse health outcomes. The provision of housing that provides protection from heat stress is of growing importance with the increasing impacts of climate change (WHO 2018). These findings also suggest a need for all tenants to be adequately informed of processes for applying for Special Accommodation Requirements, such as cooling.

Community housing

For community housing, the majority of tenants (7) had not required any modifications during their tenancy, whereas two tenants had made modification requests but were unsuccessful.

One community housing tenant requested a mount for their clothes dryer so that it could fit in the laundry but were refused on the grounds that it would deface the property, unless the tenant agreed to pay for installation and repair upon vacating. The tenant was unable to afford the modifications and no clothesline had been provided at the property:

“ And you're not allowed to put a clothesline outside. I probably sound ungrateful, but I'm not meaning to be. To be honest, I miss having a clothesline. ”

- Community Housing Tenant

Another community housing tenant reported having a medically supported modification request refused by the housing provider due to the financial cost. The restrictions on structural accessibility modifications led to a transfer application with the housing provider for a more suitable property. For the tenant, the requirement to relocate was experienced as an uprooting from their local network and social connections:

“ The OT report went into them to do modifications because the shower is above the bath. They wrote back to the OT saying they will not be doing anything at all to that flat ... because they don't like the cost. It's too expensive. Yet socially

it's a great spot I love it, I'm starting to form networks. But now I'm going to be uprooted, right? And the reason why they don't have to do that is because they only have to provide 'reasonable' modifications. So there's all these exclusionary things. ”

- Community Housing Tenant

Despite the safety risk at the current property, the process for transferring to a more suitable property was problematic and delayed, with the proposed properties offered to multiple applicants:

“ I'm going through a transfer process now, but it's taken me two years. ... I've been told that they will provide me with another property but when they've told me the address of the property and I've said "Yes I'll have a look" the property's gone within two days. So I haven't even looked at one property! ”

- Community Housing Tenant

As illustrated by this tenant's experience, appropriate housing encompasses more than the physical features of the dwelling; it also provides for, and supports the maintenance of, social connectivity and access to supports and services (Flanagan et al. 2020; VEOHRC 2012(b)). Literature indicates that there is a strong preference of many older people to 'age in place' and remain embedded in local networks (Colic-Peisker, Ong & Wood 2015; Morris 2018; Productivity Commission 2015). This underscores the importance of providing adequate age-appropriate housing that is adaptable to the needs of older tenants.

6. Tenant rights and responsibilities

Tenants were asked whether they are aware of their tenancy rights and if this was explained when signing the rental agreement. Participants reported having a general understanding of their rights. No notable differences were identified between tenants in public housing and community housing with regards to knowledge of rights, with the exception of public housing tenants having a clearer understanding of their rights with regards to rent setting, as detailed in theme two. For tenants from non-English speaking backgrounds, language interpretation facilitated by housing support workers was important for accessing information about their lease agreement.

Overwhelmingly, tenants in both public and community housing emphasized their responsibilities as tenants, and spoke of the care they took with their home. Some tenants saw this as a precondition for having their tenancy rights upheld in exchange.

“ When I was looking at the contract when I first saw it, it showed what your responsibilities should be, you know? It’s a partnership. ... And I suspect that if you do the right thing, they will do the right thing as far as, you know, the resources are available. ”

- Public Housing Tenant

“ I think that if you look after your place I think your manager knows that the place is clean and looked after, he will look after you. ”

- Public Housing Tenant

“ I’m very careful, if I see a mark on the wall I try and clean it off, you know? [The manager] from Housing was here ... and I showed him the back yard and everything like that and he was very happy with the way that things were going. ”

- Public Housing Tenant

A significant finding was that, despite knowing what their rights were, a number of tenants expressed a reluctance to follow up on unresolved issues or challenge decisions. The legislative and regulatory frameworks that are designed to protect tenant’s rights largely function on the assumption that tenants have knowledge of their rights and will take action when those rights have been breached (Chisholm, Howden-Chapman & Fougere 2020). As identified throughout the findings in this report, tenants overwhelmingly described feeling grateful for their housing and expressed a reluctance to complain. The following quote captures this experience:

“ I’m not good at asking for things ... I don’t like asking for the right, it’s like begging and that’s the worst thing for me ... We’re afraid to push the boundaries, I think. That’s the bottom line. Because always deep down we’re scared that if we push too much they’re gonna say ‘Oh this person’s a waste of time ‘cause she’s using too much of our resources’. This what we’re scared of – this is what I’m scared of – that deep down in my head I’m thinking if I push and ask for too many things they’re gonna think ‘Bloody hell this woman’s a troublemaker’. And I don’t want that, I’ve never been a troublemaker in my life. ”

- Public Housing Tenant

In the example above, the tenant’s rights were not experienced as a basic entitlement. Rather, having to ask for one’s right was likened to ‘begging’ and associated with perceptions of being a ‘trouble-maker’. For a number of tenants in both public and community housing, the difficulty in asserting rights was linked to the power imbalance between tenants and housing providers and the tenant’s former experiences of housing stress, homelessness, and the trauma associated with it.

On the other hand, one community housing tenant actively sought out information on tenancy rights to support requests to the housing provider for maintenance repairs. However, the tenant reported barriers in holding their housing provider accountable due to exemption policies:

“ I’m constantly looking up things online ... And in all the stuff I’ve been scrolling through they keep saying that the agency is funded, that they don’t have to do A, B, C, D if there’s a threat to their viability. ... And there’s nothing online that I can track down that says what are the responsibilities of the providers who take over those leases, in terms of maintenance. ”

- Community Housing Tenant

This observation corresponds with research evaluating the impact of social housing reform in Australia, pointing to a tension between the regulatory requirement for housing providers to maintain financial viability, and balancing the costs of maintaining and managing properties with revenue from low-income tenancies (Pawson & Wiesel 2014; Ruming 2015 (b); Yates 2013).

7. Housing supply and management

Tenants in both public and community housing commented on their overall experience with their housing and housing management.

Overall, public housing tenants largely reported positive experiences with their housing and management. A number of tenants commented on the value of public housing, noting the positive impact it had on their lives. For example, tenants spoke of their home with a sense of pride and as providing them with an essential and life-sustaining foundation that enabled them to live a safe and dignified life.

“ I mean, where would you get rent like that? This place is nice it’s not bad! ... You know in some of these private renting places you might pay \$400 dollars a week for crap! You know what I mean? You need to make a statement about that,

why aren't they building more places for people in need, you know, who need a place? And especially as people get older, like with me with health problems and that. And you have to live somewhere. A person like me, I couldn't live on the street, I'd die. ”

- Public Housing Tenant

One tenant described how their experience of living in public housing and the feeling of permanency and security it afforded created a sense of pride, responsibility and care for the home, as if it were their own. This experience shifted their former negative perceptions about public housing:

“ I've got this perception that, before, things were terrible in public housing, I mean from what I've heard and things. But now, it instilled a certain sense of responsibility, that tenants take some pride in keeping your house, looking after it properly, treating it as you would treat your own. ”

- Public Housing Tenant

The provision of public housing as a secure and affordable housing alternative was considered exemplary, but at risk:

“ In that sense I think Australia does a bloody good job ... I don't know how long it'll be like this for, but I'll take it while I can. ”

- Public Housing Tenant

For community housing tenants, the experiences of housing management were more varied. Five participants reported favourable experiences. Of note, one tenant had previously lived in public housing and described a distinctly more positive experience in community housing. The participant spoke of moving into a community housing property that was brand new, in contrast to their public housing property that had been poorly maintained. The tenant had also experienced harassment from a neighbour, which they felt had been poorly managed by the Office of Housing:

“ My experience with [the community housing provider] has been nothing but 100%, it has just been brilliant, in comparison to my experience being in public housing. ... With public housing, the maintenance is just disgraceful ... I was also in a very unsafe situation, I had a neighbor harassing me I went to [the Office of]

Housing and they just made the situation a lot worse than what it was. So, I think public housing has got a lot of issues in relation to how they handle things. ”

- Community Housing Tenant

On the other hand, four community housing tenants experienced issues with their housing and management, with one tenant commenting that they were “no better off than in private rental”. Another tenant spoke of the lack of clarity and transparency of their housing provider's tenancy policies, particularly around rent and maintenance. The tenant described searching for guidelines that outlined the housing provider's responsibilities to low-income tenants, but described being left with little recourse:

“ It's not about providing housing anymore, for me they're geared towards making money to become viable. ... They can charge us extra rent because in one of their guidelines for housing providers and associations is that they have to remain viable. ... I looked up under funding guidelines, if you go through there there's a section where it actually states that they can do that. They do not make that clear in any documents for the residents. ”

- Community Housing Tenant

Finally, one community housing tenant specifically commented on publicly provided housing as a fundamental human right and a vital option for tenants on low to moderate incomes. Importantly, whilst community housing was seen as a beneficial alternative to private renting, it was not considered a replacement for the public housing system:

“ I'm not, you know, super enthusiastic about community housing, although I'm in one now. Public housing is the way to go and I just think it's a right that everybody should have. I don't think it should just be for people on very, very low incomes. I think it should be people on low-ish incomes to create more of a housing mix. However good community housing is, it doesn't replace a good system of public housing. That's my thoughts. And the fact that they're turning public housing into community housing now anyway, you know, it'll all be community housing unfortunately. ”

- Community Housing Tenant

* Indicates interviews conducted with an interpreter for tenants from non-English speaking backgrounds.

Impacts of Coronavirus

The global Coronavirus pandemic occurred during the collation of this report, and has intensified the health and housing vulnerabilities of older people on low incomes. Older people have been identified as a group at high-risk of serious illness from COVID-19. The risk and vulnerability increases for those who do not have access to affordable, secure and appropriate housing that enables them to safely self-isolate. Thus, COVID-19 has exposed the health impact of housing inequality, and the scale at which many Victorians are excluded from this basic human requirement.

Over April and May 2020, HAAG conducted a survey of older renters to better understand their rapidly changing experiences under COVID-19. The survey indicated that older public housing tenants felt less secure in their housing due to the crisis, at 42%, while older tenants in community housing didn't feel any change in their housing security. HAAG's subsequent service data suggests that these findings are reflective of the lack of communication and preventative measures for public housing tenants during the pandemic, and the chronic neglect and under-investment of public housing stock. The Victorian government has since committed funding for the refurbishment and repair of ageing public housing stock as part of the COVID-19 economic stimulus package, as well as financial support to CHPs for maintenance of properties they manage or own (DHHS 2020(c)).

In July 2020 hard lockdown was implemented, without warning, on nine public housing towers, including two older persons' housing blocks. This involved immediate and far-reaching restrictions preventing residents from leaving their home and was enforced by a strong and confronting police presence. Reports emerged of poorly maintained communal areas such as broken lifts, making it difficult for residents to social-distance and safely navigate the building (Power, Rogers & Kadi 2020). In response, HAAG's housing support team contacted current and former clients and members impacted by the hard lockdown restrictions to assess their support needs.

Housing support workers reported that while tenants understood the need for cautionary measures and movement restrictions, they felt intimidated by the police presence and expressed frustration at the lack of communication and information from government and housing management prior to and during hard lockdown. Not all tenants were aware of the dedicated COVID-19 Helpline to access information and support regarding shifting COVID-19 policies. Housing workers also reported a lack of language-appropriate communication for older tenants from non-English speaking backgrounds. This created confusion, fear and concern amongst tenants regarding their safety, and access to basic services and essential items such as food and medication. Delayed and inadequate personal protective equipment and sanitization measures restricted access to essential communal spaces such as laundry facilities. The implementation of hard lockdown specifically targeted public housing residents and is characteristic of the stigmatization that they face in the public sphere (Power, Rogers & Kadi 2020). Tenants and housing support workers called for clearer communication and a health-based

response that is sensitive to the perspectives, needs and vulnerabilities of tenants.

Following the hard lockdown, one tenant living in a high-rise reported an increase in cleaning of high-contact and common areas, door-to-door testing, additional check-ins, an information desk, and a courtesy supply of masks and hand sanitizer for all residents (HAAG 2020(b)). However, tenants residing in a single-story older person's housing block did not receive the same level of protective measures and supplies (HAAG 2020(b)). Recipients of the Aged Pension and Disability Support Pension were excluded from the Coronavirus income supplement, making it difficult for many older tenants to absorb the cost of maintaining an adequate supply of masks and sanitizer. Anecdotal evidence from housing support workers and former clients and members in community housing also indicate that COVID-19 response policies have been implemented variably across the community housing sector.

Conclusion

This project aimed to explore the personal impact of housing policy from the perspective of older tenants in public and community housing, and housing support workers from HAAG's Home at Last housing support service. Although there are some similarities in experiences, this report has identified significant differences between tenancy policy and the experiences of older tenants in public and community housing in several key areas such as tenancy selection, repairs and maintenance, rent setting and knowledge of rights. .

Public housing tenants were extremely grateful for housing and experienced their home as a haven. Tenants experienced their tenancy as secure, reliably affordable and generally adaptable to their needs, supporting independence and the ability to age in place. These conditions provided a stabilizing and life-sustaining foundation that enabled tenants to live a safe and dignified, albeit frugal, life.

As a social landlord, the Director of Housing and DHHS, under their guidelines, must give proper consideration to the potential impact of decisions or actions, and manage tenancies in way that supports tenant wellbeing over commercial considerations, with due regard to the human rights and vulnerabilities of tenants (DHHS 2020). These guidelines include decisions relating to the allocation of housing based on priority need, which were experienced by tenants and housing support workers as clear and consistent.

The majority of community housing tenants (5) reported positive experiences and an increased sense of security and wellbeing compared to their experiences in the private rental market. However, the experience was quite different for four of the community housing tenants participating in this study. Common themes included unclear and unaffordable rent setting and a lack of clarity concerning pro-

vider's responsibilities to tenants with regards to rent, maintenance and modifications. These tenants experienced stress, anxiety and some lack of control over their daily lives as a result.

Registered CHPs are required to strike a balance between allocating housing to critical need applicants on lower incomes and generating adequate rent revenue to remain financially viable (Housing Registrar 2016). As demonstrated by the findings, these allocation guidelines allow for greater discretion when selecting tenants. The experiences of housing support workers indicated a tendency for CHPs to preference applicants with higher incomes and low support needs, resulting in discrimination against applicants based on income, circumstances, history, mental health, physical ability, and assumptions about their character. Consequently, applicants on the lowest incomes or with additional health, support, and mobility needs are left with fewer housing options and prolonged exposure to homelessness or precarious and unsafe housing.

The policies that shape access to and delivery of public and community housing bear a direct impact on the experiences of tenants and carry significant consequences for vulnerable groups of the population. The findings of this study clearly stress the importance of protecting and investing in public housing as a secure, affordable, and non-discriminatory housing option for older tenants. It has also demonstrated that tenancy policies and processes work well where they are transparent, consistent and equitable. With the lack of consistency and transparency across community housing policy it can be challenging to gauge whether the rights of tenants and prospective tenants are duly recognised and equally protected.

The legislative frameworks that are in place to protect tenants' rights are based on the assumption that tenants and prospective tenants will assert their rights and, where needed, actively challenge the decisions or actions of their landlord. However, as these findings have illustrated, older applicants and tenants are very much at the mercy of the housing system. Despite having general knowledge of their tenancy rights, older tenants in public and community housing are overwhelmingly grateful for their housing and express reluctance to complain. The willingness of tenants to actively challenge decisions that impact on their tenancy and wellbeing is impacted by the asymmetrical power relations between tenants and landlords, the personal impact of precarious housing or homelessness, and the chronic shortage of public and community housing. Where tenants do try to activate their rights and challenge actions, the system can be experienced as complex and exclusionary.

As landlords providing an essential public function, DHHS, on behalf of the Director of Housing, and registered CHPs have a responsibility to proactively ensure tenants are clearly informed of their rights and are actively supported to exercise their rights free of retaliation or risk.

The impact of COVID-19 has clearly demonstrated the impact of inadequate housing on health, particularly for older people. As housing for Australia's older population grows increasingly precarious, it is crucial that the right to access affordable, secure and age-appropriate public and community housing is supported and protected.

Recommendations

- Protect and retain Victoria's existing supply of public housing, as the only non-discriminatory access point for eligible priority category applicants to obtain secure, affordable, and appropriate housing.
- Significantly increase public housing supply by 100,000 over the next 10 years to meet the needs of over 100,000 Victorians that do not have access to secure, affordable, and appropriate housing.
- Ensure that all public land currently used for public housing is retained for the renewal and expansion of public housing.
- Ensure that any new public and community housing developments are built according to universal building design principles, to increase the supply of dwellings that meet the needs of all occupants, regardless of mobility or age.
- Ensure community housing providers' policies, as a condition of registration, include the application of social landlord principles and guidelines with regards to decision making. This includes fair and transparent allocation of housing to applicants on low incomes and with complex health and support needs.
- Ensure income-based rent for community housing tenants on low to moderate incomes does not exceed 30% of total household income, and is adjusted according to decreases in household income.
- Ensure community housing providers are subject to the same benchmarks for tenancy management as public housing, including clear and transparent policies that apply to tenancy selection, rent setting, financial hardship, maintenance, and modifications, with evictions as last resort, and that these benchmarks and policies be publicly available.

References

Anglicare Australia 2019, Rental affordability snapshot 2019, Anglicare Australia, viewed 3rd October 2019, <https://www.anglicare.asn.au/our-work/research-reports/the-rental-affordability-snapshot>

Australian Bureau of Statistics 2017, Housing occupancy and costs, 2015-16, cat. no. 4130.0, ABS, Canberra, viewed 2nd September 2019, <https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4130.0~2015-16~Main%20Features~Across%20the%20Generations:%20Twenty%20years%20of%20housing~10003>

Australian Bureau of Statistics 2018, Census of population and housing: estimating homelessness 2016, cat. No. 2049.0, ABS, Canberra, viewed 2nd September 2019, <https://www.abs.gov.au/statistics/people/housing/census-population-and-housing-estimating-homelessness/latest-release#data-download>

Australian Institute of Health and Welfare (AIHW) 2018, Older Australia at a glance, Australian Institute of Health and Welfare, viewed 20th September 2020, <https://www.aihw.gov.au/reports/older-people/older-australia-at-a-glance/contents/diversity/people-at-risk-of-homelessness>

Australian Institute of Health and Welfare (AIHW) 2019(a), Older clients of specialist homelessness services, Australian Institute of Health and Welfare, viewed 20th September 2020, <https://www.aihw.gov.au/reports/homelessness-services/older-clients-of-specialist-homelessness-services/contents/population-and-housing-trends/housing-profile-of-older-people>

Australian Institute of Health and Welfare (AIHW) 2019(b), Housing assistance in Australia 2019: social housing tenants, Australian Institute of Health and Welfare, viewed 4th October 2019, <https://www.aihw.gov.au/reports/housing-assistance/housing-assistance-in-australia-2019/contents/social-housing-tenants>

Australian Law Reform Commission 2017, A national plan to combat elder abuse, Australian Law Reform Commission, cited 20th September 2020, https://www.alrc.gov.au/wp-content/uploads/2019/08/fr131_03.a_national_plan_to_combat_elder_abuse.pdf

CHIA Vic 2017, Community housing allocations framework for the Victorian Housing Register: a submission from the Community Housing Federation of Victoria, Community Housing Federation of Victoria, Melbourne, viewed 7th October 2019, <https://chiavic.com.au/wp-content/uploads/2017/12/CHFV-submission-on-Allocations-Framework-final.pdf>

Chisholm, E, Howden-Chapman, P & Fougere, G 2020, 'Tenants' responses to substandard housing: hidden and invisible power and the failure of rental housing regulation', Housing, Theory and Society, vol. 37, no. 2, pp. 139-161.

Colic-Peisker, V, Ong, R & Wood, G 2015, 'Asset poverty, precarious housing and ontological security in older age: an Australian Study', International Journal of Housing, vol. 15, no. 2, pp. 167-186.

Curry, S 2019, The renter's journey: a consumer-centred approach to understanding the dynamics of Australia's private rental market, Consumer Policy Research Centre, viewed 4th September 2019, https://apo.org.au/sites/default/files/resource-files/2019-02/apo-nid222231_1.pdf

Department of Health and Human Services (DHHS) 2019, Public Housing Policy and Practice Manuals, Department of Health and Human Services, State Government of Victoria, viewed 4th September 2019, <https://providers.dhhs.vic.gov.au/public-housing-policy-and-practice-manuals>

Department of Health and Human Services (DHHS) 2020(a), Victorian Housing Register and transfer list by local area, State Government of Victoria, viewed 21st September 2020, <https://www.housing.vic.gov.au/victorian-housing-register>

Department of Health and Human Services (DHHS) 2020(b), VHR Offer of Housing operational Guidelines, State Government of Victoria, viewed 21st September 2020 <https://fac.dhhs.vic.gov.au/offer-housing>

Department of Health and Human Services (DHHS) 2020(c), Almost \$500 million social housing boost to strengthen our economy and provide stability for Victorians, State Government of Victoria, viewed 1st November 2020 <https://www.dhhs.vic.gov.au/news/social-housing-boost-to-strengthen-our-economy>

Equal Opportunity Act 2010 (Vic) (No. 016, 2010)

Flanagan, K, Levin, I, Tually, S, Varadharajan, M, Verdouw, J, Faulkner, D, Meltzer, A and Vreugdenhil, A 2020, Understanding the experience of social housing pathways, AHURI Final Report No. 324, Australian Housing and Urban Research Institute, Melbourne, viewed 23rd March 2020, https://www.ahuri.edu.au/_data/assets/pdf_file/0025/56284/AHURI-Final-Report-324-Understanding-the-experience-of-social-housing-pathways.pdf

Housing Act 1983 (Vic) (No. 10020, 1983)

Housing for the Aged Action Group (HAAG) 2020(a), Submission into the Parliamentary Inquiry into Homelessness, Housing for the Aged Action Group, viewed 20th June 2020, https://www.olderrentants.org.au/sites/default/files/haag_parliamentary_inquiry_into_homelessness_2020_2.pdf

Housing for the Aged Action Group (HAAG) 2020(b), 'Public housing tenants speak', Raise the Roof, podcast, 22nd July 2020, accessed 1st November 2020, <https://www.3cr.org.au/haag/episode-202007221730/public-housing-tenants-speak>

Housing Registrar 2016, Performance Standards for Registered Housing Agencies, State Govern-

ment of Victoria, Department of Treasury and Finance, Melbourne, viewed 18 August 2019, <http://www.housingregistrar.vic.gov.au/Publications/Performance-standards-and-evidence-guidelines>

Housing Registrar 2017, Rent setting by registered housing agencies – a detailed guide for all stakeholders, State Government of Victoria, Department of Treasury and Finance, viewed 9th September 2019, <http://www.housingregistrar.vic.gov.au/Information-for-tenants/Understanding-your-rent>

Housing Registrar 2019, Our Regulatory Framework, State Government of Victoria, Department of Treasury and Finance, viewed 3rd October 2019, <file:///C:/Users/student/Downloads/Regulatory-framework-series-whole-updated-on-2.07.2019.pdf>

Infrastructure Victoria 2016, Victoria's 30-Year Infrastructure Strategy, Infrastructure Victoria, viewed 20th September 2020, https://www.infrastructurevictoria.com.au/wp-content/uploads/2019/03/IV_30_Year_Strategy_WEB_V2.pdf

Morris, A 2008, 'The Government is the best landlord I've ever had: older public housing tenants and social inclusion in inner Sydney', *The Economic and Labour Relations Review*, vol. 19, no. 1, pp. 93-108.

Morris, A 2018, 'Housing tenure and the health of older Australians dependent on the age pension for their income', *Housing Studies*, vol. 33, no. 1, pp. 77-95.

National Shelter 2020, A better lease on life: improving Australian Tenancy Law, National Shelter, National Association of Tenant Organisations (NATO), viewed 31st July 2020, <http://shelter.org.au/site/wp-content/uploads/rpt10betterleaseonlife.pdf>

Ong, R, Wood, G, Cigdem, M & Salazar, S 2019, Mortgage stress and precarious home ownership: implications for older Australians, AHURI Final Report no. 319, Australian Housing and Urban Research Institute, viewed 4th October 2019, https://www.ahuri.edu.au/_data/assets/pdf_file/0025/44953/AHURI-Final-Report-319-Mortgage-stress-and-precarious-home-ownership-implications-for-older-Australians.pdf

Pawson, H & Wiesel, I 2014, 'Tenant agency in Australia's public housing transfers: a comparative assessment', *International Journal of Housing Policy*, vol. 14, no. 4, pp. 344-367.

Power, E. R 2017, 'Renting with pets: a pathway to housing insecurity?', *Housing Studies*, vol. 32, no. 3, pp. 336-360.

Productivity Commission 2015, Housing decisions of older Australians, Productivity Commission, Canberra, viewed 4th September 2019, <https://www.pc.gov.au/research/completed/housing-decisions-older-australians/housing-decisions-older-australians.pdf>

Productivity Commission 2019, Report on Government Services 2019, Australian Government,

Productivity Commission, Canberra, viewed 31st July 2020, <https://www.pc.gov.au/research/ongoing/report-on-government-services/2019/housing-and-homelessness/housing>

Residential Tenancies Act 1997 (Vic) (No. 109, 1997)

Rouch, D 2020, Public housing demand in Victoria by Region, viewed 20th September 2020, <https://static1.squarespace.com/static/5ce20ccfe4839a0001be0c65/t/5f5ffec68758b84c79487387/1600126722011/Public+housing+demand+in+Victoria+by+region+-+June+2020+c.pdf>

Ruming, K 2015(a), 'Everyday discourses of support and resistance: the case of the Australian Social Housing Initiative', *Housing Theory and Society*, vol. 32, no. 4, pp. 450-471.

Ruming, K 2015(b), 'Reviewing the social housing initiative: unpacking opportunities and challenges for community housing provision in Australia', in R Duffy-Jones & D Rogers (eds.), *Housing in 21st-Century Australia: People, Practices and Policies*, Routledge, London, pp. 157-169.

Victorian Auditor-General's Office (VAGO) 2017, Managing Victoria's Public Housing, Victorian Auditor-General's Office, viewed 3rd September 2019, <https://www.audit.vic.gov.au/sites/default/files/20170621-Public-Housing.pdf>

Victorian Equal Opportunity and Human Rights Commission (VEOHRC) 2012(a), Locked out: discrimination in Victoria's private rental market, Victorian Equal Opportunity and Human Rights Commission, State of Victoria, Carlton, viewed 30th August 2019, https://www.humanrightscommission.vic.gov.au/index.php?option=com_googlesearch_cse&n=30&view=-googlesearchs&cx=008057085623470874129%3Ahmpoo6tzlvq&cof=FORID%3A11&ie=ISO-8859-1&q=locked+out&sa=Search

Victorian Equal Opportunity and Human Rights Commission (VEOHRC) 2012(b), Rights in focus: report on the rights of older Victorians, Victorian Equal Opportunity and Human Rights Commission, State of Victoria, Carlton, viewed 30th August 2019, <https://www.humanrightscommission.vic.gov.au/home/our-resources-and-publications/charter-reports/item/301-rights-in-focus-report-on-the-rights-of-older-victorians>

World Health Organization (WHO) 2018, WHO Housing and Health Guidelines, World Health Organization, Geneva, viewed 3rd September 2019, <https://www.who.int/publications/i/item/9789241550376>

Yates, J 2017, Victoria's social housing supply requirements to 2036, <https://www.vic.gov.au/sites/default/files/2019-06/Victorias-social-housing-supply-requirements-to-2036.pdf>

Yates, J 2013, 'Evaluating social and affordable housing reform in Australia: lessons to be learned from history', *International Journal of Housing Policy*, vol. 13, no. 2, pp. 111-133.

Appendix 1: Key Policies for Public and Community Housing

Policy area	Public Housing	Community Housing
<p><i>Victorian Housing Register (VHR)</i></p> <p>The Victorian Housing Register (VHR) is a centralised social housing waitlist. Eligible applicants are assessed for general or priority access based on circumstances, income and asset criteria. The purpose of the VHR is to facilitate suitable housing allocation through a single centralised waitlist, based on an applicant’s needs, priority category, housing availability and suitability (Housing Act 1983 (Vic)).</p>	<p>Tenants are sourced from the VHR waiting list directly, or through nomination rights via a Housing and Support Program (HASP).</p> <p>Public Housing is strictly prioritised to applicants in the priority access categories of the VHR, and to those at the top of the respective category waiting list on the effective date that a suitable property becomes available.</p>	<p>Participation in the VHR is voluntary for CHPs. For VHR participating registered CHPs, tenants are sourced from the centralized VHR waitlist directly, or through nomination rights via a third party or support provider.</p> <p>Registered CHPs participating in the VHR are required to allocate 75% of targeted allocations to priority category applicants. The proportion of targeted tenancy allocations that draw from the VHR priority categories varies depending on the number of properties allocated to lower-income tenancies and agreements with DHHS.</p>
<p><i>Offers of Housing and allocation</i></p> <p>“An offer of housing is the formal process that, if accepted, will result in the signing of a tenancy agreement for a household” (DHHS 2020(b), p. 2).</p>	<p>Housing offers are made according to an applicant’s demonstrated need, housing availability, and suitability. This includes VHR priority category and wait times, housing size, and special accommodation requirements such as access needs, health and support needs, or location requirements.</p> <p>“Before making the formal offer, applicants will be offered the opportunity to walk through the property. After this has occurred, they can be formally offered the property” (DHHS 2020(b), p. 2).</p>	<p>CHPs may apply their own specific eligibility criteria in an offer of housing, for example where housing is only provided to specific target groups. Eligibility and allocations may also be subject to individual negotiation between VHR participating CHPs and government (CHIA Vic 2017).</p> <p>Housing offer processes vary and are made in accordance with individual CHPs allocation policies and practices.</p> <p>Allocation practices such as interviews, discussions with support workers, selection panels or other processes used by CHPs “constitute pre-offer activities” (DHHS 2020(b), p. 2).</p> <p>Allocation policies are required to be sensitive to the needs of applicants with complex needs and low-incomes, and ensure allocation of tenancies to this group to the extent permitted by other performance standards.</p>

<p><i>Tenure</i></p>	<p>Long-term.</p> <p>As a social landlord, the Director of Housing is obligated to manage and sustain tenancies in way that supports tenant wellbeing over commercial considerations, with due regard to the human rights and vulnerabilities of tenants.</p> <p>Tenancy support services are provided through the Tenancy Plus program with the aim to sustain tenancies.</p>	<p>Mid to long-term.</p> <p>Tenancies in community housing generally continue until the tenancy becomes unsustainable. Registered CHPs are required to ensure that tenants with complex needs receive appropriate support with a view to maintaining tenancies.</p>
<p><i>Rent Setting</i></p>	<p>Tenants pay ‘gross’ rent fixed at a maximum 25% of total household income for all tenancies, or market rent – whichever is lowest.</p> <p>Rent is reviewed twice per year. Rent will only be increased relative to increases in household income. If household income increases between rent review dates, the rent increase will not be applied until the next review. If household income decreases, rent decreases can be applied immediately.</p> <p>Tenants in public housing do not receive Commonwealth Rent Assistance (CRA), it is therefore not added to the cost of rent.</p> <p>For some properties service charges may apply for the provision of water, energy, communal laundry facilities, and car parking bays.</p>	<p>There is no standard model for rent setting in community housing. Rent calculation methods vary according to the property type, property ownership, funding arrangements, and tenancy target group. Rents can be income based, market rent based, or a combination of these (Housing Registrar 2017).</p> <p>For lower income tenants, the maximum ‘net’ rent (excluding CRA) at the commencement of a tenancy is 30% of total household income (DHHS 2019; Housing Registrar 2017).</p> <p>Tenants are charged the full amount of CRA that they are eligible for. This amount is added on top of the ‘net’ rent amount.</p> <p>CHPs may apply service charges on top of the ‘net’ rent amount. Service charges can include energy and water costs, as well as shared facilities such as laundry, lifts, recreation areas, garbage disposal, common areas and gardens (Housing Registrar 2017).</p> <p>Registered CHPs are required to set rents that are affordable for tenants, while maintaining financial viability (DHHS 2019).</p>
<p><i>Contesting Rent / Hardship Provisions</i></p>	<p>Tenants can request a rent review if household income decreases. Rent decreases can be applied immediately.</p> <p>Tenants can contact their local Office of Housing if they are experiencing difficulties paying rent. Tenants can also seek help from the Tenancy Plus support program.</p> <p>Under certain circumstances, such as financial hardship, rental arrears are negotiated with the department. Rental subsidies (a reduction in the weekly rent amount) are available to tenants in specific circumstances.</p>	<p>Where there is a dispute over rent, tenants are required to contact their housing provider in the first instance and ask for a breakdown of their rent calculation.</p> <p>Registered CHPs are required to have hardship provisions in place where a tenant’s income has reduced significantly (DHHS 2019). These policies may vary according to the individual provider.</p>

<i>Maintenance</i>	<p>DHHS must ensure properties are maintained in good repair, in accordance with the RTA.</p> <p>Maintenance must be responded to and completed within 24 hours for urgent repair, within 7 days for priority repairs, and within 14 days for non-urgent repairs.</p>	<p>CHPs must ensure properties are maintained in good repair, in accordance with the RTA.</p> <p>Maintenance must be responded to and completed within 24 hours for urgent repair, and within 14 days for non-urgent repairs.</p>
<i>Modifications</i>	<p>Disability modifications can be made for tenants and prospective tenants where there is supporting confirmation of need from a health care professional.</p> <p>In most cases, modifications are provided free of charge if there is a supporting letter or report from a health care professional.</p> <p>Major modifications that require a structural permit or council certification are subject to approval by Property and Assets branch.</p> <p>Both tenanted and vacant properties can be considered for modification suitability.</p>	<p>Only properties that are suitable for modification in accordance with individual CHPs property and asset management policy can be modified.</p>
<i>Complaints and appeals processes</i>	<p>Complaints are directed to the local housing office in the first instance. If the matter is unresolved, a formal complaint can be lodged with DHHS.</p> <p>Public housing applicants and tenants have the right to appeal against departmental decisions relating to the provision of housing that they believe are contrary to department policy. This process provides for independent review of departmental decisions for the purpose of ensuring fair and consistent application of policy and procedures that apply to applicants and tenants.</p>	<p>Under the <i>Housing Act 1983</i> registered CHPs must establish a complaints procedure for tenants and prospective tenants who are affected by decisions made by the registered housing provider, relating to the provision of housing.</p> <p>Complaints must be directed to the CHP in the first instance. If the matter remains unresolved after 30 days a tenant or prospective tenant may refer the matter to the Registrar of Housing for investigation.</p>

Sources: VHR Offer of Housing operational Guidelines (Department of Health and Human Services 2020(b)), Public Housing Policy and Practice Manuals (Department of Health and Human Services 2019), Performance Standards for Registered Housing Agencies (Housing Registrar 2016), Rent setting by registered housing agencies – a detailed guide for all stakeholders (Housing Registrar 2017), Community housing allocations framework for the Victorian Housing Register: a submission from the Community Housing Federation of Victoria (CHIA Vic 2017)

Appendix 2: The Legislative Framework for Public and Community Housing

Legislative Framework	Public Housing	Community Housing
<i>Residential Tenancies Act 1997 (Vic)</i>	<p>Outlines the rights and responsibilities of landlords and tenants of rented properties, including public housing.</p> <p>Governs the rental agreement, covering general tenancy matters such as the rent payable and frequency of rent increases, the length of a tenancy, notice to vacate conditions, and the landlords duty to maintain the premises in good repair, including maintenance and repair response time-frames.</p>	<p>Outlines the rights and responsibilities of landlords and tenants of rented properties, including community housing.</p> <p>Governs the rental agreement, covering general tenancy matters such as the rent payable and frequency of rent increases, the length of a tenancy, notice to vacate conditions, and the landlords duty to maintain the premises in good repair, including maintenance and repair response time-frames.</p>
<i>Housing Act 1983 (Vic)</i>	<p>Provides the statutory framework to facilitate appropriate allocation of public housing through the VHR.</p>	<p>Provides the statutory framework to facilitate appropriate allocation of public housing through the VHR for participating CHPs.</p> <p>Provides for the registration and regulation and monitoring of registered CHPs, through the Registrar of Housing.</p>
<i>Equal Opportunity Act 2010 (Vic)</i>	<p>It is unlawful to discriminate against a person on the basis of certain personal attributes, (such as race, gender, age, family responsibilities, disability, employment activity, marital status, religious belief). This includes the refusal, or failure to accept an application for accommodation, the way in which an application is processed, or the terms under which accommodation is offered.</p>	<p>It is unlawful to discriminate against a person on the basis of certain personal attributes (such as race, gender, age, family responsibilities, disability, employment activity, marital status, religious belief). This includes the refusal, or failure to accept an application for accommodation, the way in which an application is processed, or the terms under which accommodation is offered.</p>
<i>Disability Discrimination Act 1992 (Cth)</i>	<p>It is unlawful to refuse a person’s application for accommodation or fail to offer housing to a person with a disability based on a belief that they may be unable to comply with obligations under the RTA (DHHS 2019).</p> <p>Requires that ‘reasonable adjustments’ be made to a property for people with disability, such as home modifications.</p>	<p>It is unlawful to refuse a person’s application for accommodation or fail to offer housing to a person with a disability based on a belief that they may be unable to comply with obligations under the RTA (DHHS 2019).</p> <p>Requires that ‘reasonable adjustments’ be made to a property for people with disability, such as home modifications.</p>
<i>Charter of Human Rights and Responsibilities Act 2006 (Vic)</i>	<p>Public authorities, including the department and those delivering services and making decisions on their behalf, are required to give proper consideration to human rights protected by the Charter when making a decision. This includes the potential impact to applicants or tenants when deciding not to grant an allocation or when terminating a tenancy.</p>	<p>There is some uncertainty as to whether registered CHPS are formally regarded as ‘public authorities’ as it is set out under the Charter, and whether CHPs can be held accountable to this when making decisions in accordance with the rights set out under the Charter.</p>



Housing for the Aged Action Group

1st Floor Ross House,
247–251 Flinders Lane,
Melbourne, 3000

03 9654 7389
haag@oldertenants.org.au
www.oldertenants.org.au