



Submission to the Australian Building Codes Board

**Response
to the
Consultation Regulatory Impact Statement
2020**

Submit by 31 August 2020 to abcbris@abcb.gov.au.

To whom it may concern,

Housing for the Aged Action Group (HAAG) appreciates this opportunity to provide feedback to the Australian Building Codes Board in response to the Consultation Regulator Impact Statement (RIS).

HAAG is a community based organisation specialising in the housing needs of older people. The organisation was formed over 35 years ago and today has over 450 members HAAG's service arm is the Home at Last (HAL) service which provides a one-stop shop of housing information, support, advice and advocacy for Victorians over 50 years of age. This assistance is provided through an intake and referral service assisting over 1,000 people per year. We also provide outreach support to re-house older people who are homeless or at risk of homelessness into long term affordable, age-appropriate housing. Our intake and outreach program is partially funded under Assistance with Care and Housing (ACH) which is a sub-program of the Commonwealth Home Support Program.

We have an early intervention and prevention approach to homelessness, which involves providing community and professional education to alert people to what places older people at risk of homelessness and pathways to support. Since 2013 we have had a strong Cultural and Language Diversity focus, and a team of bilingual workers who provide community education to groups of older people from a non-English speaking background. We have recently expanded this program to include peer educators, who have a lived experience of homelessness, and we are now starting work with the LGBTI community.

Since January 2019, we have been an information hub for the Aged Care Service Navigator trial, run by COTA Australia. We are one of the only information hubs providing face-to-face, one-on-one support in the home or in our office to assist older people to register with My Aged Care.

We also run a Retirement Housing Assistance Program that assists those who are living in or considering living in all forms of retirement housing including Independent living units, not for profit retirement villages, Rental Villages, Residential Parks and Caravan Parks.

Our work gives us the opportunity to see first-hand the impact of poorly designed housing on older people and their ability to age in place. Some areas in the consultation paper are less relevant to us, so we will be mainly focusing the experiences of our clients and the lack of accessible housing.

What does Universal Design Mean for older people?

Universal design means that older people can age in place, regardless of where they live. The ageing in place concept encourages older people to stay in their own homes, in order to promote health, well-being and independence. This concept underpins Australia's Aged Care system which preferences in-home care over residential aged care. This approach comes at a lower cost than its alternative and is favoured by most older people.

Retirement Housing

The vast majority of housing in Victoria is not designed to allow people to age-in-place. This includes housing designed and marketed as "Retirement housing" such as Residential Parks and Villages, Independent Living Units and some older stock of public Housing. While this housing may be suitable for an older person when they first move into a property, it is unlikely to support independent living as they age.

Private Rental

Private rental properties are unlikely to have accessible features which allow people to age in place. Features such as ramps and rails are often seen by landlords as 'detracting' from the value of the home and restricting re-saleability.

Although in Victoria, the Residential Tenancies Act (VIC) has been reformed to allow some disability modifications, written consent from the landlord will still be required for modifications that are 'not minor'. Many tenants also feel unable to ask their landlord for permission to make modifications following an aged care or NDIS assessment due to fear of a rent-rise. Most other state jurisdictions have no such provisions, and there is a lack of consistency across the country regarding tenancy laws and home modifications.

'Affordable' private rental properties are notorious for their lack of accessible features, in-fact, they are often not meeting safety minimum standards at all. This makes private rental a poor option for pensioners who wish to age in place on a limited income.

HAAG supports the recommendation of LHD Gold Level for all new builds, as recommended by the Dalton/Carter Reportⁱ. If Universal Design Standards are legislated in new-builds, this

is likely to have a trickle-down impact on the private rental market, as owners will no-longer see these features as undesirable.

Data from HAAG's Home at Last Service on Accessibility/ Lack of Accessibility

26.5% of the people who access our Home at Last Service to avoid becoming homeless, do so because their housing is inappropriate inadequate (2019-2020FY Home at Last Service Data).

19% or 1 in 5 Home at Last clients in 2019/2020FY requested accessibility features in their home, when applying for Public and Community Housing.

Of those requesting accessibility in their Public/ Community housing application:

- 50% required no stairs or a ground floor property
- 20% required a fully accessible property, including wheelchair access

Some other issues that are commonly reported are:

- Kitchen, bathroom and toilet spaces that become inaccessible when a person needs to use a wheelchair
- A shower over the bath
- Flooring that is uneven and becomes a trip-hazard
- Not enough space for a live-in carer

Case Study: Kathy and Bob

Kathy and Bob were referred to the Home at Last Service in early January 2015 by a community service agency. They were a couple in their 50s living in a private rental property in the western suburbs. Their home was a rundown older-style flat with the bedrooms and bathroom located upstairs. Kathy was on a long hospital waiting list for surgery and struggling to manage the stairs or step over the bath rim to use the shower. Bob, her carer, was finding it extremely difficult to assist Kathy with bathing. Also, the flat was located a long distance from public transport and local shopping centre. They had to use taxis to get to the shops and their medical clinic, and this was very expensive.

Kathy and Bob had received a notice to vacate from their landlord, who was refusing to do repairs on the run down property. Our Home at Last service assisted them to appeal the notice to vacate, while simultaneously applying for more affordable and accessible social housing.

After a period of time, they were offered a social housing property, which they accepted and were assisted to move into by their Home at Last outreach worker. Their new apartment has lift access and the bathroom is modified with a step-less shower. Public transport is at their door and there are shops and a medical clinic close by. Kathy and Bob

are very happy in their new home and have been busy decorating and are now, for the first time in their lives, proud tenants in their safe, affordable, accessible home for life.

Lack of accessibility is forcing older people into homelessness

The Victorian Government acknowledges that a lack of accessible features makes housing inappropriate and can put a person at risk of becoming homeless. Two sections of the Priority Housing application include the need for major modifications as a reason for requiring social housing urgently:

1. 'Housing Modifications'- including the requirement for minor, major and full modifications and full NDIS-required modifications.
2. 'Medical Needs' which includes reasons such as:

"I need housing without stairs because of limited mobility, and I live in housing with stairs now".

"My housing has a harmful effect on my health or medical condition (for example, an aspect of your housing can't be managed or changed, and it is having a harmful effect on your health or medical condition)".

From our case work, we know that people who are in inaccessible housing can be extremely isolated. Those who are restricted by stairs around their property are often unable to leave their home. While they may be eligible for priority housing, it can take several years before they are offered housing, especially if they require a modified or ground floor property.

When housing becomes dangerous or unusable (for instance if an older person suddenly needs to use a wheelchair and essential spaces such as bathrooms, kitchens and toilets become unusable)- the older person is put at immediate risk of becoming homeless. Where someone must leave their housing immediately due to lack of accessibility, there are often very few accessible alternatives and older people will sometimes find themselves with no alternative than to prematurely enter residential aged care.

Recommendations

We support report the Andrew Dalton and Rob Carter Report for the Melbourne Disability Institute and the Summer Foundation (2020), which finds the benefits of legislating minimum standards of universal design to Australian Society outweigh the costs, and recommends the regulation of LHD Gold level (Option 2) for all new housing.

At a minimum, all new housing should have:

- An accessible path of travel from the street or parking area to the entry level of a dwelling
- Doors, corridors and living spaces that allow ease of access for most people on the entry level
- A bathroom, shower and toilet that can be used by most people with reinforced wall areas for grab-rails at a later date

In addition, we recommend

- Education and training for the housing industry on minimum access features
- Retrospectively modify existing public and social housing stock to universal design standards

**For more information or comments contact Fiona York, HAAG EO,
Fiona.york@oldertenants.org.au**

ⁱ Andrew Dalton and Rob Carter, 2020, *Economic advice prepared to assist with responses to the Consultation Regulation Impact Statement on minimum accessibility standards for housing in the National Construction Code*, The Melbourne Disability Institute, University of Melbourne and the Summer Foundation, found at https://disability.unimelb.edu.au/_data/assets/pdf_file/0010/3469492/DaltonCarter-Economic-Report-v9-18.08.2020.pdf