

**Shelter WA Submission to the DHW for Proposed  
Community Housing Legal Framework**

**January 2009**

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## **1.0 Introduction**

This is a submission by Shelter WA in response to a consultation paper issued to Western Australian Community Housing (CH) stakeholders by the WA State Government Department of Housing & Works (DHW). The objective of the consultation was to gauge support for a new regulatory framework designed to legislate standards and guide growth of the Community Housing sector. Although the legislation is primarily aimed at the CH providers, there will be impacts on tenants as well as the private sector.

### **1.1 Shelter WA**

Shelter WA has operated in Western Australia since 1979 as a peak housing body that represents and lobbies on behalf of community groups and housing consumers. Shelter WA is an independent community based peak body committed to the principle of accessible, affordable, appropriate and secure housing for everyone. Shelter WA focuses on people who have low incomes or who are otherwise disadvantaged in the housing market. This includes people who are homeless or who are at risk of homelessness.

Shelter's role is to give an informed and effective voice on housing policy issues based on sound research, collaboration, consultation, representation & research with housing consumers and community based organisations working with housing and related issues. We promote housing options for people on low incomes, including social housing (public housing and community housing), affordable housing provided through the private sector, and affordable home ownership.

The work of Shelter WA is directed toward the elimination of homelessness and housing related poverty and ensuring that every person has access to secure, adequate and appropriate housing at a price within their capacity to pay in the public, private or community sectors. Shelter WA is committed to the presence and extension of choice in the articulation of Government housing policy and therefore to the availability of a range of housing options for low income and special needs housing consumers.

### **1.2 Consultation Process**

Shelter WA received the consultation document by email on 12<sup>th</sup> November 2008. The closing date for responses was 19<sup>th</sup> December. Shelter requested an extension to allow adequate time for consultation and response and was granted until the end of January 2009. In order to obtain feedback from tenants and small providers on the proposed legislative framework and amendments to the WA Housing Act 1980 for Community Housing in Western Australia, a forum was planned for 15<sup>th</sup> January 2009 and invitations were sent by electronic mail on the 18<sup>th</sup> December 2008 to approximately 200 community housing providers (email contact list provided by DHW), tenant associations and a host of other agencies which had access to or an interest in Community Housing and/or CH tenants and residents. Given that it was the period around the Christmas and New Year holiday season it was anticipated

that there would be fewer responses to the invitation. A reminder was sent on January 7<sup>th</sup> and a total of 11 accepted participation with 30 apologies.

The consultation forum was hosted at Claisebrook Lotteries House in East Perth by Shelter WA on January 15<sup>th</sup> 2009. Although the target audience had been tenants and residents, tenants did not attend but were represented by organisational staff consisting mainly of third tier community housing providers. (See list of attachments for attendee list).

The material reviewed for the preliminary information sharing session of the Forum included existing DHW publications on the Community Housing legislative framework as well as consultation with the following members of DHW staff: Bob Chown, proxy for Paul Pendergast and Leigh Newman. A presentation (See list of attachments for copy of presentation and handout) was conducted to summarise the documentation, after which an information gathering session was facilitated. The attendees were then divided into two groups and asked to navigate through the list of questions that had been issued by DHW. The responses and additional comments form the main body of this text. A summary of the comments is followed by an attempt to capture the actual responses to the questions recorded by the groups. Finally, this document ends in a concluding section which brings additional points together under a summative commentary and includes Shelter's own interpretation of the legislative proposals.

## **2.0 Summary of comments:**

In principle, Shelter WA supports the steps that the State Government of Western Australia has taken to facilitate the expansion and quality of the Community Housing (CH) sector. It is evident that the stress on housing availability is now at an extreme that requires immediate and significant action to eliminate its causes. Shelter WA is of the opinion however, that neither the causes of, nor the solutions to the housing shortage as it applies to the Community Housing sector, will be ameliorated solely by the supply of housing stock. It is clear that the proposed legislative framework entails wide impacts for all the stakeholders involved. These include government, CH providers from all categories, the private sector and last but not least, CH tenants, applicants and potential tenants.

In the first instance, the framework needs to provide a clear and consistent set of definitions and interpretations of what housing affordability and availability mean for the CH sector. It is important that any such definition would need to be broader than purely income-based measures given the amount of individuals and families on moderate incomes that are experiencing housing stress. In addition, any definition would need to incorporate the complex raft of social issues often associated with people in need of a community housing alternative rather than accessing accommodation in the mainstream market.

An acceptable and widely understood definition would also go a long way to achieving consistency of application across the various laws, policies, government and other jurisdictions which form the CH operating environment. A framework must therefore define and distinguish affordable housing and affordable living from the parent concept of housing affordability (this is especially confusing as the language is used loosely in existing legislation). Without clarity across the CH sector, extending into the private and not for profit sectors lack of consistency will become problematic. The questions of definition have long contributed to confusion within and between state, federal and local government. It is hoped that DHW might provide some leadership, in collaboration with other key partners.

The definition of **Housing Affordability** and its various component dimensions needs to be acknowledged and included in such a framework. If a more holistic solution is truly desired, then affordable housing (ie the cost of the building alone) cannot be the sole, overriding lens through which housing affordability is viewed. Shelter WA invites the Department to consider the parallel concept of affordable living which includes the interconnected dimensions of housing in relation to energy use and efficiency, access to services and amenities, education, employment, contribution to personal well-being, health, and building stronger communities.

Secondly, growing financial housing stress, exacerbated by economic downturn and job losses threaten an increase in social exclusion. This diminishes people's wellbeing and participation in community life, and places

increasing pressure on a host of social services in the process. Therefore housing stress needs to be viewed as an interconnected set of environmental, social and economic issues which have a negative impact on families and disadvantaged communities.

Finally, it is hoped that provision of more housing and regulation of the sector does not consequently force out lower tier and specialist providers. Many question the capacity of small CH providers to articulate prescribed performance standards without funding and other assistance committed by the housing authority. Many also recognise and value indispensable specialised services that such small providers have developed and are currently offering. With the implementation of an incentive-based market mechanism, a possible outcome scenario is one devoid of specialised services. By nature, such services are more expensive to deliver and less attractive in a market driven solely by financial imperatives. Shelter WA questions whether such a predicament can be avoided and how DHW proposes to reduce this risk and ensure the hardest to house will have access to appropriate homes with the tailored service needed to sustain the tenancy.

### **3.0 Consultation Questions:**

#### **3.1 Do you support the objects of the proposed legislative framework for community housing?**

In principle, Shelter WA supports the direction of the proposed objectives of the Community Housing (CH) Legislative Framework. There is need to introduce more effective governance and management mechanisms for the CH sector. It is acknowledged that effective management of the CH sector delivers improved service standards, and more importantly, efficiency in turnover and higher rates of accommodation. However, concerns have been raised that the Government recognise it should not and will not remove itself from the responsibility of providing for the diversity of needs that tenants in this sector require. There is evidence that many CH tenants are usually in need of one or more specialised social services. Should CH tenants not be able to benefit from the provision of support services within their CH organisation, it is expected that more pressure will be placed on external social services as well as other government departments including health and justice.

Creating an enabling environment for the largest CH providers to grow may potentially squeeze small and specialised providers out of a market which is already saturating social service capacity. This may result in the availability of more CH accommodation, but with a raft of tenancy maintenance issues to contend with. Furthermore, there is fear and uncertainty among small providers feeling pressure to grow or die 'amalgamate or perish'-despite recognition of quality care, service, tenancy satisfaction that they have successfully provided over many years.

#### **3.2 Do you agree that the legislative framework is an appropriate model to grow and strengthen the community housing sector, facilitate provider capacity to work in partnership with government and the private sector, and to improve organisational performance and quality outcomes for tenants?**

Overall, the concept of a legislative framework for government subsidised housing is appropriate and necessary and does offer the potential to grow the supply of social housing, facilitate partnerships, improve organisational quality and performance and deliver positive tenant outcomes. Legislation is only one approach to improving this important sector. The approach appears to be based on principles of efficiency in that that provider compliance with government legislation equals funding and sector growth. Shelter WA contends that the reality is not that simplistic and that some aspects of the CH industry appear to have been overlooked.

To this end, Shelter WA seeks to clarify whether any consideration will be given to providing definitions which are relevant to the various needs of the

sector. The framework needs to provide a clear and consistent set of definitions and interpretations of what housing affordability and availability mean for the CH sector.

Furthermore, it is hoped that consideration will be given to the following issues:

- Additional support for small locally connected not for profit organisations to deliver specialised, personalised tailored accommodation with support. This element and even the need for it seem to be lacking in the framework.
- More clarity on the type(s) of models being proposed for tenant participation.
- A less cumbersome mechanism for tenant grievance, complaints and appeals. There appears to be a real need to revise the current system, remove duplication and increase its efficiency in terms of time, quality and consistency of results.
- Most Community Housing is small, special-group or geographically based. Shelter questions the capacity of current CH providers to adequately service the multiple and complex needs of the most vulnerable individuals and households if they were not referred or streamed into agencies with the commensurate matching skill and expertise to successfully house and manage these tenancies, together with additional financial support for the high cost / high need client groups that most CH organisations accommodate.
- Shelter questions the long term commitment of large/growth CH organisations to accept highest need applicants, including those who are homeless if there were no additional subsidy or incentives, and suggests that a CH organisation with a priority focus on financial management would screen and choose tenant applicants that presented few social or personal needs, and offered a higher income level to pay a higher rent, which would leave those most vulnerable continuing to be excluded.
- Shelter suggests that performance of DHW be subject to similar quality improvement processes and standards and that the CH sector be invited to participate in an evaluation 'report card', with performance measurement of indicators such as timeliness of communications and responses to queries, turn around timeframes for decision making and responses to organisational needs, availability and knowledge of relevant contract managers and responsible officers and ensuring contract manager staff and accommodation managers have consistent and uniform knowledge and policies are applied impartially.
- There is concern that there is no mention of how the for-profit partners will be regulated in joint ventures with the not for profits. This brings into question the whole nature of the partnerships between profits and not for profits. It would appear that in attempting to entice the for-profit sector to the CH market, there needs to be a clear and transparent allocation of risk-bearing responsibility and accountability which is not evident at this stage of the proposal for one party in the partnership.

**3.3 Does the regulation making power provide for a flexible, effective and efficient method of regulating operational and service standards for the various types of community housing provider and various forms of funding assistance?**

It is quite plausible that the proposed reforms would offer flexibility and efficiency for those CH providers who are already operating and those who are in the business of continuous growth. However, the proposed reforms appear to reduce diversity options, limit choice for tenants, and seem to force 'a one-size fits all' approach that isn't localised nor necessarily responsive;

Clearly the legislative framework does not in itself provide houses. The question is whether the framework provides enough space for the industry to grow in terms of houses on the ground and in terms of effectiveness in responding to the broad and complex needs of the CH sector tenant. Some forum participants were concerned that the framework may not be able to deliver on the ground and even that the mechanism may not be appropriate to the needs that that it seeks to serve. Though the intent to allow the not for profit sector to operate more efficiently is clear, the legislation appears to make it difficult for the smaller Third tier providers to start up and become viable. The existing regulation to which they are subject will severely challenge administrative capacity for smaller providers. Although this will help eliminate sub-standard practices, we are also cognisant of the possibility of a number of providers who currently deliver a valuable service having to withdraw from operation.

**3.4 Are the operational and service standards clear (to be modelled on the National Community Housing Standards and, in relation to larger organisations, the WA CH Growth Provider Regulatory Code).**

It is generally felt that the operational and service standards are clear and understandable to those who already have some knowledge in the area. However, the language is (perhaps necessarily) very legislative and not lay-person user friendly. There is a need for a distilled succinct summary to be able to communicate to tenants and others who may not be familiar with their rights and responsibilities as a consequence of this proposed legislative reform. Many Staff in the provider sector would have trouble interpreting the standards as they stand.

Additionally, it is felt that:

3.4.1 The NHC standards are clearer and more tenant focused than the WACH guidelines which some feel are not prescriptive enough to attend to the needs of tenants. It is felt that the smaller providers are more pressured to be tenant focused whilst the larger ones have a low priority in comparison.

3.4.2 The government's vision for growth seems to be more focused on financial and asset management than on people's rights. This may be a priority right now, but provision has to be made in the legislation so that a balance of less tangible needs are taken into consideration and catered for.

3.4.3 There seems to be little to bring the Community Housing elements together and competitive and level of funding tensions between growth and preferred providers hinder the potential of legislation.

**3.5 Does the maximum 2 year time-frame allow sufficient time for CH providers to build capacity to comply with the standards and requirements foreshadowed to be in subsidiary legislation?**

Generally speaking the time-frame might be sufficient, but the view held is that it is too early to tell. For instance, two years is not adequate for those organisations wishing to move from not for profit registered small providers and unregistered providers to achieve growth preferred status.

Instead of speculation on time-frames, it is more important to understand the variables that will have a direct impact on the capacity of the sector. These include:

- a. The size/capacity of the providers, including the rigour of governance and quality/skill of human resources.
- b. The amount of funding available, private or otherwise, to enable the target organisations to meet standards and implement framework.
- c. CH organisations are locked into current funding contracts that run on a triennial basis. Therefore they may need variation or additional funds on commencement of new contracts to implement and comply with a new framework.
- d. May need open-ended opportunity for organisations to plan for growth and achieve targets, and move from one CH type to another.

**3.6 Do you support the compliance notice framework for addressing the issues relating to non-compliance with standards and other prescribed requirements?**

There is a need to discuss further the nature of the framework given that the draft legislation is yet to be circulated. At this point in time, it is suggested that there is a need for clarity about priority of non-compliance matters ie what aspects of operation or performance constitute red – non compliant, orange - conditional, and green – fully compliant in a 'traffic light' model of regulation.

3.6.1 Need for commitment to consultation and negotiation around non-compliance matters and time frames.

- 3.6.2 Public notification mechanisms need to pass the Governance principles test of transparency, fairness, openness and accountability in process.
- 3.6.3 There is genuine concern about increased administrative burden for the smaller tier providers. DHW needs to adequately support the sector to be able to make these changes. Support in this instance refers to funding and training as well as access to knowledgeable and supportive DHW staff contact points.

**3.7 Do you support the proposals for the office of the registrar which aim to enable the registration and compliance functions to be performed independently from the Housing Authority?**

Shelter WA would support an independent and transparent registration and compliance process for Not for Profit and For Profit providers. Important features which remain unclear include:

- 3.7.1 The independence of the registrar. An independent, objective registrar is called for. This is especially the case should there be a need for dispute resolution between the provider/tenant and DHW itself.
- 3.7.2 As long as the Regulation Compliance Unit is internal to DHW, there is a perception of a lack of guaranteed independence from DHW. Clearly such a unit needs to operate in a more impartial manner. It is therefore proposed that consideration is given to re-locating the RCU independently of DHW. This brings into question the RCU's need to demonstrate the means by which it will guarantee its ability to consistently apply regulations. Otherwise the CH providers could understand that positive decisions by the RCU risk being dependent on good relationships with DHW and thus resulting in a lack of objectivity in arbitral implementation of regulations. Finally, the RCU, irrespective of its situation needs to demonstrate a set of objective and priority assessment criteria that will be used to bring matters forward for arbitration and/or negotiation.

**3.8 Are the proposed monitoring and information gathering powers given to authorised officers, and the process for dealing with complaints appropriate?**

Shelter WA feels that the extent of monitoring and information gathering powers are concerning and question the powers given to DHW to pursue this. Whatever the justification, the exercise of these powers have not been described as consistent with a partnership approach.

- 3.8.1 Generally, the powers have been described as intrusive and lacking in accountability. Others have stated that there appears to be more scope for intervention than Australian Tax Office and the WA Police Service. The impacts that these powers have on individual's right to privacy,

freedom of information, and the confidentiality of commercial activity have been raised. It has also been stated that the process audit approach is neither respectful nor cooperative.

- 3.8.2 Civil liberties are also an issue where extraordinary powers appear to permit RCU officers to enter CH organisations and sift through personal staff or tenant information at will. There is definitely a need for protections to be provided in the event that compliance enforcement regime overlaps with laws of privacy and similar safeguards.

#### **4.0 Additional Issues and Concerns:**

From the current and prospective tenant perspective, the proposed legislation seeks to provide more community housing stock and standardised quality of tenancy management. There is no doubt that this will have a positive impact on the stress that the sector is currently undergoing. Clearly the aspirational target set by Minister Buswell of an additional 20,000 dwellings in 11 years is the lens through which this legislation should be regarded. But in addition to that, there is an overriding concern that this proposal was developed and written before the downturn of the world economy in the last quarter of 2008. The concern from tenants is that DHW needs to start thinking in terms of worse case scenarios and mechanisms should consider tenants fluctuating capacity to pay, insecure and vulnerable employment patterns, 'concertina households' and other dynamic factors to maintain tenancies rather than just focus upon growth.

Based on general feedback is the sentiment that the list of questions provided for the consultation exercise by DHW was rather leading. They did not allow for comment on the rights of tenants. They did not allow for the conversation to be reflective of the current economic situation and they overlooked the complexity of issues which are inextricably inter-meshed with issues of housing.

4.1 On the same theme, it is hoped that the language of the legislation will be more accessible to small or unregistered providers wanting to achieve a bit more than the minimum standards. They seem to be the ones in the most difficult position, as larger growth providers are afforded the most flexibility in terms of housing. Lower tier categories are being burdened by top-heavy regulation which will severely strain their capacity to survive in some cases.

4.2 The incentives seem growth-based rather than reality-based. It would be to great advantage if the status of the legislation drafting process would be preceded by a revision of the social, political and economic realities and forecasts in order to provide a more balanced approach to the provision of housing. The reality is WA needs all the providers it can get, big and small. As it stands, the legislation heavily favours large providers, squeezing out the small providers. Many small providers deliver additional specialised tenant assistance which is not the interest or vision of bigger growth or even preferred provider organisations as it would not be profitable for them to provide the tailored and individualised care and accommodation plans to maintain and sustain special need tenants. .

To conclude, the concern is that the legislation may inadvertently be creating a monopoly environment which is in favour of the larger providers. Not only are there disadvantages with this scenario, but there is also genuine fears that they, like shopping retailers and fuel providers have a propensity to collude and render the sector inflexible and unresponsive to the highest and most complex need tenant groups.

**5.0 Shelter WA Attachments to the** Consultation paper on the proposed amendment to the Community Housing Legislative Framework

### Attachment 1: List of Attendees

<b>Name</b>	<b>Suburb</b>	<b>Phone</b>	<b>email address</b>	<b>Landlord Agency</b>
Gary Taylor			c/o Marenee Provost	
Rustom Seth			c/o Marenee Provost	Centre for Cerebral Palsy Manager Offsite Accommodation Services
Marenée Provost			<a href="mailto:Marenee.Provost@tccp.com.au">Marenee.Provost@tccp.com.au</a>	General Manager Community Services
Casey Homman			c/O Helen Burgess <a href="mailto:HBurgess@communicare.org.au">HBurgess@communicare.org.au</a>	Communicare
Renate Dehaan,			c/o Renate Dehaan	Bunbury Housing Association
Veronica Ayres			<a href="mailto:renatebh@bigpond.net.au">renatebh@bigpond.net.au</a>	Bunbury Housing Association
Lorilee Beecroft			<a href="mailto:lorilee@wacoss.org.au">lorilee@wacoss.org.au</a>	WACOSS
Yvonne Parnell			0432880077 <a href="mailto:yvonne@hawkevaletrust.org.au">yvonne@hawkevaletrust.org.au</a>	Hawkevale Trust
Carol Wainwright			<a href="mailto:diana@bayswater.wa.gov.au">diana@bayswater.wa.gov.au</a>	Manager Community Services City of Bayswater
Diana Allen			<a href="mailto:diana@bayswater.wa.gov.au">diana@bayswater.wa.gov.au</a>	Community Development Officer City of Bayswater
Maj Caw				Hills Community Support Group
Bronwyn Kitching				Shelter WA

## Attachment 2: List of Apologies Received

<b>Name</b>	<b>Organisation</b>	<b>Contact</b>	<b>Reason</b>
Devonia Mildenhall Admin	Activ8	<a href="mailto:dmildenhall@activ8.net.au">dmildenhall@activ8.net.au</a>	No available Staff
Alex Adams CEO	Shire of Dumbleyung	<a href="mailto:ceoao@dumbleyung.wa.gov.au">ceoao@dumbleyung.wa.gov.au</a>	Not sending rep
Leesa Fowler Admin	Richmond Foundation (RFA)	<a href="mailto:Leesa.Fowler@rfa.org.au">Leesa.Fowler@rfa.org.au</a>	NO response from program managers
David Fenwick CEO	Amaroo Village	<a href="mailto:DavidF@amaroovillage.com.au">DavidF@amaroovillage.com.au</a>	Did not receive original email
Don Tunnicliffe CEO	Swan Emergency Accommodation	eo@swanea.com	Staff otherwise engaged
Kathleen Gregory CEO	Foundation Housing Ltd	<a href="mailto:kathleen@foundationhousing.org.au">kathleen@foundationhousing.org.au</a>	Needed more notice, 2 months
Tanika McLennan DCEO	Shire of Trayning	<a href="mailto:dceo@trayning.wa.gov.au">dceo@trayning.wa.gov.au</a>	Staff Unable to attend
Mick Oliver CEO	Shire of Tammin	<a href="mailto:ceo@tammin.wa.gov.au">ceo@tammin.wa.gov.au</a>	Unable to attend
Lyndon Smart		<a href="mailto:cscord@canning.wa.gov.au">cscord@canning.wa.gov.au</a>	On leave
Ravi Lingham	Outcare		No response
Toni Riches	Ebenezer Homes	<a href="mailto:ebenezer@tpg.com.au">ebenezer@tpg.com.au</a>	None given
Hannah George	Shire of Bruce Rock	<a href="mailto:project@brucerock.wa.gov.au">project@brucerock.wa.gov.au</a>	None given
Evan Hillman	City of Canning Youth & Family Services	<a href="mailto:ythcoord@canning.wa.gov.au">ythcoord@canning.wa.gov.au</a>	Other engagements
Ashleigh Jones	Share and Care Community Services Group Inc	<a href="mailto:admin@shareandcare.com.au">admin@shareandcare.com.au</a>	none

## Attachment 3: Handout: Shelter WA: FORUM for Tenant and Residents in Community Housing

### 1. Key Features of the proposed framework.

- a. **Create:** a registration scheme for CH providers.
- b. **Enable:** funding assistance to be given to CH providers who are registered
- c. **Empower:** the housing authority to form new partnerships with the CH sector
- d. **Give:** the CH sector certainty to partner with other NFP organisations a regulatory framework
- e. **Encourage:** investment from the private sector and improve the capacity of the sector to deliver more housing
- f. **Increase:** the supply of housing through leveraging opportunities that could not be achieved through traditional public housing procurement.
- g. **Grow:** the role and size of the NFP CH sector.
- h. **Establish:** a statutory office called the CH registrar to administer the registration scheme and perform related statutory functions.
- i. **Regulate:** operational and service delivery standards based on level of risk
- j. **Facilitate:** financial viability, effective governance, risk management, and administration of CH providers.
- k. **Ensure:** key service outcomes are achieved and exceeded
- l. **Achieve:** contractual and legal compliance
- m. **Promote:** better use of public and private money
- n. **Protect:** the government's investment in CH and the interests of CH tenants

## Attachment 3 Contd

### 2. What's in it for Community Housing Tenants?

National Community Housing Standards:	WA CH Growth Provider Regulatory Code:
<p><b>a. Improved Tenancy Management Standards:</b></p> <ul style="list-style-type: none"> <li>i. Fair &amp; open allocation of Housing</li> <li>ii. Tenant focused organisation</li> <li>iii. Tenancy termination is legal and minimal impacts on all parties</li> </ul>	<p><b>a. Plan &amp; Deliver responsive &amp; cyclical maintenance indicated by:</b></p> <ul style="list-style-type: none"> <li>i. Appropriate verification of existing stock conditions against approved guidelines.</li> <li>ii. Asset management plans demonstrate commitment to maintenance of stock.</li> <li>iii. Maintain high levels of tenant satisfaction with condit of property &amp; timeliness in resolving day-to day emergency maintenance problems.</li> <li>iv. New stock needs to conform to affordable housing guidelines</li> </ul>
<p><b>b. Asset Management Standards</b></p> <ul style="list-style-type: none"> <li>i. Quality of Housing through planned cyclical maintenance &amp; upgrade.</li> <li>ii. Stock acquisition relevant to identified needs of target population.</li> </ul>	<p><b>b. Responsive Housing Services for tenants with complex needs:</b></p> <ul style="list-style-type: none"> <li>i. Verification that provider's housing services comply with guidelines covering eligibility, allocations, rent, tenure, and exits).</li> <li>ii. Avoid serious or repeated breaches of the national guidelines on appropriate delivery of services to tenants with complex needs.</li> <li>iii. Responsiveness of housing service satisfaction needs to be above average.</li> </ul> <p><b>NB</b> <i>A high level of dissatisfaction needs to be recorded for the provider to be deemed non-compliant.</i></p>
<p><b>c. Tenant Rights and Participation Safeguards</b></p> <ul style="list-style-type: none"> <li>i. Rights upheld &amp; assistance given to access same.</li> <li>ii. Tenants Contribute to decision-making</li> <li>iii. Participation in tenant run cooperatives (trained &amp; supported)</li> <li>iv. Confidentiality &amp; Privacy respected &amp; maintained</li> <li>v. Complaints &amp; appeals prompt &amp; fair.</li> </ul>	<p><b>d. Good Quality Housing services:</b></p> <ul style="list-style-type: none"> <li>i. Organisation needs to demonstrate contribution to community regeneration partnerships in locations where a high concentration of affordable housing tenants.</li> </ul>
<p><b>e. Community Capacity Building</b></p> <ul style="list-style-type: none"> <li>i. Tenants have access to relevant community support</li> </ul>	

### **Attachment 3 Contd**

#### **3. Set of Questions for Consultation exercise:**

1. Do you support the objects of the proposed legislative framework for community housing?
2. Do you agree that the legislative framework is an appropriate model to grow and strengthen the community housing sector, facilitate provider capacity to work in partnership with government and the private sector, and to improve organisational performance and quality outcomes for tenants?
3. Does the regulation making power provide for a flexible, effective and efficient method of regulating operational and service standards for the various types of community housing provider and various forms of funding assistance?
4. Are the operational and service standards clear (to be modelled on the National Community Housing Standards and, in relation to larger organisations, the WA CH Growth provider regulatory code).
5. Does the maximum 2 year time-frame allow sufficient time for CH providers to build capacity to comply with the standards and requirements foreshadowed to be in subsidiary legislation?
6. Do you support the compliance notice framework for addressing the issues relating to non-compliance with standards and other prescribed requirements?
7. Do you support the proposals for the office of the registrar which aim to enable the registration and compliance functions to be performed independently from the Housing Authority?
8. Are the proposed monitoring and information gathering powers given to authorised officers, and the process for dealing with complaints appropriate?