

Community Housing Regulatory Framework Tenants Perspective Consultation Session

A Legislative Framework for Community Housing
Proposed Amendments to the Housing Act 1980

January 2009

Welcome & Overview

1. *Acknowledgement of Original Custodians*
2. *Background and current statistics*
3. *Synopsis of the proposed regulatory reform*
4. *Impacts for Tenants*
5. *Discussion and Feedback*

Public and Community Housing Capacity at Present

- Current total number of applicants on wait list for Homeswest Rental: 19,296 (as at January 2008)
- Current total number of applicants on joint wait list (i.e. Homeswest applicants who have also applied for Community Housing): 6,437.
- Total number of community housing units that have involved funding by DHW in WA: 5,046.

Key Statistics and Characteristics

- Current total number of Homeswest rental units in WA: 35,655.
All occupied according to DHW
- Current number of community housing rental units in WA: 4,892.
Unknown occupancy and vacancy rates
- **Homeswest:** standard tenancy allocation processes (priority and wait turn), standard rent setting (25% gross income), transparent appeals mechanism
- **Community Housing:** variable tenancy allocation processes, varying rent setting, internal and variable organisational dispute and grievance processes for tenants

Community Housing Provider Capacity

No.Units	No. of Agencies	Total Units	% of Total Units
100 >	7	1786	36.5%
50 – 99	12	831	17.0%
20 – 49	33	1022	20.9%
10 – 19	45	608	12.4%
< 10	144	645	13.2%
Totals	241	4892	100.0%

Rationale for Change & Strategic Direction

- Budget allocation for State Community Housing Investment Program-SCHIP between 2007-2011 is \$210 m.
- This marks a movement towards larger scale investment, more complex developments, optimising opportunities for private equity finance.
- Also marks a need to outsource responsibilities currently managed in-house by the DHW
- **Aim is to get more people in need into housing**
- Introducing regulation as a means by which risk can be better managed in this sector and hopefully increase private investor confidence.

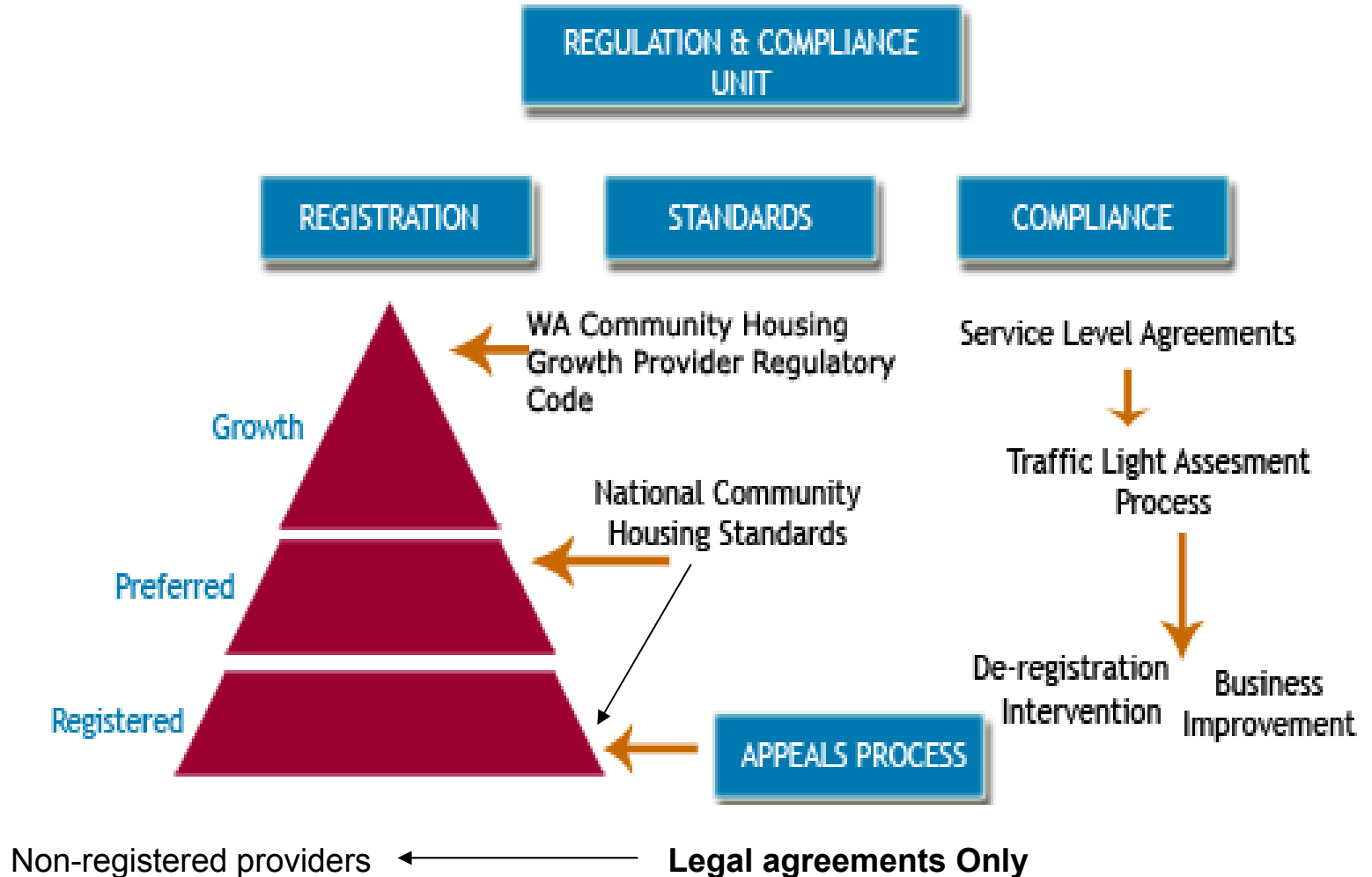
Objectives of proposed consultation draft

- To provide a framework for growing, supporting and regulating activities of agencies providing community housing with assistance from the state housing authority that includes:
- Registering the Community Housing Organisations
- Giving financial assistance, making land and/or premises available & other types of assistance
- Regulating how Community Housing agencies provide housing services using the assistance.
- **It is hoped that this will also achieve quality outcomes for tenants**

Key Features (See Handout)

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

How It Works:



From a Government viewpoint registration is the key

- To provide a **standardised, replicable** way of identifying appropriately qualified and experienced housing providers that are **financially viable, properly governed, properly managed**, and;
- Have the **capacity to meet prescribed performance standards** before funding assistance is committed by the housing authority.

Implications for Community Housing Providers

- Growth providers are committed to growth and compliance with national **and** state regulatory codes. Under the proposed legislation they will be legally bound to growth and compliance targets, otherwise they forfeit funding.
- Preferred providers will be bound by national legislation. The difference being, they will have the option to grow but with less stringent conditions than growth providers.
- The door will be open for the 3rd tier providers to upgrade their status through registration and compliance.

What's In it for Current Tenants?

1. National Community Housing Standards

- a. Improved Tenancy Management Standards
- b. Asset Management Standards
- c. Tenant Rights and Participation Safeguards
- d. Community Capacity Building

2. WA Community Hsg Growth Provider Regulatory Code:

- a. Appropriate & Affordable Outcomes:
- b. Responsive Housing Services
- c. Good Quality Housing services

In summary this means that tenants can expect

- More secure tenure, with reliable rent levels and rent changes
- Better treatment and opportunity to participate in management of their housing
- Access to grievance procedures for disputes
- Higher quality housing that is well maintained

What's In it for Future Tenants?

In addition to the aforementioned, it is expected that:

- The incentive for growth will put more housing in the system and ultimately result in less households on the waiting lists for public and community housing.
- Future community housing tenants can expect a more effective appeals mechanism if the landlords are not following the regulations or complying with standards, hopefully resulting in less dubious evictions or unfair treatment.
- Over time organisations will be required to be registered otherwise they will forfeit access to capital funding, state housing stock or land transfers
- This should bring a higher standard of service, more fairness, transparency, security and consistency in the treatment of community housing tenants across the state

Method of focus group discussion

- Assign groups of 4-6
- Designate a scribe and time-keeper for each group
- Read through discussion questions on page 3 of your handouts (5 min)
- Group discussion phase 5 minutes per question (Approx 45 min)
- Report back to main group.

What Do You think?

How is this relevant to your organisation / locality?

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 Community Housing Growth provider regulatory code)?

What Do You think?

How is this relevant to your organisation / locality?

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?



■ Questions

■ Summary and Closure