



PRE-BUDGET SUBMISSION TO WA STATE BUDGET 2017-18



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About Shelter WA

Our vision

Accessible, affordable, appropriate and secure housing and working towards the elimination of homelessness in Western Australia.

Shelter WA was founded in 1979 as an independent, community based peak body committed to accessible, affordable and secure housing for Western Australians, and to working towards the elimination of homelessness in WA. Shelter WA believes housing is a basic human right. Safe, secure and affordable housing is a key requirement for people to engage in work, maintain healthy relationships and fully contribute to society.

Shelter WA advocates for policy settings and responses that facilitate appropriate affordable housing options for low to moderate income earners, for those who are otherwise disadvantaged in the housing market or experiencing homelessness. This is done by strong collaboration with the not-for-profit housing and social services sector, government, industry bodies, business, the community and research institutions.

Shelter WA is a member of the National Shelter Council and a member of the Council to Homeless Persons Australia, and has a seat on the Board of Homelessness Australia. This national membership strengthens Shelter WA's capacity to represent Western Australia's interest through participation in research, policy advocacy and engagement in national debate.

Shelter WA is predominantly funded by the Western Australian Housing Authority and is appreciative of this support from the State Government.

Contact

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Definitions used in this submission

Social housing includes public housing properties managed by the State Government and community housing properties either owned by the Community Housing Provider or by the State and managed by a Provider. 'Housing stress' refers to housing that costs more than 30% of a household's income, specifically for households in the lowest 40% of income distribution. This is known as the 30/40 rule. 'Affordable housing' refers to housing which is affordable for low income households and for which they are paying less than 30% of their income.

Homelessness

9600
people experience
homelessness every
night in WA
(Census, 2011)

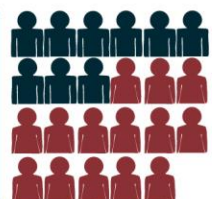


7000
people live in
insecure housing
(Census, 2011)



one step away from homelessness...

9000 MEN
14000 WOMEN
sought assistance from
homelessness services in WA
(AIHW, 2016)



1/3
of requests for homeless
support were not met due
to lack of accommodation
(AIHW, 2016)



Public Housing

18530
applications on the public housing wait list including
2283
with a priority need
(Housing Authority Annual Report 2015-16)

The average wait for accommodation is

153 WEEKS

(Housing Authority Annual Report 2015-16)



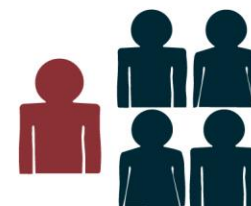
Over 2015-16, the public housing stock decreased by

241 DWELLINGS

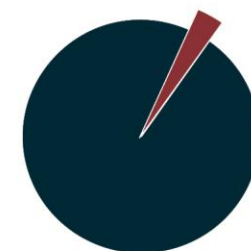
(Housing Authority Annual Report 2015-16)



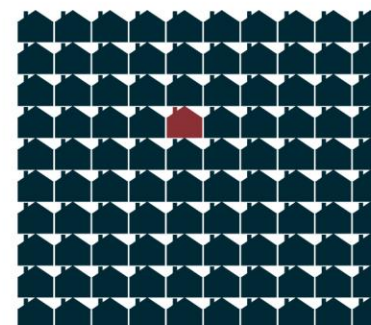
Housing Affordability



1 IN 5 renters aged 55+ are
in severe housing stress
(Keeping a roof over our heads BCEC
Housing affordability report, June 2016)



ONLY 3% of 52277 private
rentals in Perth are affordable to
those earning a low income.
(Housing Affordability (Rental) A Study for
the Perth Metropolitan Area 2016, Housing
Authority in Partnership with REIWA and
Shelter WA, November 2016)



ONLY 1% of
private rentals in
Perth are affordable to
those on government
income support
(Anglicare Rental
Affordability, Perth, April
2016)

Executive Summary

Housing insecurity remains an issue for many Western Australians. With 18,530 people on the public housing wait list, only 3% of private rentals affordable to people on low incomes, and 9,600 people experiencing homelessness every night, housing affordability and homelessness remain a key public policy issue for two key reasons: the effects that housing unaffordability has on the economy, society and individuals; and the failure of the market to correct these issues in a timely and efficient manner. By supporting Shelter WA's recommendations, the State Government could improve the lives of homeowners and renters facing housing stress, and the more than 9,600 people who experience homelessness each night in Western Australia, as well as reduce State expenditure and increase government revenue in line with its goal of reaching a budget surplus by 2020.

As outlined in the 2016-17 Western Australian State Government Budget, Western Australia is transitioning from a period of historic growth and expansion to a period of moderate growth. As conditions in the Western Australian economy moderate, there has been an incremental improvement in housing affordability. However, for the many Western Australians on low to moderate incomes, housing affordability remains a challenge. This is contributing to unmet demand for social housing¹. In 2015/16, 18,530 applicants were on the Housing Authority wait list, with an *average* waiting time for accommodation of 153 weeks². Despite the slow-down in the Western Australian economy, rental opportunities remain limited for those on low incomes, putting pressure on the social housing system³.

Research undertaken by the Australian Housing and Urban Research Institute (AHURI) indicates that appropriate housing assistance provides a pathway to independence, and enhances the health, education, and employment of individuals and families. It enables economic participation in society. Lack of appropriate and affordable housing and homelessness is a societal issue as not all the risks and consequences are borne by individual households⁴. Declining affordability has implications for economic performance and labour market efficiency, social cohesion and polarisation of cities, environmental considerations and the creation and distribution of wealth⁵. Lack of affordable housing affects us all.

In Western Australia, the market is not delivering the housing needs of the community, particularly for people on a very low to low income. Appropriate government intervention makes economic sense. Policy settings, including supply side interventions, such as innovative investment and partnerships with the community housing sector, to increase social housing stock are critical. So too are appropriate demand side subsidies and policy settings which do not distort private rental markets, entrench housing inequality or have an inflationary impact on housing markets.

Targeted government intervention is cost-effective, particularly when undertaken in conjunction with government investment in programs to prevent and reduce homelessness, and manage issues that lead to or exacerbate homelessness (i.e. mental illness, substance misuse, domestic and family violence). Investment in tenancy support programs, supporting people to minimise housing stress and prevent eviction, is cost effective.

A recent study by the University of Western Australia found that providing stable public housing for people experiencing homelessness could save the Western Australian health system more than \$16 million a year⁶. Investment in homelessness prevention and tenancy support provides significant savings to Government relative to funds spent on police, the criminal justice system, and health and hospital services.

Shelter WA acknowledges that the private sector is critical in assisting to deliver affordable housing. There are opportunities for the private sector to better respond to changing demographics and lifestyle needs, and deliver more diverse and affordable housing choice⁷. Also, to investigate and utilise new technologies, methods of construction and sustainable design principles that will deliver good quality affordable housing for people of all ages. Several recommendations in this submission, including land tax reform, social housing dwelling targets and targets for affordable housing in State Government land and housing developments, can support the private sector in their endeavour to deliver more affordable housing to market.

Acknowledgements

In preparing this submission Shelter WA sought input from its members and drew on the findings of contemporary research. A joint consultation forum and a webinar were hosted by Shelter WA and the WA Council of Social Service (WACOSS) in August 2016. These consultations, attended by sector representatives, advocates and people who have experienced homelessness, formed the basis of this submission. In addition, one on one consultations were undertaken with targeted Shelter WA members and stakeholders to gather their expertise and views on the issues. Shelter WA also referred to key State Government policy documents and consulted with the Housing Authority and the Department of Commerce in preparing this submission.

Shelter WA would like to thank the following for their input into this submission:

Aboriginal Health Council of WA	Shire of Augusta Margaret River
Access Housing WA	South West Australian Homeless People
Anglicare WA	St Bartholomew's House
Centrecare Inc	St Patrick's Community Support Centre
Chamber of Commerce and Industry WA	Swan Emergency Accommodation
Community Housing Industry Association	Tenancy WA
Community Legal Centres Association (WA)	The Salvation Army
Department of Commerce	Uniting Care West
Financial Counsellors' Association of WA	University of Western Australia, School of Population Health and Centre for Social Impact
Foundation Housing	Urban Development Institute of Australia
Housing Authority	WA Association for Mental Health
Margaret River Resource Centre	WA Council of Social Services
Murchison Regional Aboriginal Corporation	WA Local Government Association
Peel Community Development Group	Women's Council for Domestic and Family Violence Services (WA)
Real Estate Institute of WA	
Rise Network	
RUAH Community Services	

The Shelter WA Board, who have touchpoints across various organisations, also provided input and oversight of this submission.

Shelter WA Recommendations

Shelter WA recommendations include a mix of critical program and service funding, along with policy and legislative reform to meet the social and affordable housing needs of Western Australians on a low to moderate income, and people experiencing homelessness.

SOCIAL HOUSING INVESTMENT AND MANAGEMENT

- That \$250M is invested to ensure that 27% of the dwellings (minimum net increase of 2,700 houses) delivered as part of the State Affordable Housing Strategy's 2020 targets are social housing.
- That the State Government, in partnership with the community housing sector, develops a community housing growth strategy, which includes targets for long term management transfers as well as title transfers to Community Housing Providers.
- That \$15M is invested to develop a shared assessment framework and tenancy support system co-designed with the community housing and services sector.
- That State Government land and housing developments include a minimum of 15% affordable housing targeted at low-to-moderate income households.

TAX REFORM

- That the State Government commits to transition from property based stamp duties to a broad-based progressive land tax with exemptions, deferral and/or concessions for low income earners and seniors.

SUPPORTING AND PREVENTING HOMELESSNESS

- That the State Government takes a whole of government response to homelessness, establishing a new governance framework and targets to address need.
- That \$30M is invested in homelessness services, and that the State Government works to secure long term Commonwealth investment in homelessness services.
- That the State Government investigates the feasibility, in partnership with the community sector, of repurposing underutilised State assets to address accommodation needs of particular cohorts, including youth and seniors.
- That \$4M is invested for tenant advice and education services, and a new funding model developed that guarantees base line of funding net of fluctuations in the rental accommodation account.
- That an additional \$4M is invested in financial counselling services, to prevent financial stress and pathways to homelessness, including co-design of an integrated financial counselling model for regional areas.
- That \$20M is invested to construct two low barrier, short stay accommodation centres for Aboriginal peoples in the metropolitan area, with \$600K per annum for ongoing operating costs.

TENANCY REFORM

- That the *Residential Tenancies Act 1987 (WA)* is amended, in partnership with the community housing and tenancy sector, to include domestic violence tenancy provisions.
- That a review of the regulation of boarding and lodging accommodation is undertaken in collaboration with providers and tenant advocates to inform the introduction of new legislation that balances the rights and responsibilities of providers and those residing in boarding and lodging accommodation.
- That the State Government works with the sector to explore the feasibility of moving tenancy disputes to an independent Tribunal or the State Administrative Tribunal.

1 Why Government investment in housing makes economic sense

Inefficient housing markets can have widespread and lasting impact on economic productivity and the broader community. Access to appropriate, affordable housing is fundamental to economic growth and productivity and is a critical foundation for individual and community prosperity and wellbeing. Without shelter it becomes impossible for individuals and families to overcome broader social disadvantage by engaging in appropriate services. Investment in social and affordable housing leads to increased productivity, unlocks opportunity, and establishes a platform for efficient government service delivery.

Government investment in housing, coupled with appropriate policy settings, makes social and economic sense. A recent microeconomic and city/regional level research study by the Australian Housing and Urban Research Institute (AHURI) indicates that housing processes (e.g. construction) and outcomes (e.g. prices, quality and location) can affect economic growth at both individual and societal levels. High land and house prices, for example, may push businesses to locate in lower productivity areas without adequate services, and increase the cost of installing new infrastructure.

The costs of poor housing choices are not just borne by the individual, but by society⁸. AHURI research indicates that access to housing can affect health and education, and therefore labour market productivity⁹. Whilst housing provides shelter, it also influences a raft of non-shelter outcomes for individual households, such as workforce participation, access to jobs, essential services, social engagement, family stability and educational outcomes¹⁰.

Challenges and difficulties arise when people are forced into decisions resulting from housing stress. Examples include various forms of deprivation, from going without meals, essential medication and medical assistance, to children missing out on school activities or suffering disruption in education due to enforced household mobility resulting from financial stress¹¹. Some of the coping strategies employed (such as frequent moves) can contribute to reduced education outcomes, loss of support networks and a lack of social cohesion¹².

Health:

\$16M annual saving to the Western Australian health system by providing stable public housing for people experiencing, or at risk of homelessness:

- *\$13,273 saving per person per year for those supported on NPAH;*
 - *\$84,135 saving per person per year saving for NPAH mental health program recipients;*
 - *19.5% decrease in the proportion of people accessing hospital emergency department;*
 - *24.7% decrease in overnight hospital stays;*
 - *6-day reduction in length of hospital stays;*
 - *57.8% decrease in proportion of people accessing psychiatric care; and*
 - *8.4-day reduction in average length of psychiatric care stay.*
-

Prisons:

\$60,400 saving per person per year through social housing and support services:

- *\$128,400 per year to house a person in prison compared to;*
 - *\$65,000 per year to provide social housing and support services.*
-

In addition to affordable housing, well-designed social housing, with appropriate wrap around services, significantly reduces the costs to government of health and justice services, as well as community support services¹³. AHURI research found that providing stable public housing to people who had experienced homelessness could save the Western Australian health system more than \$16 million a year¹⁴. After allocation of public housing with appropriate homelessness supports, the number of people accessing hospital emergency departments, and the duration and frequency of hospital services use fell significantly. This reduction was most notable in emergency department admissions, duration of hospital stays and use of psychiatric services for those with severe mental health issues. AHURI research on the costs incurred by government in health and justice services shows that these are substantially greater than the costs of providing housing and support programs for people experiencing homelessness¹⁵.

Whilst housing provides shelter, it influences a raft of non-shelter outcomes for individual households, such as workforce participation, access to jobs and services, family stability and educational attainment.

Further, a Productivity Commission Report reveals that housing an adult in the Western Australian prison system costs government \$351.88 per day (\$128,436.20 per person per year)¹⁶ and almost three times that amount for a juvenile. In many cases, nuisance offences committed by people experiencing homelessness result in incarceration, and the recidivism rate for people released from prison into homelessness is twice that for people who have housing when released from prison¹⁷. On the other hand, housing a person in social housing for a year (including providing auxiliary support services) costs between \$55,000 and \$65,000¹⁸. The economic benefits from this aspect alone speak for themselves.

The costs incurred by government in health and justice services for people experiencing homelessness show that these are substantially greater than the costs of providing housing and supports to the same cohort of people.

Research points to preventable generational homelessness in that children who first experience homelessness at a young age are significantly more likely to experience persistent homelessness in adulthood¹⁹. Early intervention can prevent the cost of an ongoing cycle of homelessness. This is true of other vulnerable groups for whom investment in housing and service supports makes economic and social sense. For example, research indicates that access to appropriate, stable and affordable accommodation with appropriate levels of support geared to individual needs is of critical importance to assist people with mental illness to maintain successful housing outcomes²⁰.

It is critical that government investment is maximised. There are opportunities for innovation and efficiency gains, and to add more supply into the social and affordable housing system, through policy settings that leverages the expertise of community housing providers²¹. Further, evidence suggests that apart from cost savings to government, there are benefits for tenants in transferring social housing stock or management to community housing providers through greater tenant choice, responsiveness and greater accountability²².

Also from an efficiency perspective research indicates that Government, through property tax reform, could facilitate an increased supply of, and investment in affordable and social housing stock.

Harnessing the expertise of community housing providers will increase housing supply through innovation and efficiency gains.

The current economic climate of Western Australia offers an opportunity for Government to maximise investment in social and affordable housing at reduced cost, whilst providing a stimulus to the economy. A report prepared by KPMG for the Housing Minister's Advisory Council found that investing in social housing has a multiplier effect of 1.3 through increased employment and spending by the construction industry and its suppliers²³. Housing development is an important component of annual GDP (approximately 5%), and about 10% of the Australian workforce is employed in housing construction, real estate, and related industries²⁴. Housing approvals and commencements usually lead the business cycle, providing a useful indicator for economic policy makers. Due to the time required for housing construction, it also lags the business cycle, therefore acting as a useful counter-cyclical tool to keep the economy propped up during down periods. The Reserve Bank of Australia has stated that it hopes the housing construction sector will "take up the slack" as the mining construction sector shrinks from the investment/construction phase to the production phase.

With Western Australia's economic downturn, building costs have moderated, which could result in a two-pronged gain for Government; through developments at decreased construction rates to those available over recent years; and in boosting the construction industry, thereby lifting employment and stimulating the Western Australian economy.

2 Social housing investment and management

2.1 A net increase in the supply of social housing through increased and optimised State investment

In 2015/16, there were 18,530 applicants on the public housing wait list, including 2,283 with a priority need, and an average wait-turn allocation time of 153 weeks²⁵. The extent of demand is likely to exceed these published figures as Western Australia maintains the lowest income eligibility of any jurisdiction²⁶.

The number of public housing rental dwellings in Western Australia had declined.

Despite the demand for housing, the number of public housing rental dwellings in Western Australia has declined by 241 dwellings; from 36,644 in 2014/15 to 36,403 in 2015/16²⁷. Whilst some of this decline may be explained by asset transfers to the community housing sector, according to the Productivity Commission total social housing growth in Western Australia has been relatively flat with community housing stock in 2015 over 700 dwellings lower than in 2011²⁸.

The Housing Authority has taken positive steps to address the State's affordable housing needs. In 2015 it achieved the target set under the *Affordable Housing Strategy 2010-2010: Aiming Higher, (Aiming Higher)* to build 20,000 affordable homes by 2020, and endorsed a minimum target of 30,000 by 2020. Whilst 27% of the first 20,000 dwellings constructed were social housing, this did not lead to a net increase of 5,400 dwellings as some public housing was retired or sold off during this time. The Social Housing Investment Package (SHIP), is an important initiative under the Strategy to deliver 1,000

additional social housing dwellings by June 2017. It is critical that this results in a net increase in social housing dwellings.

Shelter WA is calling for a commitment to a minimum net increase of a *further* 2,700 social housing dwellings (or 27% of all new dwellings) delivered by 2020 as part of *Aiming Higher*. The mix of dwellings provided must be diverse to meet the lifestyle needs of the whole community including young people, seniors, single people and families.

There is a need to both increase and maximise State Government investment in social housing. From an efficiency perspective, Government should consider harnessing the community housing sector to generate new capital to increase supply. A recent inquiry by the Productivity Commission, indicates how competition and contestability could be harnessed by Government to increase supply, with the added benefit of increased support for tenants²⁹. This Government investment could be combined with the redevelopment of existing underutilised and declining Housing Authority assets, to increase both social and affordable housing in the State. There is the opportunity to look at new investment models, which is particularly important now given the Federal Government's support of new financing models to grow investment in affordable housing³⁰.

Recommendation

That \$250M is invested to ensure that 27% of the dwellings (minimum net increase of 2,700 houses) delivered as part of the State Affordable Housing Strategy's 2020 Aiming Higher targets are social housing.

2.2 A community housing growth strategy, with targets for long-term management and/or title transfers, developed in partnership with the sector.

In Western Australia, 80 per cent of social and public housing is owned and managed by the Housing Authority; with 20 per cent owned or managed by approximately 200 Community Housing Providers (CHPs)³¹. The Productivity Commission's *Report on Government Services 2014*, identified that Western Australia has the highest cost per public housing dwelling of all the mainland States³². Despite

Transfer of management to community housing providers is a key lever to stimulate social and affordable housing investment.

ongoing State Government investment, supply does not meet demand. There is an opportunity for government to utilise the community housing sector to drive new supply and inject new capital to increase the State's social housing stock. Research has indicated that non-government housing providers can respond quickly to the needs of tenants and be more flexible about how they manage their resources³³. Western Australia does not have a community housing growth strategy to unlock social housing growth potential.

Shelter WA believes that growth of the community housing sector will facilitate greater economies of scale enabling providers to attract private finance, and deliver efficiencies in stock provision, management and tenant support. Also, evidence indicates there are better outcomes for tenants as community housing tenants are generally more satisfied in relation to their housing arrangements than public housing tenants³⁴. This was reinforced by the Productivity Commission which highlights

that community housing providers often outperform public providers on some indicators including tenant satisfaction and property maintenance³⁵.

At present, there is a mismatch between the supply of affordable capital and the underlying demand for social and affordable housing. Improved access to capital is critical to address this challenge³⁶. Stock transfer of social housing to community housing providers, whether titled or management only, with leveraging commitments, have been identified as a key State Government lever to stimulate investment in social and affordable housing³⁷. AHURI research indicates that asset or title transfers will maximise the scope for community housing innovation and entrepreneurialism³⁸. Some CHPs are public benevolent institutions or Charities with Deductible Gift Recipient status, and therefore eligible for tax concessions and exemptions. This status maximises investment in this sector.

Whilst *Aiming Higher* includes a strategy to finalise and implement a Community Housing Sector Strategy (and associated initiatives that capitalise on the strengths of the not for profit sector and increase its delivery role) there is no strategic framework to guide growth. The Housing Authority has agreements with eight housing providers to deliver an additional 496 houses by 2020,³⁹ however the Community Housing Industry Association advises there is greater capacity by CHPs to accept further transfers and these transfers will be a catalyst for greater growth in housing stock.

There is a critical need to establish a strategy for ongoing collaboration between the State Government and the non-government housing sector to provide greater clarity to enable the sector to plan, invest, partner and innovate. This strategy needs to consider the benefits of large-scale stock transfers with clearly stated, measurable objectives, to ensure the additional social housing required to meet demand is developed and available to those in greatest need.

Recommendation

That the State Government, in partnership with the community housing sector, develops a community housing growth strategy, which includes targets for long term management transfers and/or title transfers to Community Housing Providers.

2.3 Develop a shared assessment framework and tenancy support system co-designed with the community housing and services sector

Providing support for people into and transitioning from social housing is critical for success. To maintain tenancies, people need access to appropriate housing and for some support services that meet their individual needs. Community Housing Providers conduct a full assessment of tenancy history, risk factors and support needs at the point of application. This enables early intervention for those who require tenancy support, improving outcomes for the individual and reducing cost to Government through targeted early intervention.

Targeted intervention for people requiring tenancy support improves outcomes for the individual and reduces cost to Government.

There is the opportunity for the Housing Authority, in partnership with other areas of government such as the Mental Health and Disability Services Commissions and the Department for Child Protection and Family Support, (to ensure the needs of specific cohorts are considered) and the

community housing and the social services sector, to co-design a shared assessment framework and joint waitlist. This could determine the tenants for whom the public housing system and its current level of support is appropriate and which individuals require more targeted support. This targeted, integrated housing support system will identify and facilitate the provision of specialist support to transition into and stabilise tenancies. It will provide a more coordinated and integrated model that supports long term stable housing outcomes.

Community housing providers have their own assessment framework to assess tenancy need. Building on these frameworks to develop a shared assessment framework at the point of registration, and co-designing a more targeted and integrated housing support system, will provide benefits to government by targeting appropriate resources to where they are needed. This budget request includes funds for the development and implementation of the assessment framework including the tools and technology needed and piloting and evaluating the approach.

Recommendation

That \$15M is invested to develop a shared assessment framework and tenancy support system co-designed with the community housing and services sector.

2.4 A return of a minimum of 15% social and affordable housing specified from the disposal of state assets

The State Government is under pressure to provide an increasing number of services within a constrained budget and has identified State assets to be sold. When this has happened in other jurisdictions, many sites have been lost from public ownership without a true assessment of their cultural, environmental or social significance to the public.

Sales of public realty assets should be considered carefully taking into consideration best use, including social outcomes, for Western Australians. The sale of any State assets should be considered in the context of the State Affordable Housing Strategy which states that all government land and housing developments must include a minimum of 15% affordable housing targeted at low-to-moderate income households.

No expenditure is required to put this measure in place; however, there may be a minimal impact on the budget in terms of foregone revenue due to caveats on the sale of State assets to include the requirement for 15% affordable housing over extended time periods. The benefits to the State far outweigh the minimal loss in returns from asset sales, by increasing the amount of affordable housing.

There is the opportunity for the State Government to work with the Community Housing Sector to ensure that this policy is implemented to maximise social and affordable housing outcomes through the disposal of State assets without compromising the policy intent.

Recommendation

That State Government land and housing developments include a minimum 15% affordable housing targeted at low-to-moderate income households.

3 Tax Reform

3.1 Stamp duty replaced with a broad based, progressive land tax

Tax receipts from stamp duties and land tax are an important source of revenue for the State Government. Whilst tax policies can be effective tools to promote suitable housing supply and encourage affordable housing investment, they can favour and protect existing asset holders, create barriers to new entrants into the housing market, limit new supply, restrict movement in the housing market, and stimulate demand, contributing to higher house prices.

Current land tax arrangements introduce inefficiencies into housing markets.

In Western Australia, housing affordability is impacted by current tax arrangements that distort the use of land and buildings in ways that impair the efficient operation of housing markets⁴⁰. Shelter WA believes that property tax can be reformed to deliver government revenue requirements whilst removing distortions to the housing market.

AHURI research indicates that stamp duties have a detrimental impact on residential mobility, housing affordability and efficient use of the housing stock. Replacing stamp duty with a broad-based land tax could contribute to the following positive outcomes: downward pressure on house prices; faster development of old industrial sites; easier entry to home ownership for first home buyers; increased supply of private rental accommodation; a reduction in the number of taxes; and removal of a barrier to labour mobility⁴¹. In addition, there are debt issues with stamp duty payments if stamp duty is included in overall mortgage repayments adding to the mortgage cost and repayments over its term, and effectively increasing the amount of stamp duty paid to excessive levels as a result of interest paid on the loan.

Current land tax arrangements introduce inefficiencies into housing markets by distorting the allocation of land between alternative uses. Land taxes are levied on the unimproved capital value of investment residential land, but exempt land used for owner occupied housing. These arrangements favour home owners relative to landlords. Also, land tax may negatively impact on renters as they bear the burden of the existing land tax through higher rents. As tax arrangements are progressive and based on aggregated land holdings, this may be a disincentive to the holding of optimal portfolios of land and weaken the revenue raising capacity of the tax adding to the economic cost per dollar of land tax revenue. This was identified by the Australian Council of Social Service, National Shelter, the Community Housing Federation of Australia, Homelessness Australia, and the National Association of Tenant Organisations in their *An Affordable Housing Reform Agenda*, which outlines the advantages of replacing stamp duty with a broad-based land tax⁴².

The Henry Tax Review believed the case for land tax reform was strong enough to warrant the following key recommendations;

The abolition of stamp duties on all property transactions; the levying of land tax on all land; and levying land tax using an increasing marginal rate schedule applied to unimproved capital values, with the lowest rate being zero and thresholds determined

according to per m2 value in order to tax more valuable land at higher rates; levying land tax on a per land holding basis, not on an entity's total holding, to promote investment in land development⁴³.

Shelter WA proposes the abolition of stamp duty, to be replaced with a broad-based land tax. The lower cost of entry into the property market will be offset over time by annual land tax payments paid by owners. This configuration of lower up-front costs and higher future tax payments may suit people who are at a stage in their income cycle where high up-front costs (e.g., deposits) are unaffordable.

Changes to stamp duty and land tax will require a transition period to consider the impact on current home owners, who have already paid stamp duty. To ensure ongoing affordability, considerations will need to be made for low income households during both the transition period and in the ongoing implementation of a broad-based land tax. This could be done by progressively structuring the land tax with exemptions for lower value properties, and/or basing concessions on household income. This will be particularly important for seniors who may live in an area with high value land, but do not have access to sufficient income to pay an annual land tax. This reform will need to be designed in consultation with key stakeholders to fully understand the implications, and implemented with care to effectively manage change.

Recommendation

That the State Government commits to transition from property based stamp duties to a broad-based progressive land tax with exemptions, deferral and/or concessions for low income earners and seniors.

4 Supporting and preventing homelessness

4.1 A new National Partnership Agreement on Homelessness and continued State investment for specialist homelessness services

The Western Australian Homelessness statistics are sobering. In 2014-15, there were 17,387 unassisted requests for homelessness services in Western Australia, nearly 48 per day⁴⁴. Of those who received assistance, 62 people per day were not having all their identified needs met⁴⁵. The most common reason for this is agencies not having available accommodation, with more than 24 requests per day not being met⁴⁶. This impact is felt across regional and metropolitan areas, with the Kimberley, Pilbara, Goldfields, Perth city and Stirling areas accounting for almost half of the people experiencing homelessness in this State⁴⁷.

There is a critical need for long term, secure funding certainty for services that support people to transition into stable housing, stabilise their tenancies, engage in employment and training, and build support and social networks. The Department for Child Protection and Family Support's *Homelessness in Western Australia* Strategy Paper

states that a long-term strategic homelessness plan will be developed with input from all stakeholders⁴⁸. There is a critical need for a whole of government response to homelessness with a governance framework and targets to address need.

There is a critical need for a whole of government response to homelessness.

Current funding levels are below the levels required to meet client demand for homelessness services. Outcomes perceived as most constrained by the current level and mix of funding are client employment and access to permanent housing⁴⁹.

Research indicates that early intervention, prevention and an integrated service approach is critical to break the cycle of homelessness⁵⁰. To be effective, integrated post housing support must target specific needs, including for people with a disability, those exiting supported accommodation and institutional care, people with mental health issues and/or mental illness, women and children experiencing family and domestic violence, seniors and young people.

One of the key drivers of homelessness is eviction from a tenancy. People in this situation who have limited options, often stay with relatives or couch surf, putting those tenancies at risk through issues associated with overcrowding. There is a need to ensure there are appropriate assessment tools to identify where issues such as domestic or family violence or mental illness are impacting on a tenancy, and to assess the tenant's capacity to fulfil their obligations. It is also important to ensure there is an appropriate early referral process for tenants, to support them to maintain their tenancy, and avoid eviction whenever possible. Critical too is the provision of appropriate transitional housing options so people who are evicted don't enter a cycle of homelessness, or impact on other tenancies. There is a need for Government to explore the feasibility of using underutilised State assets to address accommodation needs of people evicted from social housing and unable to access alternative housing, to break the cycle of homelessness. There is also a need to develop more innovative solutions for integrated service models to prevent homelessness, and support people who are experiencing homelessness into sustainable tenancies.

Early intervention, prevention and an integrated service approach are critical to break the cycle of homelessness.

Net of the social benefit, investment in addressing homelessness makes economic sense as outlined earlier in this submission. Recent research indicates that housing, coupled with appropriate wrap around services, significantly reduces the cost to government of health, community, and justice services⁵¹.

The National Partnership Agreement on Homelessness (NPAH) has allowed service providers to deliver innovative services to those most disadvantaged in our community. NPAH has been an important catalyst for improving service delivery and providing clients with intensive case management, including linking clients and their children to mainstream services such as education, training, employment, counselling and supports for relationship, domestic violence, mental health and drug and alcohol issues.

Homelessness in Western Australia

- *Over 9,600 people experience homeless every night*
 - *30% accessing homeless services are under 18*
 - *33% of requests for homeless support are not met due to a lack of accommodation*
 - *Is highly spatially concentrated with the Kimberley, Perth city, Pilbara, Goldfields and Stirling areas accounting for almost half of the people experiencing homelessness.*
-

Whilst the Federal Government has confirmed ongoing NPAH funding to June 2018, the funding level is inadequate to meet increased need, and to fund existing services. Shelter WA advocates for the State to prioritise this issue in its engagement with the Commonwealth, but at the same time asks that the State commits its own additional resources to provide longer term certainty to allow this work to continue. Indexation levels for homelessness services should be maintained, in line with additional funds to the Equal Remuneration Order, without impacting on the number of services in the State, so services meet demand in this climate of increasing economic difficulty for Western Australians.

The short-term nature of NPAH has limited the capacity of service providers to invest and plan.

Addressing homelessness in Western Australia will require an ongoing State investment distinct from the bilateral agreement with the Commonwealth. Investment is needed for both service provision and capital expenditure particularly as there was no allocated funding for capital works in the extensions of NPAH by either the State or Commonwealth Governments.

Recommendations

- **That the State Government takes a whole of government response to homelessness, establishing a new governance framework and targets to address need.**
- **That \$30M is invested in homelessness services, and that the State Government works to secure long term Commonwealth investment in homelessness services.**
- **That the State Government investigates the feasibility, in partnership with the community sector, of repurposing underutilised State assets to address accommodation needs of particular cohorts, including youth and seniors.**

4.2 Reinstate funding for tenancy advice and education services

Tenancy advice and education services (TAES) are facing a 25% reduction in funding from January 2017⁵². These services, funded from the interest on the Rental Accommodation Account (REA), provide for a specialist tenancy service, Tenancy WA, and tenant advocates in local services across Western Australia. This reduction is driven by the prolonged period of low interest rates, impacting on the available REA funds from the Bond Account.

This funding reduction is occurring at a time when there is growing demand for services, in part due to the shifting economic climate, a changing labour market and increased job insecurity and unemployment in Western Australia. At a time of financial insecurity, it is critical that people can access tenancy advice and education services, to prevent eviction and minimise the risk of homelessness.

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Net of this reduction, existing funding is not sufficient to meet tenancy advice or casework demands. For example, under current funding levels, the Tenancy Advice Service was only able to respond to 53% of calls to the state-wide telephone advice line.

Reduced funding means more people will be unable to access advice to resolve tenancy issues. The consequence may be increased eviction if tenants are not able to successfully resolve tenancy issues. Also, Duty Advocate programs at some Courts are at risk of being reduced, as local services experience increased financial pressures. Funding for Aboriginal tenant advocacy services, which provide services across regional Western Australia, has previously been cut partly on the basis that the TAES program met this need. With the very substantial reduction to TAES funding, there is a likelihood this service will not be available to those most in need.

Shelter WA is calling for agreed base-line funding for critical TAES services, net of fluctuations in the Rental Accommodation Account. It is recommended the State Government works with the sector to explore and identify other solutions to de-risk funding for tenancy advice and education services.

Recommendation

That \$4M is invested for tenant advice and education services, and a new funding model developed that guarantees base line funding net of fluctuations in the rental accommodation account.

4.3 Reinstate funding for financial counselling services

Access to free, independent, confidential financial counselling is critical to prevent financial stress and pathways into homelessness. The current economic climate, with changes to the labour market and to work security, makes it even more critical that people have access to this professional advice. Investment in these services makes economic sense. Research undertaken by the University of Adelaide found that financial counselling services generated \$5 benefit for every dollar spent⁵³.

In June 2015, the Department for Child Protection and Family Support announced \$1.5 million in cuts to financial counselling services, effectively defunding all state-funded face to face metropolitan financial counselling services from October 2016. In response to concerns from the community sector, the public, the banking sector and Local Government, the State Government reconsidered its position. There was some reinstatement of funds and the transfer of program responsibility to the Department of Local Government and Communities along with a co-design approach with the sector for a metropolitan financial counselling services model.

Regional financial counselling services were initially shielded from the 2015/16 cuts with an additional twelve months' funding secured. These regional services were not part of the co-design process. The conditions under which they operate are different to the metropolitan area and there is the opportunity to co-evaluate and co-design the service model to ensure it remains responsive and appropriate for service users.

Current demand for financial counselling outweighs service availability. There are not enough financial counsellors to meet consumer need. In 2016 the network is expected to turn away over 6000 clients.

Recommendation

That an additional \$4M is invested in financial counselling services, to prevent financial stress and pathways to homelessness, including co-design of an integrated financial counselling model for regional areas.

4.4 Deliver two low barrier short stay accommodation facilities for Aboriginal peoples in the metropolitan area

There is an urgent need for low barrier, short stay accommodation facilities for Aboriginal visitors to the Perth metropolitan area. Aboriginal peoples travel from their traditional lands or from regional areas to the metropolitan area or other regional centres for many reasons, and this often results in significant numbers of Aboriginal peoples from Country sleeping rough or staying in overcrowded dwellings.

Aboriginal hostels are unable to cater to these visitors, because of the size of family groups or for other reasons, including their distance from health and other facilities. For those who travel for medical treatment or to accompany family, the Patient Assistance Transfer Scheme is not responsive to the needs of these family groups for appropriate accommodation, nor to the realities that many patients have addictions, which may have led to their medical conditions and from which they are unable to abstain simply because of an allocation of short-term accommodation. For people in this situation low barrier accommodation is required while they access treatment, to minimise the incidence to exposure through lack of short-term accommodation.

It is critical that Aboriginal patients do not become 'lost' in the system when travelling to Perth for medical reasons. This could be addressed by tracking patients and assisting in the coordination of their journey, ensuring they can find suitable accommodation during their time in Perth. Individual Aboriginal Community Controlled Health Services and other services have sought to address this through their own initiatives, but this approach has not been funded consistently throughout Western Australia. This could be addressed through funding of a state-wide coordination role based in Perth.

To maximise utilisation, this accommodation must be Aboriginal community controlled, culturally appropriate and provide the opportunity for client feedback and evaluation to ensure compliance with the accommodation's founding objectives and principles.

Government investment in short stay accommodation facilities in Kalgoorlie and Derby have assisted to address illegal camping, antisocial behavior and illness associated with people travelling to these towns and sleeping rough because of a lack of suitable accommodation. These facilities have enabled government and community service providers to better support the needs of Aboriginal peoples. Investment allocated in the 2016/17 State Government budget to construct a short stay facility in Broome with up to eighty beds for Aboriginal peoples visiting Broome is welcome by Shelter WA. There is also a need for similar facilities in two Perth metropolitan areas.

Recommendation

That \$20M is invested to construct two low barrier, short stay accommodation centres for Aboriginal peoples in the metropolitan area and \$600K per annum for ongoing operating costs⁵⁴.

5 Tenancy reform

5.1 Amend the *Residential Tenancies Act 1987* (WA), in partnership with the community housing and tenancy sector, to include domestic violence tenancy provisions

Family and domestic violence is the leading cause of homelessness for women and children⁵⁵. There are a range of social benefits for women remaining in their own home⁵⁶, including preventing homelessness and interruptions to education for children.

Family and domestic violence is the leading cause of homelessness for women and children.

The *Residential Tenancies Act 1987* (WA) (RTA) is the primary legislative instrument which regulates the relationship between owners (lessors) and tenants in WA. Reform of the RTA is required to ensure persons protected by a Violence Restraining Order have an exclusion clause, the ability to stay in the rented premises or leave the tenancy. The provision of a legal avenue for a person to remain in their home provides genuine protection against homelessness, for victims of domestic and family violence and their children. Similarly, a legal avenue to terminate a tenancy, limit liability and finalise tenancy obligations makes it more viable for victims of family violence to find new accommodation.

Shelter WA was pleased this reform was a significant issue identified by the Department of Commerce in the 2016/17 State Government Budget Papers⁵⁷, and an options paper released in October 2016 which proposes changes to the RTA to complement the Restraining Orders and Related Legislation Amendment (Family Violence) Bill 2016 recently introduced into State Parliament. This reform will bring Western Australia in line with all other Australian jurisdictions which provide some form of rights in tenancy matters to victims of domestic violence, particularly when protected by a restraining order.

In Western Australia, the options available to persons protected in the RTA⁵⁸ are limited to termination due to undue hardship⁵⁹ and recognition of certain persons as tenants⁶⁰. The legislation does not recognise family and domestic violence, and the options available do not consider the urgency when a person protected is applying for termination of a tenancy.

In Western Australia, if a person obtains a Violence Restraining Order (VRO) which excludes the partner from the home, there is no clear means to vary the tenancy, and the parties are left in the position where the excluded person has ongoing contractual obligations to pay rent, but the restraining order denies the excluded person the benefits of the tenancy agreement. This often leads to conflict, increasing the risk to the person protected. The current arrangements provide no straightforward mechanism for the outstanding liabilities to be apportioned if there are rent arrears or damage to the property.

If a person obtains a VRO and flees the property and is a tenant on the lease, that person has ongoing liability for the rent and has liability for damage caused to the house regardless of whether the damage was caused by them. The hardship provisions provide some remedy in this situation, but require further proceedings in addition to VRO proceedings and are not specifically targeted to domestic violence cases.

Shelter WA believes that the current statutory environment impinges upon landlords' interests. The lack of specific provisions for variation, termination or vesting of the lease in circumstances of domestic violence exposes landlords to the risk of the one tenant no longer paying rent due to fleeing the home or being excluded by a restraining order. The landlord may face lengthy notice periods and potential Court proceedings to seek a remedy despite the obvious breakdown of the tenancy. The lack of facilitative provisions creates uncertainty and fosters conflict. Many landlords and real estate agents may wish to 'do the right thing' and support a tenant who is a victim of domestic violence, but are reluctant to get involved in a dangerous situation, and may be unsure about what to do to support a successful resolution. Specific provisions for variation, termination and vesting of tenancies through straightforward proceedings provide a safer remedy.

There are times when victims of domestic violence and children cannot remain in the property. It is therefore recommended that there are provisions not only for victims of domestic violence to remain in the property but also specific provisions to facilitate victims of domestic violence leaving the property, ending their liability in the tenancy.

The cost of applying for a new rental for many people is high: four weeks' bond, two weeks rent in advance and the "option fee"⁶¹. There are also costs involved in setting up a new tenancy, utility connections, removalist fees and potentially the cost of buying furniture. These costs are more difficult to meet with an ongoing liability for rent in the previous tenancy, or a large liability for damage caused by the perpetrator. Also, people who have left a violent partner can experience discrimination when applying for rentals in the private market as highlighted by the Australian Domestic and Family Violence Clearinghouse's submission to Consolidation of Commonwealth Anti-Discrimination Laws Discussion Paper⁶². For those who cannot afford to enter the private rental market there is the option of public and community housing; however, there is a long waitlist for this type of accommodation.

Every other Australian State provides some form of rights in tenancy matters to victims of family and domestic violence, particularly when protected by a restraining order. These domestic violence provisions are in line with policy changes that shift from the historical belief that the victim, who is often caring for children, needs to leave whilst the perpetrator remains in the property. Other States are reviewing their current reforms and Western Australia can benefit from the findings of these reviews.

Recommendation

That the *Residential Tenancies Act 1987 (WA)* is amended, in partnership with the community housing and tenancy sector, to include domestic violence tenancy provisions.

5.2 New regulations for boarding accommodation in partnership with the community housing and tenancy sector.

All other Australian jurisdictions provide a level of protection for boarders and lodgers, with some including prescriptive requirements around minimum standards for boarding accommodation.

The current legislation relating to Western Australian boarding houses is limited to the enforcement of public health requirements and some requirements under local government by-laws. There is currently no specific legislation governing the general rights and responsibilities of the provider and boarder, leaving people to rely on common law principles and the specific terms of their contract, where there is one in place.

There is a need to develop new boarding house legislation in Western Australia. This new legislation must balance the need for consumer protections with the ability for providers to manage their properties flexibly. There are many ways to implement new boarding laws including through stand-alone legislation, amendments to the *Residential Tenancies Act 1987* (WA), standard form agreements and/or codes of conduct. There is the opportunity in developing new boarding laws to consider several issues relating to their scope⁶³.

Critical to any reform will be consultation with stakeholders to fully understand the impact of any changes, and a time-frame for implementation. An evaluation framework to measure impact and to determine whether the reforms have ensured desired outcomes will be required. Also, critical to this reform will be establishing processes to ensure ongoing compliance by accommodation providers. This may involve working to improve the management and quality of the accommodation provided, along with effective use of enforcement provisions to ensure all boarding providers are operating in accordance with new standards.

It is hoped new legislation or regulations will not only secure better protections and outcomes for boarders and lodgers, but also facilitate innovative affordable housing solutions by the community housing and private housing sectors.

Recommendation

That a review of the regulation of boarding and lodging accommodation be undertaken in collaboration with providers and tenant advocates to inform the introduction of new legislation that balances the rights and responsibilities of providers and those residing in boarding and lodging accommodation.

5.3 Explore the feasibility of a Tribunal to address tenancy disputes

Unlike other Australian states, Western Australia does not have a specialist Tribunal to deal with tenancy disputes under the *Residential Tenancies Act 1987* (WA) (RTA)⁶⁴. The Magistrates Court of Western Australia has exclusive jurisdiction to deal with any matter under the RTA for a claim less than \$10 000 (a 'prescribed dispute')⁶⁵.

A tenant or owner can make an application to the Court for various orders including restraining a breach of an agreement and requiring performance⁶⁶. Proceedings are intended to be private, informal and efficient. The rules of evidence do not apply and, in general, the parties are required to present their own case⁶⁷. Agents or legal practitioners may represent parties in certain circumstances, such as where the court deems that one or both parties can not personally conduct proceedings⁶⁸. However, these circumstances are limited and the court will not grant leave if it believes allowing representation will disadvantage the other party.

Also, the Court has the power to initiate conciliation at any time before or during proceedings. Where the Court considers there is a reasonable possibility of settlement, it may interview the parties in private and endeavour to bring about a fair settlement. The negotiations during this process are without prejudice. There is no appeal process, except where a party argues they were denied natural justice, or that the court lacked jurisdiction⁶⁹.

Although the Magistrates Court has special procedures to facilitate informal proceedings, the fact that it is still within a court system may deter potential litigants from pursuing their grievances⁷⁰. The Department of Commerce's Policy Report of the Review of the *Residential Tenancies Act 1987* (WA) identified that the court system can be formal and intimidating to those unfamiliar with it, and that Court processes are time consuming and can be complex and even incomprehensible for some people⁷¹.

The Department of Commerce's Policy Review also reported that most respondents supported the establishment of a residential tenancies tribunal to replace the current dispute resolution system⁷². Respondents argued that a Tribunal, with expert adjudicators, would promote a more conciliatory approach and encourage typically reluctant tenants from attending hearings⁷³. Moreover, this Review concluded that parties should be allowed to be represented by an agent regardless of their ability to represent themselves. However, the general exclusion of legal representatives was supported as one of the key planks of informality⁷⁴.

Regardless of the professed informality of the Magistrates Court, research indicates that there are essentially no advantages to not having a tribunal, whilst there are several disadvantages including;

- Magistrates have no specialized knowledge of residential tenancies law;
- The physical spectre of the 'court' detracts from the informality of proceedings; and
- The court has a large workload and high turnover of cases⁷⁵.

Both owners and tenants in the Department of Commerce Review contended that a Tribunal would enable experts in residential tenancy matters to effectively adjudicate disputes and promote a more conciliatory approach to dispute resolution, and both groups suggested that tenants would be more likely to attend a tribunal than a formal court⁷⁶.

Tenant advocates and community housing providers continue to raise concerns with tenancy matters being heard at the Magistrates Courts. Concerns include the delays for final hearings and the quality of conciliation at pre-trial hearings which impacts on the quality of the outcomes achieved.

Since the 2008 Review of the *Residential Tenancies Act 1987* (WA), the State Administrative Tribunal has been established. Shelter WA recommends that the feasibility of moving tenancy disputes to an independent residential tenancies tribunal or the State Administrative Tribunal is investigated to determine if this remains a better alternative to the current dispute resolution system.

Recommendation

That the State Government works with the sector to explore the feasibility of moving tenancy disputes to an independent Tribunal or the State Administrative Tribunal.

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- 56 *Residential Tenancies Act 1987 (WA)*, Section 74 Termination of agreement where lessor or tenant would otherwise
suffer undue hardship
- 56 *Residential Tenancies Act 1987 (WA)* Section 59C Recognition of certain persons as tenants
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- 56 ADFVC submission [http://www.ag.gov.au/Consultations/Documents/ConsolidationofCommonwealthanti-](http://www.ag.gov.au/Consultations/Documents/ConsolidationofCommonwealthanti-discriminationlaws/Consolidation%20-%20Discussion%20Paper%20-%20Family%20Violence%20Clearinghouse%20-%2031%20Jan%202012.PDF)
[discriminationlaws/Consolidation%20-%20Discussion%20Paper%20-%20Family%20Violence%20Clearinghouse%20-](http://www.ag.gov.au/Consultations/Documents/ConsolidationofCommonwealthanti-discriminationlaws/Consolidation%20-%20Discussion%20Paper%20-%20Family%20Violence%20Clearinghouse%20-%2031%20Jan%202012.PDF)
[%2031%20Jan%202012.PDF](http://www.ag.gov.au/Consultations/Documents/ConsolidationofCommonwealthanti-discriminationlaws/Consolidation%20-%20Discussion%20Paper%20-%20Family%20Violence%20Clearinghouse%20-%2031%20Jan%202012.PDF)
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- 58 Western Australia. *The Residential Tenancies Act 1987 (WA)* Retrieved from
https://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrttitle_821_homepage.html
- 59 *Residential Tenancies Act 1987 (WA)* Section 74 Termination of agreement where lessor or tenant would otherwise
suffer undue hardship
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- 63 Preliminary feedback from the sector indicates there is confusion as to what is a tenancy or boarding arrangement.
There is often uncertainty when negotiating and managing boarding agreements as to what laws apply; many
accommodation providers are exploring new ways to develop accommodation for their residents and need clarity on
what laws will apply in each case. There is also a need to exclude some specific forms of accommodation from the
ambit of new boarding laws. Whilst there is a necessity to ensure parties have sufficient flexibility to contract, there is
a need to ensure that WA boarders and accommodation providers have some standard form of minimum protection
underpinning their arrangements. This could include standard rights and responsibilities and look at issues such as
house rules, security bonds, provider disclosure and terminations. For example, it is critical when a condition of staying
at a lodging house is compliance with house rule requirements, (such as no alcohol etc.) that service providers can
exercise these controls and end lodging arrangements when people are in breach of these rules and potentially
impacting other residents' quiet enjoyment. At the same time, there is a requirement to review and introduce new
minimum standards that require boarding accommodation to be provided in a safe, secure, accessible and generally
good condition. In addition, it would be useful to consider the current State and local government planning and
approval processes facing developers and investigate opportunities to reduce red tape.
- 64 Queensland, Northern Territory and Western Australia are the three jurisdictions which do not have a specialized
Tribunal to deal with disputes under their Residential Tenancies Acts.
- 65 Residential Tenancies Act, 1987 (WA) Section 12
- 66 Op Cit, Section 15(2)
- 67 Op Cit, Section 21 and 22
- 68 Op Cit, Section 22 (2) and (3)
- 69 Op Cit, Section 23
- 70 Bradbrook, A.J. Residential Tenancies Law - The Second Stage of Reforms (1998) 20 (3) Sydney Law Review 402, 402.
- 71 Western Australia, Department of Commerce, Policy Report, Review of the *Residential Tenancies Act 1987 (WA)*,
January 2008, page 165
- 72 Op Cit, page 168
- 73 Op Cit, page 168
- 74 Op Cit, page 170
- 75 Bradbrook, A J, Poverty and the Residential Landlord and Tenant Relationship (1975) AGPS, Canberra, Ch 1, Sackville,
R, Law and Poverty in Australia (1975) AGPS, Canberra, ch3.
- 76 Western Australia, Department of Commerce, Policy Report, *Review of the Residential Tenancies Act 1987 (WA)*,
January 2008, page 168