

“Don’t knock down the housing ...
use government taxes to **build more housing**.” Maria

“I have friends, doctors, shops around here and
it is my home. I would be really upset to have to move.” John



“I have **always paid my rent**.

I don’t understand why that money hasn’t been spent on repairing my flat.” Bill

“It’s a **good place to live** and I can’t afford if
they move me out.” Alby

“People need housing,
need a **caring system**.” Entissar

**“If you want to keep housing commission
sustainable, put money into it.”**

Shane

“I feel that this government is **secretly selling off public
housing** land without prior knowledge of tenants.” Levent

“
[Public] housing allows me to sustain and **meet the basic
needs of my family** and myself.” Maria

“The discussion paper ... could have been done a little bit more sensitive, a little bit **more
time to talk about it**.” Sandra

“
To be more independent, I would like
**better public transport, better
childcare services,** and better and
cheaper access to healthcare.” Ying

“**Repair
housing** funded by
the government.” Maria

Kingsford Legal Centre
Submission to NSW Government
Social Housing in NSW

20 February 2015

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¹ This submission was informed by Kingsford Legal Centre's consultation with local public housing tenants. We coordinated and delivered this workshop with KLC students, Will Drolz-Parker and Vanessa Trang, in partnership with Julie Spies from Kooloora Community Centre. Will Drolz-Parker and Sasha Kisrwan also processed tenants' individual submissions and comments to send to the Government and for inclusion in this submission.

Recommendations

1. The social housing system should be grounded in a human rights framework and value the important contribution of public housing and tenants to the wider community.
2. The NSW Government should address the root causes of homelessness and housing stress, taking into account the particular needs of vulnerable groups.
3. The NSW Government should undertake genuine and inclusive consultation with social housing tenants about any proposed changes that will affect them.
4. The NSW Government should increase funding to Kooloora Community Centre, and other community-based centres, to support tenants and provide a base for wraparound services.
5. The NSW Government should address private housing affordability, including by working with the Commonwealth Government to increase Rent Assistance.
6. Housing NSW should provide a safety net to tenants leaving public housing.
7. Priority for public housing should be given to the most vulnerable people, including people that are financially vulnerable.
8. Housing NSW and community housing staff should be provided with regular and adequate training in providing services for vulnerable tenants and tenants with disabilities, particularly tenants with a mental illness.
9. Housing NSW and community housing providers should be required to consider a person's circumstances before seeking to end a tenancy.
10. The NSW Government should increase funding to community and health services, and Housing NSW should refer tenants struggling with maintaining their tenancy to these services.
11. Housing NSW should take a conciliatory, evidence-based approach to addressing problems with tenant behaviour.
12. The NSW Government should administer social housing in collaboration with other government services, and ensure that social housing tenants receive the necessary social, medical and mental health support they require to maintain successful tenancies and create positive communities.
13. The NSW Civil & Administrative Tribunal should maintain its discretion when dealing with terminating tenancies on the grounds of 'illegal use'.
14. Housing providers should only consider private rent to be "affordable" if it does not exceed 30% of the household's total net income, taking into account personal debts and the particular needs of the person.
15. Housing NSW and community housing staff should attend training about domestic and family violence, including training about the evidentiary requirements necessary to apply for priority housing.
16. Occupants who have experienced family or domestic violence should be given the right to apply to be recognised as a tenant.

17. Rent for social housing should be charged using an income-based system.
18. The NSW Government should establish a low cost, user-friendly independent body that has the power to review decisions made by Housing NSW and community housing providers and make binding decisions.
19. The NSW Government should increase funding to tenancy advice and advocacy services by \$5.2 million per annum, and continue to increase funding in line with the increase in the number of tenants in New South Wales.
20. The NSW and Commonwealth governments should double its funding to the legal assistance sector to address the access to justice crisis.
21. The NSW and Commonwealth governments should increase their budget in order to provide adequate social housing.
22. Housing NSW should address costly inefficiencies within their service provision and management.
23. The NSW Government should fund the repair of public housing stock to ensure that properties do not fall into a state of disrepair.
24. The NSW Government should engage in genuine consultation with public housing tenants on proposals to sell off stock in their communities.
25. Any plan to sell off public housing should include a public commitment to increase public housing stock and rehouse existing tenants in the same area.
26. The NSW Government should maintain and manage a significant and viable housing stock.
27. All social housing tenants should be able to access Ombudsman and judicial review.

Summary

This submission is based on Kingsford Legal Centre's experience in representing, advising and working with social housing tenants in the Randwick and Botany Local Government, and on our own consultation with over 40 local public housing tenants. We have included quotations and case studies from local tenants at our consultation, as well as case studies from our clients.²

We recognise that there are significant problems with the availability and maintenance of social housing and welcome the opportunity to make a submission. However, we believe that **a different framework is needed** for considering this. The social housing system should be grounded in a human rights framework and recognise the valuable role of public housing in contributing to social cohesion. The strains on the system cannot be fixed in isolation; the root causes of homelessness and housing stress must also be addressed.

Greater independence for tenants could be achieved through providing holistic, community based services. Wraparound services should be based within existing, successful community centres, such as the Kooloora Community Centre at Malabar NSW. The Government should recognise the important contribution that centres like Kooloora currently make to supporting tenants and communities, and increase funding to these centres. The Government must also address affordability of private housing to make transitioning out of public housing a real option, and must provide a safety net to tenants who have exited housing.

A fair social housing system gives priority and additional support to the most vulnerable tenants. It takes into account an individual's circumstances and provides a compassionate response to people who are in need. Anti-social or illegal behaviour should be addressed with a conciliatory, evidence-based approach, rather than a punitive approach. Eligibility restrictions based on access to the private rental market should be realistic and take into account an individual's full financial circumstances. Barriers for women escaping violence should be removed so that victims can access and maintain safe housing. Rent for all tenants should be based on income. A fair system should also include adequate accountability and oversight mechanisms, and access to appropriate funded tenants advocacy and advice services, and community legal centres.

Adequate funding is essential in creating **a sustainable social housing system**. A 'cost neutral' response is inappropriate. Housing is a human right and the NSW Government is obliged to realise this right to the maximum of its available resources. This means allocating more funds to the provision of social housing to ensure it meets the needs of our most vulnerable communities and individuals. Cost savings could also be made by improving management of social housing, and keeping housing stock in a good state of repair. If public housing stock is sold to generate revenue, it should be accompanied by genuine consultation with tenants at an early stage, and a commitment to increase public housing stock and rehouse existing tenants in the same area. Increasing the role of community housing providers is not the answer to addressing the public housing crisis as this would reduce the accountability of social housing providers.

² Client case studies have been de-identified and do not use the client's real name. Quotations and case studies from our consultation are used with the participants' permission. In some cases that tenant's name has been changed at their request.

About Kingsford Legal Centre

KLC is a community legal centre that has been providing legal advice and advocacy to people in need of legal assistance in the Randwick and Botany Local Government areas in Sydney NSW since 1981. KLC provides general advice on a wide range of legal issues, including housing matters, and undertakes casework for clients, many of whom live in public housing, are homeless or are at risk of becoming homeless.

KLC also has a specialist employment law service, a specialist discrimination law service (NSW wide) and an Aboriginal Access Program. In addition to this work, KLC also undertakes law reform and policy work in areas where the operation and effectiveness of the law could be improved.

There are almost 2,000 public housing tenants living in the Randwick and Botany Local Government areas. In 2014 KLC provided 165 advices in relation to tenancy law, which was over 7% of all advice provided (2245 advices). Of the advice provided in 2014, over 39% of people advised rented in the private market, 18.5% lived in public housing, 4.7% boarded and 11 people identified as homeless.

We work closely with Kooloora Community Centre and provide an outreach legal advice service at Kooloora. In 2014 we provided 42 advices at the Kooloora outreach, of which 79% were for public housing tenants. 93% of clients at the outreach reported low or no income; 17% identified as Aboriginal and/or Torres Strait Islander and 43% identified as having a disability. Tenancy was the largest single area of advice at this outreach at 25% of all advices.

Methodology: KLC's Social Housing Forum

On 5 February 2015 KLC held a forum for social housing tenants at the Kooloora Community Centre. KLC has staffed an outreach clinic at the Kooloora since 2013 and has established strong links with the centre and its local community. KLC's ties to Kooloora and its community places us in a strong position to work with social housing tenants and help make their voices heard.

At the forum KLC outlined the NSW Government's plans for social housing and provided participants with support in responding to these plans. In particular we offered participants choice in *how* they could respond. Participants had the choice of an:

- online submission
- handwritten submission
- video recording

We offered this choice because not all social housing tenants feel comfortable using a computer and/or they struggle to express themselves in writing. We also believe it is important the NSW Government see and hear directly from social housing tenants. They are not statistics. They are real people with personal histories of struggle and hardship.

We developed a series of resources to help participants at the forum understand the contents of the Discussion Paper and the questions asked (see Appendix). These resources included:

- a four-page summary in plain-English of the 70-page Discussion Paper
- a paper version of FACS' online submission form, with questions recast in plain-English
- tips for how to make a video or written submission

Over 40 social housing tenants attended the forum. We gave a brief presentation on the Discussion Paper and how the submission process works. Three KLC staff and five KLC law students assisted participants to make 10 video, 2 online and 4 handwritten submissions. These have been sent to you as separate submissions.

We obtained permission from many of the participants to use their stories in this submission. We have changed the names of some participants at their request.

General comments about the proposal and consultation

A different framework is needed

"I think [the framework] needs to be taken into account that there are a lot of people living in housing commission who are the backbone of volunteer work, in this state."

Shane, public housing tenant

"You can't put a dollar value on [people], so you write them off, but they have great value. ... They contribute to their neighbours in so many ways. There's a perception that you live on public housing and everybody's crime ridden and it's horrible but that's not my reality of it. I know my mum has great neighbours who she looks after, who look after her, you know there's a great community so, and that's something we will fight to hold on to, and they will fight to hold on to. ... Just value these people."

Denise, KLC worker and former public housing tenant

We recognise that there are significant problems with the availability and maintenance of social housing and welcome the opportunity to make a submission. However, we believe that a different framework is needed for considering this.

First, the right to safe, secure and affordable housing is a human right.³ As such, the social housing system should be grounded in a human rights framework.

Second, the social housing system should recognise the valuable role that public housing plays in contributing to the social cohesion of the community. Tenants told us about their own work and the work of their neighbours, friends and families in supporting and building their local communities.

Case study: Elsie (consultation participant)

Elsie is an Aboriginal woman living with a disability. She and her son were homeless before moving into public housing in Malabar in 2000. She is on the disability support pension and can't afford market rent. With a permanent home and local supports, Elsie and her son are able to contribute valuably to their wider community.

Elsie's son finished school at a local high school, and works full-time while also caring for Elsie. Elsie has continued to work in the community helping children with homework help, teaching scriptures at the local school, working for a community group and supporting young families. She drives people to doctor and hospital appointments. She was on the management committee of her local community centre and continues to assist them with their newsletter.

Elsie says that her local networks and support systems are very important and that life would be very difficult for her and her neighbours if they were moved. They look out for one another. When her son is away, her neighbours support her and care for her.

Third, the root causes of homelessness and housing stress must be addressed. The strains on the public housing system cannot be fixed in isolation. More investment is needed in improving health, education, employment support and responses to domestic violence. Further, a more nuanced analysis and response is needed to address the particular

³ Universal Declaration of Human Rights, Article 25(1); International Covenant on Economic, Social and Cultural Rights, Article 11.

circumstances and needs of different groups, including Aboriginal and Torres Strait Islander people, people living with disability, people from culturally and linguistically diverse backgrounds and women escaping domestic violence. We note the absence of any gendered analysis or disaggregated data in the discussion paper.

KLC recommends that:

1. The social housing system should be grounded in a human rights framework and value the important contribution of public housing and tenants to the wider community.
2. The NSW Government should address the root causes of homelessness and housing stress, taking into account the particular needs of vulnerable groups.

Inadequate consultation process

“The discussion paper ... is causing everybody a lot of worry, and a lot of feeling of being a little insecure, which I think is quite unacceptable. I do think we do have to change our system but it has to be done in a way where but it has to be done in a way where people who are most at risk are not felt threatened. ... [It] could have been done a little bit more sensitive, a little bit more time to talk about it, and make people understand what it’s about, and it just is a real worry that the policies can change people’s lives forever. We have to think of their well-being.”

Sandra, public housing tenant

“You need to come down here and talk to [tenants]. This isn’t good enough. ... You need to come down and talk to them because they’re the people affected, they’re the people whose lives who can be shattered by whatever decisions you make, so some really substantial community consultation with people whose lives are affected please.”

Denise, KLC worker and former public housing tenant

The NSW Government needs to improve their consultation processes to make them more accessible to tenants, and to support tenants’ understanding and involvement in the process. Tenants told us that they were scared about the consultation and what it means for them. They said it was difficult for them to engage in the process because:

- the discussion paper was difficult to read due to its length and language;
- they were not comfortable with making a written submission as they weren’t sure what to say or how to write it; and
- there weren’t any local consultation sessions and they couldn’t get to ones that are further away.

A genuine and inclusive consultation process would involve meeting with and talking to tenants who will be affected by changes to public housing. Adequate time for responding is also necessary. The short timeframe for response to the discussion paper, combined with the Christmas holidays, made it very difficult for community organisations and tenants to engage in the process.

KLC recommends that:

3. The NSW Government should undertake genuine and inclusive consultation with social housing tenants about any proposed changes that will affect them.

Pillar 1: Independence

“Independence, I think needs to be addressed case-by-case. There are people that can’t work; there are people who can work, of course.”

Shane, public housing tenant

Holistic, community based services are needed

“We’re fortunate in having this community centre down here ... I’ve seen such great development in having the sustainable gardens and all the things round here: the children’s groups, the holiday programmes and the work with all the old people doing exercise programs. Doing programs with the elderly you know, doing Scrabble and things like that, and just keeping our community newsletter going, and just all the services that are available to this community around here.”

Elsie, public housing tenant

“Kooloora community centre has been an excellent support for housing New South Wales tenants.”

Anna, public housing tenant

“We get very limited funding and obviously we target on supporting people through difficult times. One family that I’m thinking of, their mother ... left the children with the grandmother. They had a fairly tumultuous upbringing. Being supported by Kooloora, both of the children ... they’ve achieved ... they’ve finished their apprenticeship and are working and contributing to society, and that’s what we should be doing. We should be actually looking at getting that outcome of people being able to contribute fairly effectively to the wider community.”

Julie, coordinator, Kooloora Community Centre

Tenants told us about the value of holistic services based locally in their community at the Kooloora Community Centre. We welcome the NSW Government’s commitment to develop a range of services to connect social housing tenants with employment, education, training and other community engagements, as well as its commitment to strengthening partnerships with non-government agencies.

The work of Kooloora Community Centre is an example of the valuable role that local community centres can play in building local communities, supporting tenants to become more independent, connecting tenants to crucial services and facilitating tenants’ contribution to the wider community. It does so with very little and tenuous funding (less than \$200,000). Kooloora’s strong relationship with its local community provides an entry point for other services, such as Kingsford Legal Centre, to connect to tenants.

Case study: Kooloora Community Centre

Kooloora Community Centre was established in 1994. Its objective is to identify significant needs within the local community and coordinate and deliver services which meet those needs. It provides a safe and accepting environment for aged, needy and isolated people. Kooloora is embedded in the Bilga Crescent, Malabar, public housing estate and services clients who live in 5 of the major estates in our catchment: South Maroubra/Coral Sea; Bilga Crescent Malabar; Soldiers Settlement; Namatjira and Mirrabooka.

It receives funding from Randwick City Council, and is housed and supported by Housing NSW. It is also supported through the ClubsNSW program. Its annual budget is under \$200,000.

Kooloora is a thriving community centre, with an estimated 18,000 people coming through its doors each year. It offers individual crisis support, providing residents with access to information, advocacy and referrals. Kooloora responds to local needs with comprehensive programs of community development and participation.

The Centre supports families in financial need through the administration of the Energy Account Payment Assistance (EAPA) scheme and the distribution of vouchers. Kooloora has formed a team of volunteers which works with families to provide basic financial planning as well as advocating for people with relevant agencies.

Kooloora runs a wide range of other programs including a community garden, computer classes, fitness for seniors, play group, vacation care for primary school children. Services offered include a fruit and vegetable co-op, and help with completing tax returns.

Kooloora also hosts a KLC legal advice outreach every second Friday. This outreach highlights the important role community centres, such as Kooloora, play in assisting local community legal centres to offer legal services to the most disadvantaged clients. These clients often struggle to attend KLC's regular services at its UNSW-based office. Clients attend the outreach because they trust Kooloora and its committed workers. Partnerships such as these are crucial to providing wraparound services to public housing clients.

Kooloora provides all of these services with very limited and tenuous funding. It does so through dedicated and committed staff, and the generous contribution of the local public housing tenants who volunteer their time to Kooloora to sit on its management committee, maintain the Centre and its gardens, make and serve meals, run the vegetable co-op and assist with other services.

The excellent work of Kooloora was recognised by the NSW Parliament in a unanimously supported motion commending its work. As the Member for Maroubra stated in his address to the NSW Parliament:

One of the things that people who make public policy have to grapple with is the social cost of programs like this one that run on a shoestring. You can keep putting police on the street but a couple of hundred thousand dollars more in each electorate for community centres like this would help young people to grow up and stay out of trouble. It protects families from falling apart and becoming social problems. The programs and centres actually save money. It is a false economy not to fund them. I know the Government will treat the motion in a bipartisan manner and I thank members for listening this morning.⁴

KLC recommends that:

4. The NSW Government should increase funding to Kooloora Community Centre, and other community-based centres, to support tenants and provide a base for wraparound services.

⁴ Michael Daley, New South Wales, Legislative Assembly, *Parliamentary Debates (Hansard)*, 4 April 2012 at 10670.

Affordability of private housing

"I really can't afford it afford to go if you move me."

Alby, public housing tenant

"I'm still on Centrelink disability I still can't afford to access the market rent out their especially in this area from paying \$98 a week you have to pay something like \$500 a week for a place like mine in this area and that's just not affordable for anyone in my circumstance."

Elsie, public housing tenant

Tenants told us that the high price of private housing means they cannot afford to move out of public housing. Housing is particularly unaffordable in areas where jobs are available. In addition, competition for property is intense and anyone on a Centrelink income, such as older people, young unemployed people, single parents, people exiting prisons and people with disabilities, face extreme difficulty obtaining private rental accommodation. In the communities in which we work, there is also fierce competition with many well-resourced domestic and international students who are seeking accommodation near the university.

Commonwealth Rent Assistance has not increased proportionately to the increase in renting costs. Between 2000 and 2005, rents in the private rental market increased by an average of \$64 per fortnight compared with an average increase in Rent Assistance by \$18.⁵ Further, Rent Assistance does not account for the differences in rental costs in different locations. For example, private renters in Sydney, an area with high rental costs, are eligible for the same maximum Rent Assistance as renters in areas where the average rent is much lower.

Most clients who are reliant on social security are finding it incredibly difficult to secure private and/or public housing.

KLC recommends that:

5. The NSW Government should address private housing affordability, including by working with the Commonwealth Government to increase Rent Assistance.

Support for tenants exiting public housing

If I had to leave the housing commission due to work, it would be difficult to move back in once I stop working and go back on the pension. This makes it hard because people don't know what will happen. This will put me back to square 1 with my depression and health issues. I see specialists for my health issues once a month already and do not need these extra problems.

Bruce, public housing tenant

I can probably work two three years, no more, what should I do after I leave housing department?

Maha, public housing tenant

Tenants told us that a barrier to leaving public housing was the fear of not being able to get back in again if things didn't work out. Tenants were also concerned about what happens when you are too old to work. Programs to support tenants out of public housing should provide a safety net to support them if things don't work out.

KLC recommends that:

6. Housing NSW should provide a safety net to tenants leaving public housing.

⁵ Yates, Judith for the Brotherhood of St Laurence, 'Tax expenditure and housing' Australian Housing and Urban Research Institute' (2009).

Pillar 2: Fairness

“A society is judged on how the poorest in our society are treated, and we really don’t do that very well, and I really think that we should be supporting the least of our brothers and sisters as much as we can.”

Julie, coordinator, Kooloora Community Centre

Priority and support for vulnerable tenants

“In my opinion the old people, the sick, the pensioner, the disabled and people with low incomes are eligible. Single parents too.”

Ahmad, public housing tenant

“The aged should get more priority for housing, as well as families with disadvantages, for example single mums and dads, with this should come assigned local workers to create pathway plans to work with young people and employment to break the cycle, and allow for other people to move in creating a cycle of sufficient support.”

Maria, public housing tenant

I think the government should continue to supply housing to people in need. Priority housing should be there for families, and especially people that are single and have got no support from families, and I think children are suffering because they don’t have their own homes having to share with other people.... I see a lot of young mothers today that have had broken relationships and the children are the ones that end up suffering because, they learn to sleep in a one bedroom or in a lounge with their mum, and they’re just losing all concept of having their own security, home security.

Elsie, public housing tenant

Tenants told us that the most vulnerable people should get priority in accessing public housing. In particular, they identified people living with disabilities, the elderly, sick people, single parents and people with low incomes.

In KLC’s experience, vulnerable tenants also need more support to maintain their tenancies and are at greater risk of being evicted into homelessness. We see clients living in public housing with significant disabilities who often struggle to maintain their tenancies and are not provided with any additional support from Housing NSW or referral to appropriate services.

Case study: Sen (client)

Sen is 30 years old. His mother was an alcoholic and was murdered when he was 18 years old. He suffers from anxiety, panic attacks and other psychiatric disorders. He engages in sex work to fund his drug and alcohol addiction.

Neighbours assaulted him in his public housing complex. People began staying in his public housing unit without his permission. Fearful of them he left his unit for a period of time. When he returned his unit was trashed.

Housing NSW evicted him from his property and he is now homeless and ineligible for public housing because he breached his residential tenancy agreement.

The Housing NSW policy, which determines that former Housing NSW tenants are ineligible for public housing, does not adequately take into account the tenant's circumstances. In our experience, it serves to entrench discrimination and disadvantage against people with extremely complex needs who should not be excluded from public housing.

Case study: Sebastian (client)

Sebastian is over 80 years old and lives with a vision impairment and significant mental illness. His English is limited. He lived in a Housing NSW flat with his partner, who was also his primary carer. The lease for the flat was in his partner's name. While in hospital for treatment his partner took out an interim AVO against him which meant that he could not return to the flat. He did not have any family he could stay with. The Hospital's Social Worker became aware of the housing situation, but could not extend his stay at the Hospital. The Social Worker and KLC assisted Sebastian to apply for social housing in his own right, but Housing NSW advised that it could be over a year before he was found a place to live. Sebastian was offered limited emergency housing in motels, but this eventually ran out. He began to sleep in parks or on friends' couches.

KLC advocated on Sebastian's behalf with Housing NSW, and co-ordinated support letters from medical professionals and social workers. Because of his age, disability and basic English he was unable to do this himself. After daily contact from KLC for over three weeks Housing NSW eventually offered him the lease to a unit. In the mean time he experienced more than a month of homelessness sleeping in parks, friends' couches or hospital, a truly appalling situation for an elderly blind man.

Community services have often become the services of last resort for public housing tenants who are facing significant difficulties in their lives, and are often inadequately resourced to deal with the complexity of the issues these clients face.

KLC recommends that:

7. Priority for public housing should be given to the most vulnerable people, including people that are financially vulnerable.
8. Housing NSW and community housing staff should be provided with regular and adequate training in providing services for vulnerable tenants and tenants with disabilities, particularly tenants with a mental illness.
9. Housing NSW and community housing providers should be required to consider a person's circumstances before seeking to end a tenancy.
10. The NSW Government should increase funding to community and health services, and Housing NSW should refer tenants struggling with maintaining their tenancy to these services.

Approach to anti-social or illegal behaviour

Tenants told us that anti-social behaviour can cause tensions within their community. We acknowledge that this is an issue that needs to be addressed. In doing so, Housing NSW should take a conciliatory, evidence-based approach to any perceived problems with tenant behaviour, rather than a punitive approach. Social housing should be administered in collaboration with other government services, and social housing tenants, must receive the necessary social, medical and mental health support they require to maintain successful tenancies and necessary to create positive communities. In our experience, this does not currently happen. It has been well documented that while public housing is now only available to people with more complex needs, there has been no associated service strategy to assist in the provision of housing to this group. Likewise, Housing NSW does not administer and service this group with any real expertise in dealing with the complex issues faced by their

tenants, and instead often takes a punitive rather than a health approach to issues such as mental illness.

We are concerned that the NSW Government may be considering a punitive ‘three strikes’ policy. There is no evidence that suggests that a ‘three strikes’ policy will result in less anti-social behaviour. If it were introduced, it is likely that it would lead to more evictions and increased homelessness. Instead, we recommend that Housing NSW refers tenants who are struggling to maintain their tenancies to community and health services, and that the NSW Government provides resources to community and health services for this work.

We are also concerned about proposed changes to the law that may lead to tenants with convictions for drug offences facing eviction and homelessness. We do not support any proposal that compels the NSW Civil & Administrative Tribunal to terminate tenancies on the ground of ‘illegal use’ of the premises. The Tribunal needs to have discretion in how it deals with these applications. KLC has experience in advising clients in relation to the current ‘illegal use’ provisions, and it is our view that Housing NSW should first attempt to negotiate with its tenants to resolve these problems rather than automatically applying to the Tribunal.

KLC recommends that:

11. Housing NSW should take a conciliatory, evidence-based approach to addressing problems with tenant behaviour.
12. The NSW Government should administer social housing in collaboration with other government services, and ensure that social housing tenants receive the necessary social, medical and mental health support they require to maintain successful tenancies and create positive communities.
13. The NSW Civil & Administrative Tribunal should maintain its discretion when dealing with terminating tenancies on the grounds of ‘illegal use’.

Eligibility requirements for public housing

We welcome the NSW Government’s commitment to review eligibility requirements. Shrinking public housing eligibility is making it extremely difficult for some of our vulnerable and disadvantaged clients to secure and maintain adequate housing. Tightening the eligibility for housing is not helping to reduce the number of people on the waiting list for housing. Rather, it increases the number of people experiencing housing stress in the private market, forces people to live in unstable housing arrangements and drives more people into homelessness. We are particularly concerned about current eligibility policies relating to affordability of private rental, and women escaping domestic violence.

In our experience, eligibility restrictions based on **findings that applicants can resolve their need in the private rental market** are unfair and unrealistic, and put people at increased risk of homelessness. Under current Housing NSW policy, applicants are considered to be able to afford private rental accommodation if there are private properties that would cost 50% of their income in rent. This is despite all recognised housing affordability measures placing housing affordability at 30% of a person’s income. The policy also fails to consider the real financial circumstances of applicants by excluding factors such as debt, and whether an applicant is actually able to secure a private property, which for many people on low income is extremely difficult. This is especially the case for people with specific housing needs, including people with disabilities and people who require housing in a particular locality (for proximity to medical services or schools) or for people with poor private rental histories.

We also see women clients who are **escaping domestic and family violence** and are urgently looking for a safe home for them and their children. Even women who rely solely on a Centrelink income are unlikely to be eligible for priority housing, unless they or their children have multiple disabilities. Domestic and family violence is one of the leading causes of

homelessness in Australia, and women. It is essential that women escaping domestic violence can access affordable and safe housing and that barriers towards doing this are removed.

One such barrier is the excessive documentary evidence of domestic violence that Housing NSW often requires of victims seeking to access priority housing. For example, Housing NSW has required our clients to provide evidence that the perpetrator has been charged with a domestic violence offence before approving priority housing, even though their policy, which sets out the evidence requirements for priority housing, does not require evidence of charges or convictions. These evidentiary expectations are inconsistent with the common understanding that victims of domestic violence are often reluctant to report violence to the police because they fear the violence will escalate.

We have also advised victims of domestic violence who have difficulty sustaining their public housing tenancies due Housing NSW policies that do not allow them to apply to be recognised as a tenant.

Case study: Martha (client)

Martha is 66 years old and had been living in public housing for the past 25 years with her abusive husband. Her husband was the tenant and she was an authorised occupant.

After Martha's husband left her, she found out that he was running several businesses. Martha doesn't have any access to profits from the businesses. Her sole source of income is the aged pension.

Martha applied to remain living in the property, however her request was denied because Housing NSW recognition as a tenant policy does not apply in circumstances of family breakdowns.

Martha was not eligible to be housed elsewhere either because her husband ran a business, even though she did not have access to any of the profits of the business and could not afford to rent in the private market.

Housing NSW "Changing a Tenancy Policy" does not allow vulnerable victims of domestic violence who are not tenants to apply to remain living in the property. This policy is inconsistent with the rights that people living in private rental accommodation have under the *Residential Tenancies Act* to apply to be recognised as a tenant, and with NSW Government programs, such as *Staying Home Leaving Violence*, which recognises the right of victims of domestic violence to stay in their home.

KLC recommends that:

14. Housing providers should only consider private rent to be "affordable" if it does not exceed 30% of the household's total net income, taking into account personal debts and the particular needs of the person.
15. Housing NSW and community housing staff should attend training about domestic and family violence, including training about the evidentiary requirements necessary to apply for priority housing.
16. Occupants who have experienced family or domestic violence should be given the right to apply to be recognised as a tenant.

An income-based rent system

"The rents should be based on income of course. If someone gets less, pays less and if gets more, then they must pay more! As it is now! ...The rate of rent is fair at the moment, so the way it is going, if becomes more, it will hurt many people financially and mentally."

Ahmad, public housing tenant

"I've been living here now for 14 years I wouldn't like to be moved from this area because of the network that I have and the support systems that I've made since I've been here."

Meena, public housing tenant

"An income-based system I think is a fair system. If you put it on a base where you, a suburb base, or an area base, and you pay rent according to that suburb, I think that would be totally unfair and not workable. It would discriminate against people that have lived in the eastern suburbs for 30 years and then we'd have to pay double the rent. That is unacceptable, you could not do that, it would not work. It would create more poverty than we already have."

Sandra, public housing tenant

Tenants told us that they thought an income-based system was a fair system for setting rents. They were concerned that charging higher rents for more sought after areas would create a barrier to gaining independence, and that this was contradictory to the aims in Pillar 1. Employment, health and education services are often better in highly sought after areas closer to the city. They also expressed concerns about moving people away from their communities and support systems and thought that this was likely to have a negative impact on tenants' health and wellbeing.

KLC recommends that:

17. Rent for social housing should be charged using an income-based system.

Inadequate accountability and oversight mechanisms

We often see clients who are dissatisfied with a Housing NSW decision but they are unable to access an enforceable review mechanism. The lack of enforceability can deter tenants from using existing review mechanisms, such as an internal review or an appeal to the Housing Appeals Committee. When tenants do proceed with a Housing Appeals Committee appeal, Housing NSW is not obliged to implement the resulting recommendations. A fair system should include an enforceable mechanism to review decisions.

KLC recommends that:

18. The NSW Government should establish a low cost, user-friendly independent body that has the power to review decisions made by Housing NSW and community housing providers and make binding decisions.

Funding for tenants advocacy and advice services and community legal centres

In a fair housing system, tenants can access free services to provide them with advice and advocacy on enforcing their rights as tenants. Tenancy advocacy and advice services, and community legal centres provide invaluable advice, advocacy and education to tenants. Having access to advice and assistance reduces the risk of homelessness, creates a more efficient housing system and contributes to community cohesion. Tenants know their rights and the rights of their neighbours, and potential issues can be addressed as early as possible.

Funding for tenancy advocacy and advice services has not increased in real terms in 12 years, despite a 25% increase in tenants in that time. Funding to many community legal centres has been cut in recent years and many centres are anticipating cuts in the next 12 months. This will seriously impact on community legal centres capacity to advice, represent and educate tenants about their rights. Community Law Australia estimates that over half a million Australians miss out on legal help each year, primarily because it costs too much.⁶ This number will increase with cuts to funding.

KLC recommends that:

19. The NSW Government should increase funding to tenancy advice and advocacy services by \$5.2 million per annum, and continue to increase funding in line with the increase in the number of tenants in New South Wales.
20. The NSW and Commonwealth governments should double its funding to the legal assistance sector to address the access to justice crisis.

⁶ Community Law Australia, 'Five-Point Plan to fix legal access crisis', <http://www.communitylawaustralia.org.au/five-point-plan-to-fix-legal-access-crisis/>, accessed on 20 February 2015.

Pillar 3: Sustainability

“If you want to keep housing commission sustainable, put money into it”

Shane, public housing tenant

Adequate funding for social housing

“Don’t knock down the housing ... use government taxes to build more housing.”

Maria, public housing tenant

“The only way you can make the system fairer is to invest more in a system.”

Denise, KLC worker and former public housing tenant

“I think government ... spend a lot of money for military purpose. They spend 70 million a day. It’s better to spend this money to take care of people, poor people, or people who get disadvantaged.”

Entissar, public housing tenant

“Money needs to be put into the system, maintenance needs to be done, there is far too much maintenance left in housing commission until it becomes a huge problem and a costly problem. So have staff that can work that out. You know, it’s not brain surgery.”

Shane, public housing tenant

KLC does not support a cost neutral approach to the funding of social housing. The NSW Government needs to make funding of social housing a priority and not step away from its obligations to adequately house those in need. Housing is a human right and the NSW Government is obliged to realise this right to the maximum of its available resources.⁷ This means allocating more funds to the provision of social housing to ensure it meets the needs of our most vulnerable communities and individuals.

Tenants told us they do not accept there is not enough money to adequately fund social housing. They believe it is a matter of governments – both NSW and Commonwealth – getting their priorities right.

Tenants also told us that the NSW and Commonwealth governments need to look at the bigger picture of how it collects and distributes its revenue. There is widespread concern that the tax breaks and welfare given to businesses, middle class and wealthy people remain untouched, yet the housing which provides security to low income people is under threat.

Tenants feel that the NSW government does not acknowledge that social housing is a welfare measure, in the same way that social security benefits are a welfare measure. Although views differ on the detail, governments accept that people who cannot find work or who are unable to work should receive basic income support. It is accepted that a proportion of government expenditure must be allocated for this purpose. Similarly, Government need to accept that a proportion of its expenditure must be allocated to adequately house people who would otherwise be homeless or live in dire poverty in private rental accommodation.

If the Government continues to tightly target social housing to those most in need the income from rent will remain fixed. This is because the vast majority of these tenants rely exclusively on Centrelink payments. It is not possible to providing adequate housing within the envelope of this tightly controlled revenue stream.

⁷ General Comment 15 of the United Nations Committee on Economic, Social and Cultural Rights.

Tenants have told us it is misguided to regard the adequate funding of social housing as a cost burden. As set out above, providing vulnerable people with security, both in terms of their housing and their finances, produces long term social benefits. Reducing the availability of social housing places more stress on people struggling to make ends meet, leading to pressure on other services, such as the health system.

KLC recommends that

21. The NSW and Commonwealth governments should increase their budget in order to provide adequate social housing.

Better management of social housing

"I have lived in public housing for over 30 years and I have always paid my rent. I don't understand why that money hasn't been spent on repairing my flat."

Bill, public housing tenant

My stove kept throwing out all the electricity in this block, and the Department of Housing sent out the same electrician 10 times at \$125 a pop, which is the callout, the usual callout fee for an electrician, and every time he'd leave, I'd turn on the stove, it would throw the electricity out again. Until, in the end I rang the maintenance line and they said to, like point it out to them, that an upright-stove, electric stove is only \$595 and they'd already spent over \$1000. Sending people out to fix a problem that in the first place should have been replaced. It's common sense. I know that a lot of people don't have common sense these days, and common sense is not a common thing, but, don't get me on my soap box please.

Shane, public housing tenant

Improvements in the management of public housing stock will generate savings. Resource constraints and mismanagement have led to repairs on public housing not being carried in a timely manner – or at all. As a consequence a significant proportion of public housing has fallen into disrepair. Fixing housing which falls into disrepair is more expensive than making regular and timely repairs to maintain housing to an acceptable standard. In addition, the value of public housing stock depreciates the longer it remains in disrepair, getting to a point when it more beneficial to sell the property than repair it. The underinvestment in public housing has meant that when housing stock is sold, it is rarely replaced with the same amount of housing stock, which again puts more pressure on the public housing system, people needing to access to public housing and people living in public housing.

Mismanagement of services, such as spending more money fixing a household item than it would cost to purchase it new, wastes public money, which could be spent elsewhere in the service of social housing tenants. Inefficiencies within Housing NSW's processes also create additional costs in people hours and depreciation as housing stock falls into disrepair. In requesting repairs, maintenance or modifications for disability Housing NSW tenants have to deal with a long chain of people and organisations. A tenant will first speak to a Housing NSW Customer Service Officer. They may then deal with a staff member from NSW Land and Housing Corporation as the Asset Manager. NSW Land and Housing Corporation will request work to be done by a principal contractor. The principal contractor will then sub-contract the work. The sub-contractor will attend the tenant's home. If the tenant perceives any problems with the work, or if the sub-contractor does not attend as arranged, or attends without arrangement, the tenant has to make their way along the chain of parties to try and sort out the problem.

KLC recommends that

22. Housing NSW should address costly inefficiencies within their service provision and management.

23. The NSW Government should fund the repair of public housing stock to ensure that properties do not fall into a state of disrepair.

Publicly owned housing stock

"I don't believe in knocking down flats in areas like Malabar and move us to other areas. I have friends, doctors, shops around here and it is my home, and I would be really upset to have to move. It would hurt my health."

John, public housing tenant

"I feel that this government is secretly selling off public housing land without prior knowledge of tenants. They are going on about it with silly pamphlets they put everywhere which disclose nothing about the housing sell-off, or public housing relocations, nothing like that is in in any pamphlet. ... I just want to say that if the government is planning to sell off these public lands to private developers, they should show and tell everybody the facts and figures. When they're going to do it who they're going to do it to."

Levent, public housing tenant

Tenants told us that they are fearful of proposals to sell off public housing stock. They feel that they have not been genuinely consulted about this, and that are worried that they will be forced to move from their local communities and that housing stock will be reduced.

Moving tenants away from their areas will destroy the close community connections they have built up over a long period of time. It contributes to the isolation of tenants who live alone. The lack of clarity around plans to sell off housing stock is generating incredible stress in communities as they contemplate an uncertain future. Public housing tenants have not been told if or where they will be moved to and it is unknown whether they will be charged the same level of rent.

Selling public housing is not a solution to the perceived crisis in funding. In light of the 'cost neutral' approach favoured by the NSW Government, it is likely a sell-off will not necessarily lead to more public housing, but will have a very detrimental effect on existing public housing tenants. This is an opportunity to increase public housing in the area and profits from selling public housing should be invested into increasing public housing stock.

KLC recommends that

24. The NSW Government should engage in genuine consultation with public housing tenants on proposals to sell off stock in their communities.
25. Any plan to sell off public housing should include a public commitment to increase public housing stock and rehouse existing tenants in the same area.

Community housing

The Discussion Paper states that the NSW Government will increase the role of community housing providers in the management of tenants and dwellings.

We believe that shifting public housing stock and/or public housing tenants to community housing providers will do nothing to reduce the overall cost of supplying adequate social housing to people who need it. On the other hand, it will reduce the overall accountability of social housing providers.

The Discussion Paper implies that the community housing providers' 'stronger' financial position, as compared to the Land and Housing Corporation, is the driver behind this desired shift in emphasis. It states that community housing providers:

- have access to Commonwealth Rent Assistance payments, which is paid by the Commonwealth Government to people on Centrelink benefits;
- are able to generate additional revenue streams to cross-subsidise their housing services, for example by charging higher rents to some tenants; and
- have access to cost savings such as exemption from payroll tax, concessions for the Goods and Services Tax and exemption from the Fringe Benefit Tax.

These benefits are bestowed by the Commonwealth Government. Shifting public housing stock and/or public housing tenants to the community housing providers simply shifts the cost of providing social housing from the State level to the Commonwealth level of government.

As stated by the Tenants Union of NSW:

Community housing organisations' access to Commonwealth Rent Assistance is really an operating subsidy that the Federal Government has chosen to grant to those providers and not to the State housing authorities (and to deliver it via the scenic route of Centrelink payments and individual tenants' bank accounts). Governments can make their financing of social housing as intricate (housing bonds, social benefit bonds) or as straightforward (grants) as they choose. They could also make it more effective, by taking action to restrain speculation and house price inflation, as discussed above.⁸

There is a real risk that the expansion of community housing providers will reduce overall the accountability and scrutiny of social housing providers.

Community housing tenants have inferior rights to public housing tenants. They have limited avenues for making a complaint about their landlord. Public Housing tenants can complain to the NSW Ombudsman about Housing NSW because it is a 'public authority'.⁹ As community housing providers are not included in the definition of a 'public authority', this avenue of complaint is not available. Public Housing tenants can also apply to the Supreme Court of NSW to judicially review a decision of Housing NSW. This avenue is not open to community housing tenants, again because community housing providers are not defined as a 'public authority'.

Community housing providers are privately owned corporations and do not operate in the same political environment as the Land and Housing Corporation. The Land and Housing Corporation must account for its decisions and actions to the Minister, who in turn is answerable to the electorate. Community housing providers are not subject to this kind of public accountability and may engage in conduct that may be considered embarrassing for a government agency; for example, community housing providers may employ ruthless tactics, such as engaging private debt collectors to recover unpaid rent.

Case study: Mai (client)

Mai has rented a unit owned by a community housing provider for 20 years. She lives with her adult daughter, who is an authorised occupant. She suffers from depression. She receives the Disability Support Pension and works 6 hours a week. She receives a rental rebate which is subject to review every 6 months.

In mid-2014 she provided her community housing provider with information about her income in accordance with the review. Several months later the community housing provider informed

⁸ Tenants' Union of NSW, *Submission to the Inquiry into Social, Public and Affordable Housing*, 28 February 2014, p. 25

⁹ Section 12 *Ombudsman Act 1974* (NSW)

her she had not provided enough information to calculate the rental rebate and asked her to provide an income statement for her daughter. Mei's daughter was overseas at the time and was not able to provide the statement. As a consequence Mei's rental rebate was removed and she was charged rent at the market rate, which she could not afford because it was more than double her usual rent.

Several weeks later the community housing provider informed Mei of a 'Rent Review policy change' and a subsequent reversal of the earlier decision to remove the rental rebate. Yet about a month later, the community housing provider notified Mei her rent was overdue, even though Mei had continued to pay her rent at the subsidised rate. She then received a further letter from the community housing provider which reversed the earlier reversal, re-instating the market rate of rent.

Mei was very upset about being charged the market rate and visited the community housing provider. Rather than attempt to resolve the problem, or at least provide Mei with an explanation, she was told to make a complaint and was given 2 complaint forms.

Unsurprisingly, Mei came to Kingsford Legal Centre very confused and upset about her rental rebate. The transaction history on her rent statement showed that she had been charged market rent for a long period of time, resulting in arrears of several thousand dollars. According to the rent statement, most of these arrears were suddenly removed, yet she continued to be told that she was in arrears. Mei complained internally, but after several months has not heard back from the community housing provider.

KLC recommends that

26. The NSW Government should maintain and manage a significant and viable housing stock.
27. All social housing tenants should be able to access Ombudsman and judicial review.

Appendix – KLC Social Housing Forum materials

SOCIAL HOUSING DISCUSSION PAPER: BRIEFING PAPER

The NSW Government wants to hear from the community about the future of social housing. Submissions are due 20 February 2015. This summary was prepared by Kingsford Legal Centre. You can access the NSW Government's discussion paper online at <http://www.facs.nsw.gov.au/reforms/social-housing-in-nsw>

The Government is concerned about:

- the long waitlists
- properties not meeting tenants' needs because of size, location, modifications and access
- tenants of working age staying in public housing for a long time
- the cost of providing and maintaining housing

The Government says that housing can't continue as it is. It is proposing a new system based on three "pillars":

1. A social housing system that provides opportunities and pathways for **tenants to become independent**
2. A social housing system that is **fair**
3. A social housing system that is **sustainable**

Current NSW social housing system

- Social housing includes Government and community owned public housing
- It can be managed by Community Housing Providers, including Aboriginal Housing Providers
- There are 59,500 people on the Housing Register waiting list
- 50% of tenants stay in social housing for 10 years or more
- Tenants in social housing experience higher levels of unemployment, lower levels of education, higher crime rates, poorer health conditions and higher rates of mental illness

Pillar 1: opportunity and pathways for client independence

The Government wants to create more opportunities for tenants of working age to move out of social housing. The current focus is on sustaining a tenancy (keeping the tenant in social housing) rather than encouraging opportunity or independence.

The Government recognises that moving out of social housing is made difficult by its location and the lack of jobs, the high cost of renting privately, and difficulty in re-entering public housing if things don't work out.

The Government says that some people will be able to move out of social housing if they have the right employment, education, training and community supports and services. Access to schools, health and employment should also influence the location of social housing.

The Government wants to work better with Commonwealth and State agencies to improve health, mental health, education, law and justice and child protection. They also want to partner with non-government organisations and communities to improve employment, education and training opportunities.

KLC's thoughts:

- Long-term housing security is important for health and well-being. It is a human right and a social good.
- The Government needs to address the root causes of housing stress, eg, by improving health, education, employment support, and responses to domestic violence.
- Existing community centres like Kooloora should be funded and supported to provide more support services.
- The Government also needs to address affordability of private housing, especially in areas where jobs are available.

Pillar 2: a social housing system that is fair

The Government says a fair social housing system gives priority to people who need it the most and provides the right type of housing to them. If the system is to be fair, it needs to be clear to everyone how these decisions are made. It wants the social housing system to provide assistance to people who need it while and when they need it. It says it wants a clearer understanding of tenants' needs so it can tailor programs and services, and improve 'wraparound' support to tenants.

The current situation is that people stay in public housing for a long period of time, meaning the government is not able to help more people. Properties are either underutilised or overutilised. They don't meet tenants' requirements for location, modification, access and size.

The Government says it will do more work on applicant eligibility and prioritisation, waiting list management, housing allocation and rent practice. It also says it will focus on making things easier and simpler for tenants, and will use online and mobile technologies.

Unlike the private rental market, social housing rent is based on income not location. Tenants living in a highly sought after areas pay the same amount as those living in an undesirable location. The Government wants to use different rent scales for different areas to give tenants more choice and to help make it affordable for people to move out of social housing into the private rental market.

The Government says that in a fair system tenants value the support they receive, take care of their housing, pay rent and contribute to the community. It wants to create clearer expectations and recognition of responsible tenant behaviour. For example, Victoria and Queensland have a 'three strike' policy where three cases of anti-social behaviour will lead to tenants being evicted.

KLC's thoughts:

- Employment, health and education services are often better in highly sought after areas closer to the city. Charging higher rents for housing in these areas is a barrier to gaining independence.
- Moving people away from their communities can have a negative impact on their health and wellbeing.
- Housing NSW should take a conciliatory approach to any perceived problems with tenant behaviour, rather than a punitive approach. There is no evidence which suggests that a 'three strikes' policy will result in less anti-social behaviour. If it were introduced, it is likely that it would lead to more evictions and increased homelessness.
- There needs to be more funding for tenants services and community legal centres to protect the rights of tenants in social and private housing.

Pillar 3: a social housing system that is sustainable

The government wants a social housing system that is financially viable. This means available housing meets requirements, it is adequately maintained and it is efficiently managed within the government's budget. Since the 1990s, the NSW Land and Housing Corporation has spent more money on housing and services than it has received in funding from the government and rental income. The Government will consider introducing a 'break even' or cost neutral framework.

The main source of social housing funding comes from direct and indirect Commonwealth and State government funding and rental income. However, Commonwealth funding has decreased in the past 20 years. Rental income has also decreased because more tenants are relying on government income support rather than wages. The Government will look at 'innovative investment models' such as social housing bonds, outcome-based funding models (for assets and tenancies), public-private partnerships and joint ventures for delivery of new supply. They will also look at mixed tenure and mixed income models of housing.

The Government plans to increase the role of Community Housing Programs in managing tenants and dwellings. The NSW Land and Housing Corporation can access low cost borrowings and benefits from a larger scale operation. But Community Housing Programs can access costs savings from GST and payroll tax, and Community Housing tenants can access Commonwealth rental assistance payments.

The government is already selling assets that they don't think are suitable for public housing or that are high in value so they can be sold to cover the cost of replacing. It plans to continue doing this.

KLC's thoughts:

- More funding is needed!
- Community Housing Programs are still using up Government funding – it is just coming out of a different bucket.
- Community Housing tenants have inferior legal rights to public housing tenants, eg in accessing the Ombudsman and judicial review.
- Social housing should not be run by a private company, which may use aggressive tactics against tenants, such as private debt collectors to recover dispute amounts.
- Well-maintained properties last longer and are of higher value.
- Selling off assets will result in less housing and break up communities with established connections. Where will people living in these areas move to? Will they be paying the same amount as they do now?

SOCIAL HOUSING IN NSW

Submission to the NSW Government: Department of Family and Community Services

Date:

Name:

Address:

Phone number:

E-mail (optional):

Do you want your personal details or submission released by the Government?

☐ Yes

☐ No

Note: submissions may be made publically available under the *Government Information (Public Access) Act 2009*. The Department may also decide to circulate some or all submissions for further comment to other interested parties, and publish submissions on its website.

Do you want to tell the Government anything about yourself or your circumstances?

1. Opportunity and pathways for independence

The Government asks: The social housing system is often difficult to access for those most in need. What measures are required to create a system which is fair for those already in social housing, those on the waiting list and others who may need assistance?

Things to think about:

- What stops you and other tenants from moving out of public housing?
- What would help you and other tenants to be more independent?

(You do not have to use all the lines. Write as little or as much as you would like.)

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

2. A fair housing system

The Government asks: Given tenants living in social housing often experience disadvantage which is disproportionate to other areas of the community, what measures are required to provide tenants of social housing with pathways to opportunity and independence?

Things to think about:

- Who should get priority for housing?
- Would you pay more rent to stay in this area?
- What should rent be based on?
- What services should the Government provide to help you and other tenants be more independent?

(You do not have to use all the lines. Write as little or as much as you would like.)

3. A sustainable housing system

The Government asks: Creating a sustainable social housing system is an essential step in providing fairness, opportunity and pathways to client independence. What measures are required to create a sustainable social housing system?

Things to think about:

- There are a lot of people on the waiting list. What could be done to find housing for more people? How should this be funded?
- What should happen to properties that need to be repaired? How should these be funded?

(You do not have to use all the lines. Write as little or as much as you would like.)

This submission guide was prepared by Kingsford Legal Centre. Its contents do not reflect the views of Kingsford Legal Centre.

How to make a submission

General tips

- There are 3 ways you can make a submission:

1. Video submission
2. Online submission (using the computer)
3. Hand-written submission

Choose whatever you feel more comfortable with.

- Give your honest opinion about what the NSW Government plans to do about social housing.
- Use your own words – think about what you would say if you were talking to the person watching your video or reading your submission.
- Don't say or write anything that's untrue or that could ruin anyone's reputation.
- Don't write or say anything that's abusive or offensive about anyone or about a group of people.

If you want to make a written submission

- There is no set way to write a submission. You can make an online submission or a hand-written submission.
- Think about whether you want other members of the public to read your submission. If you want to keep your submission private, you should clearly tick the box in the submission form.
- You can use KLC's submission guide to help you write an online submission or a hand-written submission.
- Use your own words and get to the point. If you disagree with something the NSW Government is proposing to do, tell them!
- If you're writing your submission by hand, it will often be easier to read if you:
 - use headings
 - use dot points
 - breaking it up into separate paragraphs

Please turn over

If you want to make a video submission

- Before the recording video, make some notes about what you want to say. The submission guide can help you with this.
- In its Discussion paper, the NSW Government asks 3 questions. KLC's submission guide lists some more questions to consider. You may want to pick 1 or 2 questions to focus on. Tell the video recorder which one's you're focussing on.
- During the video speak slowly and clearly. It's important the NSW Government hears what you have to say!
- At the beginning of the recording, introduce yourself:

"Hello, my name is Joe Bloggs and I live in a public housing flat in Malabar. I have lived there for 7 years."

- Talk a little bit about yourself. Why are you in public housing?
- Talk about why you think other people are in public housing and why you think public housing is important and valuable.
- **But keep it short and sweet** – about 3 to 5 minutes. The NSW Government doesn't want to hear your life story!
- Stay on message. This is your chance to tell the NSW Government what you think about what their plans for social housing!
- If you make a mistake, don't worry. Just tell the video recorder to stop and you can start again.
- After you have finished recording your submission, you can watch it and decide whether you want to send it.