

# housing update Winter 2005

## State Accepts Commonwealth's Saap Offer

The WA Minister for Community Development, Sheila McHale, has accepted the Commonwealth's funding offer under the Supported Accommodation Assistance Program (SAAP) for the next five years. The Commonwealth was formally advised on the 24<sup>th</sup> of June and now the Commonwealth and the States start the process of negotiating the detail of the next Agreement, over the coming months.

However, the WA Government will not reach the Commonwealth's desired fifty percent share of the funding until the third year (2007/08). One of the results of the negotiations is the funding under the negotiated SAAP V agreement will not address the viability of SAAP services in any way.

At a meeting with representatives of the More Than A Bed campaign the Minister advised that viability is still on the table at a state level. In August, the Minister will be making a presentation to the Expenditure Review Committee (ERC) of Cabinet, to seek an additional 15% viability funding for the WA homelessness sector. If successful this funding will be applied solely to core funding;

however some services, which have been under-funded in the past, will receive additional core funding.

The Minister was advised during the meeting that, with the additional \$17 per week Safety Net Adjustment (SNA) due to hit the industry in August, viability funding is urgently needed.

What is now important is for SAAP services to write to, or meet with, their local state member of parliament explaining to them the financial challenges facing their service and the importance of them receiving additional viability funding.

## Decision On Key Providers (In Principle)

The Department of Housing and Works has decided (in principle) that there will be only two metropolitan Key Providers. The two successful organisations consist of proposed amalgamations of the existing metropolitan Regional Housing Associations. In the northern and eastern metropolitan areas the Key Provider will consist of an amalgamation between City Housing, the Eastern Metropolitan Community Housing Association (EMCHA) and Northside Housing Association. In the south and east, Fremantle Housing Association (FHA), Milligan (based in Mandurah) and South City have been successful in their application for Key Provider.

CHCWA understands that the Department is negotiating with the parties to clarify some outstanding issues prior to finalizing its decision. The creation of Key Providers is one of the goals of the Community Housing Strategic Plan (2003 to 2008).

## What's on?

### 2005 National Community Housing Awards

Entries open on Monday the 11th of July and close on Monday 12th of September. Entry forms and selection criteria can be downloaded from the National Community Housing Forum's website [www.nchf.org.au](http://www.nchf.org.au). For enquiries please ring (02) 9211 0422 or email [awards@nchf.org.au](mailto:awards@nchf.org.au)

### CHCWA AGM

The Annual General Meeting of the Community Housing Coalition of WA will be held on Thursday the 29th of September 2005 from 9.30 to 11.30. Venue will be announced closer to the date. For further information please go to the website [www.communityhousing.com.au](http://www.communityhousing.com.au) or ring the office on 9221 7933 or email [reception@communityhousing.com.au](mailto:reception@communityhousing.com.au)

### National Housing Conference

Western Australian's have the once in a lifetime opportunity to attend the National Housing Conference at the Convention Centre in Perth from the 26th to the 28th of October. For more information go to the website [www.nationalhousingconference.org.au](http://www.nationalhousingconference.org.au) or ring Debrett's Conference and Event Management on 9386 3282 or email [housing@debretts.com.au](mailto:housing@debretts.com.au).

Early bird registrations close on the 29th of July.

- 1 State Accepts Commonwealth's SAAP Offer
- 1 Decision on Key Providers
- 1 What's On? 2 2005 National Awards 2 Awards Winners
- 5 Code of Practice Review 5 Training for Social housing Workers
- 6 Tenancy and Furniture 7 New GST Free Rates Apply
- 8 Establishing a Tenancy 9 Vincentcare Meets the Standard
- 10 Exclusion and Discrimination - Lessons for Community Housing
- 11 Proposed Licence Exemptions for Residential Onselling of Electricity
- 12 CHCWA- Who we are, What we do

# 2005 National Awards for Excellence in Community Housing

The National Awards Council is pleased to announce that the fifth National Awards for Excellence in Community Housing will be presented in Perth on the 27<sup>th</sup> October 2005, to coincide with the National Housing Conference to be held at the Perth Convention Centre from Wednesday 26<sup>th</sup> to Friday 28<sup>th</sup> October 2005.

The Awards were established in 1998 and first presented in 1999 to:

- recognise the outstanding achievements of the community housing sector; and to
- actively encourage the pursuit of excellence in the delivery of housing and participation in local communities.

The 2005 Awards will be presented under six categories attracting the following prizes:

- overall excellence - \$7,000
- excellence in service to tenants and communities - \$4,000
- excellence in service to tenants and communities in remote and rural areas - \$4,000

- excellence in organisational management - \$4,000
- excellence in asset management - \$4,000
- excellence in corporate governance - \$4,000

The National Awards are open to all not for profit and local government organisations involved in the development and delivery of community housing. You may view the 2003 Awards report and selection criteria by visiting [www.nchf.org.au](http://www.nchf.org.au).

Entries for the 2005 National Awards open on Monday 11<sup>th</sup> of July and close on Monday 12<sup>th</sup> September. Entry forms and selection criteria for all categories will be available from the NCHF's website, or by ringing the Forum and or peak community housing organisations in each of the States and Territories.

**All enquiries about the National Awards should be directed to the National Community Housing Forum [awards@nchf.org.au](mailto:awards@nchf.org.au) or by ringing (02) 9211 0422.**

## WA Community Housing Awards for Excellence the Winners



In December last year the then Minister for Housing and Works, the Hon. Nick Griffiths, presented the first WA Community Housing Awards for Excellence. Sponsored by the Department of Housing and Works and hosted by the Community Housing Coalition of WA, the Awards provided the first opportunity for the community housing sector in WA to acknowledge the excellent work being done.

### THE AWARD FOR EXCELLENCE FOR SERVICES TO TENANTS AND COMMUNITIES

#### Winner: Hills Community Support Group (HCSG)

The HCSG has run the Rainbow Program—which offers long-term supported accommodation to people with enduring mental illness living in the Swan Health Region of Perth—since 1996. Its holistic approach to tenants' needs, combined with excellent mechanisms to receive feedback on its service, a culture of ongoing improvement and a number of practical initiatives, means that it won this Award despite strong competition in the category.

As a result of the Program's support, of the 65 adult tenants, 12 are in paid employment, eight are studying courses in the wider community, two are doing voluntary work and one is in work experience.

The changing needs of tenants are addressed, including ageing tenants who can be linked to Home & Community Care services. The ongoing partnership between Rainbow and the Eastern Metropolitan Community Housing Association (EMCHA) has meant that tenants have more options to transfer between properties, if the need arises.

The Program's annual surveys, as well as workshops involving staff, tenants and carers, have encouraged ongoing improvement in its services. A recent survey indicated high levels of tenant satisfaction in areas such as improvement in their quality of life, the respect shown them by staff, property maintenance and the quality of the properties themselves. HCSG also conducts Exit Interviews that assist in improving the Program's quality of service.

The Rainbow Program works closely with a number of agencies to refer tenants to appropriate support services. Documents have been developed that clearly explain referral processes, as well as eligibility

criteria and the roles and responsibilities of both housing and support providers. One of the main agencies is the Eastern Region Mental Health Agencies (ERMHA), which offers an extensive network of specialist service providers and even has its own directory of services in the region.

Practical support initiatives of Rainbow include locating the tenant close to family, clinical support, shopping and transport and arranging Centrepay deductions for rent and utilities.

Other special initiatives of HCSG's Rainbow Program include the Work Options Project, begun in response to tenants articulating a need for meaningful work. Initially funded by WA Lotteries Commission but now self-sustaining, the Project tenders for contracts in the region to provide maintenance and gardening services. Four crews of three people are supervised and paid award wages for their work.

Apart from securing Moving-In Grants from Lotterywest, the Rainbow Program has also successfully encouraged the community to support its tenants by donating furniture, linen, crockery and other household items—so much so that EMCHA and other groups in the region now receive its excess goods.

Tenants have also been further assisted in integrating into the community by participating in an art exhibition at Mundaring Arts Centre. This drew much community interest and resulted in subsequent commissions and prizes for some artists.

#### THE STEP MANAGEMENT AWARD FOR EXCELLENCE IN INNOVATION

##### **Winner: Eastern Metropolitan Community Housing Association (EMCHA)**

In winning this Award, EMCHA has proven that, despite being a small and relatively new organisation, it is innovative enough to identify a real need in the community and develop a model involving inter-agency partnerships that can—and has—been replicated in other communities.

Established in 1997, EMCHA has five staff and operates a portfolio of 86 properties in the eastern metropolitan area of Perth. The Award in this category was made in relation to the Bullsbrook Seniors Project, based in a semi-rural area north-east of the city, close to

the RAAF's Pearce base. The project began in 1999 and after a 3-phase development and construction the last of the 12 units is set to be completed in early 2005.

## The success of the project depended on a multi-agency approach and 'joined-up thinking' to allow information and resources to flow freely across boundaries.

The community, specifically people from the seniors group, identified the lack of accommodation in the area that would suit low-income seniors. Though official statistics did not support this, EMCHA listened to and believed the seniors and collaborated with local government to enable a feasibility study. Its established relationship with local government and other agencies made this possible. The evidence helped EMCHA secure State government funding for a Joint Venture.

Effective community consultation, at times and places to suit the ultimate users of the project, allowed the latter to identify what they wanted and needed—including where the housing should be situated in relation to Bullsbrook.

EMCHA developed a creative strategy to acquire the land from the RAAF, which could only sell it to another government agency, by convincing the local government (City of Swan) to purchase it and on-sell to EMCHA with the assistance of a self-supporting loan. This process made it the first in WA to develop an effective interface model with local government. Since then, the Town of Bassendean (encompassing a more suburban part of eastern Perth) has applied the model to accommodate Muslim youth, in partnership with a Muslim welfare group. EMCHA has received requests from other local governments to establish similar projects; this in turn enhances confidence in community-based organisations, particularly their ability to identify the community's needs and finance the solutions.

The success of the project depended on a multi-agency approach and 'joined-up thinking' to allow information and resources to flow freely across boundaries. EMCHA has a policy of openness, seeking to share the lessons it has learnt with others in the sector.

The ongoing benefit to the Bullsbrook community - as well as others who adopt the model - is not only that a real need has been identified and met in a relatively short period of time, but that future needs may now be met, due to the open lines of communication between EMCHA and this community.

The seniors who are now accommodated in the project's units will serve to stabilise a somewhat transient community (due partly to the RAAF base) and by allowing these people to 'age in place' their quality and duration of life has been enhanced. The seniors will be able to participate in reciprocal support systems with their extended family and friends and informal feedback obtained from them to date has been extremely positive. A customer satisfaction survey is planned for the near future.

#### THE AWARD FOR EXCELLENCE IN SUSTAINABILITY

##### **Winner: Pinakarri Community**

The application that Pinakarri submitted for this Award not only explained its many sustainable practices - it was deemed the best presented of all Award applications.

Pinakarri is a purpose - built housing cooperative situated in a suburb south of the port of Fremantle, within the City of Cockburn local government area. It was the first community housing project in Australia to combine publicly funded rental housing with privately owned houses, thereby extending the socioeconomic range of the resulting community.

The cooperative employs several strategies to minimise harmful environment impacts including the use of the common house (for shared meals, thereby reducing energy use), the shared laundry, as well as communal tools and equipment. Waste reduction strategies are pursued and residents are offered low-energy light globes at a discount made possible by bulk purchasing, as well as subscribing to the renewable power option of the State's electricity provider. An annual inspection and prompt treatment by an environmentally



responsible pest manager helps Pinakarri avoid using toxic chemicals. Worm farms and WWOOFers (travellers who are accommodated in return for some garden work) help keep its gardens healthy and chemical-free. Planting low water-use local flora or suitable exotics in the common areas reduces water consumption.

Passive solar design has been an important element at Pinakarri, where all homes face north and well-placed trees are used to moderate internal heating and cooling. Heating with natural gas has been provided where necessary, but at a far lower level than the heating retailer suggested, instead following tenants' preference to heat only parts of the home or to wear warmer clothes indoors. Further energy efficiency has been achieved at Pinakarri by insulating hot water pipes and using low-flow instantaneous gas hot water systems with intermittent (as opposed to permanent) pilot lights.

The aspects of social sustainability that were most apparent from the submission were Pinakarri's active participation in - and 'in kind' support of - the Federation of Housing Collectives (FOHCOL), as well its participation in other committees concerned with social housing and sustainable town planning, eg the Cockburn Council Community Development Strategy.

Inherent social benefits are apparent at Pinakarri, including greater adult social interaction and mutual support, as well as children developing greater social skills by playing often together.

The management of the properties involves all the residents and meetings are open to all. Training for tenants involved in specific tasks of the management of Pinakarri is funded by the cooperative. Open communication is encouraged through many channels, including an internal e-mail system, pin-up boards in the common house, informal gatherings, etc.

Pinakarri holds many social events that attract the wider community, including a Refugee Week breakfast and an annual 'reclaim the night spooky street crawl' for youngsters and parents in the area. There are also community dinners each month, where visitors are welcomed. The community also actively seeks to promote itself in the media and through collaborative projects.

The cooperative has demonstrated its financial sustainability by the ongoing management of eight rental properties and its accountability to the Department of Housing and Works. Direct debiting of rental payments has been encouraged and accepted, ensuring minimal arrears. There is a system of rotating honorary treasurers, each of whom is trained where necessary. Pinakarri has an annual audit, using an auditor appointed at the FOHCOL AGM and all its financial practices are open to scrutiny.

**THE HAMMOND INSURANCE PTY. LTD AWARD FOR EXCELLENCE IN CORPORATE GOVERNANCE**

**Winner: Centrecare (Inc);  
Highly Commended:  
St Bartholomew's House**

There was no closer contest for an Award than with this one - the judges' task was very difficult but in the end they recognised that Centrecare showed strong community involvement, that it is respected by government and industry and has very high levels of quality assurance.

Centrecare is a fully accredited ISO 9001:2000 organisation that has been managing community housing since 1984. It manages the largest Supported Accommodation Assistance Program (SAAP) in Western Australia, with 26 families in properties head leased from the Department of Housing and Works (DHW). There are a further five houses as part of a joint venture with another agency and eight more under the Community Housing Program.

In recruiting, selecting and developing its Board and its Management Committee, Centrecare has specific written policies that include addressing selection criteria, a formal interview, reference checking and finally an induction process. The Board is drawn from groups of people with selected areas of experience and expertise, whilst the Management Committee are assessed regularly on the basis of mutually agreed 'key outcomes'. Such appraisals are documented and there are regular sessions designed to identify issues that prevent the outcomes being achieved. The staff of Centrecare are all qualified at a tertiary level this includes fully-qualified Rental Property Managers.

Centrecare takes its role as an active participant and strategic leader in the community housing sector seriously. This is evident from its membership of organisations such as Community Housing Coalition of WA, WA Council of Social Services (Centrecare's Director is also the Chairman of this organisation), the WA State Homelessness Taskforce Monitoring Committee and the Australian Federation of Homeless Organisations. It also meets regularly with government departments, participates in community consultation and ensures that information gained from these activities is used to plan for the future.

As a Quality Endorsed Company, regular reviews and audits of current processes help Centrecare to reduce areas of risk as they become apparent. It is comprehensively insured, including property insurance that covers malicious damage and contents. There are guidelines and policies for client interviews and acceptance, the regularity of property inspections and maintenance strategies. There are also specific policies that relate to staff and client grievances, safety, abuse and confidentiality, as well as ethical practice and professional development policies. All of Centrecare's tenants are reviewed at fortnightly team meetings, which helps in effective risk management.

The transparency of Centrecare's financial and other accounting contributes much to its reputation with various organisations. It provides annual audited financial statements to all its funding bodies and its accountability mechanisms are also subject to regular external audits. Centrecare maintains regular contact with government officers from eg DHW and reports to this department annually on its Crisis Accommodation and Community Housing Programs. These reports collect information about its clients, their use of its services and the outcome and level of client satisfaction. As a result of such transparency, the DHW and the Department for Community Development have both formally commended Centrecare on its service delivery and data collection in all its accommodation programs.

# Code of Practice Review

On 30<sup>th</sup> June 2005, the CHCWA Council adopted nineteen of the twenty revised recommendations from the Review of the Code of Practice. Congratulations to all involved in the review, the recommendations certainly reflect the commitment of the sector to the promotion and ongoing development of the Code. Special thanks to Christina Kadmos, Olwyn Maddock and the Code of Practice Monitoring Committee for their great work.

It's clear that, in the period leading up to the introduction of the new Code in July 2007, there is a fair amount of work to complete. This is not just in relation to developing the new Code, but also around the Administrative Protocols and the development of a Memorandum of Understanding (MOU) with the Department. I hope that organisations registering in this 'interim' period will extend us a measure of flexibility and patience as we work towards an improved framework for administering the Code.

I believe there is much to be gained by developing a really robust and well-supported registration process that assists registering organisations to gain the maximum benefit from the adoption process. At the present time, much of the responsibility for registration seems to fall on an individual within the organisation. Hopefully, the materials we develop will encourage the involvement of the Board, staff, and residents in identifying not only how their organisation meets the criteria for registration, but also how it will continue to provide a quality service into the future. Our goal is not to make this an onerous task, but rather to tap into existing structures and processes.

As CHCWA works closely with registering organisations to develop their implementation plans, it will gain a clearer picture of areas where it can assist the sector, as a whole, with policy development. This might be through research, sector forums and, of course, Code of Practice Days. There is already a mechanism in place to ensure that Challenger TAFE is kept 'up to date' with emerging issues and to ensure that the accredited training remains relevant and reflects the expectations of our industry. Thanks to the commitment of Diane Niyati, both to the Code of Practice and to the development of accredited training, links with the training system are in place and functioning well.

The importance of the Code remaining 'industry owned' and 'voluntary' came through very strongly in the Review, and it is encouraging that the Department strongly supports this perspective. The Memorandum of Understanding, to be developed between CHCWA and the Department, is a key document as it will clearly delineate the responsibilities, and articulate the expectations of both parties in relation to the operation of the Code. For this reason, not only will CHCWA work closely with the Department, it will undertake extensive sector consultation over the next two years around the MOU.

I am confident that the proposed changes and innovations will enhance the role the Code plays in nurturing a culture of continuous improvement within the sector, in addition to providing external stakeholders with a measure of service standards.

**Tina Merry**  
Senior Policy Officer

## Training for social housing workers

After eighteen months of negotiations CHCWA and the WA Centre for Leadership and Community Development (CLCD) signed a Memorandum of Understanding (MOU) on the 1<sup>st</sup> June 2004 to enable the delivery of Social Housing Qualifications.

CLCD is the only TAFE College to have the scope to deliver the social housing qualifications. At present CLCD is offering the certificate IV in Social Housing. A pilot course was begun in 2004 with 20 students enrolled with further intakes of students taking place in February and July this year.

An initial amount of forty thousand dollars was secured to write curriculum for the technical units in Social Housing and a further amount has been secured to complete the curriculum writing. In a unique partnership, Department of Education and Training and Department of Housing and Works, jointly funded the curriculum writing.

In July last year, Diane Niyati, the CHCWA Sector Development Officer was contracted to write the curriculum and implement the training strategy for CLCD. Di has now taken 12 months leave without pay from CHCWA and will be working at CLCD until May 2006.

An important part of the MOU is the social housing industry's desire to have its workers assessed in the workplace using a full qualification assessment tool, rather than the traditional skills recognition process. The National Community Services Industry Skills Council supported CHCWA's efforts to have a full qualification assessment tool recognised as valid. CLCD funded the creation of this assessment tool.

A team of people from the social housing industry is being trained to enable them to use the full qualification assessment tool with existing workers. This tool will also be used to assess the training needs of the workers and identify the gap training needed. It is envisaged that, as well as face-to-face lectures, there will also be a variety of activities set in the workplace, including peer support and mentoring, to allow the students flexible options to achieve competency.

The social housing qualification covers workers in community housing, indigenous housing organisations and public housing. CLCD has been working with CHCWA, Aboriginal Housing and Infrastructure Directorate of DHW and the Department of Housing and Works to create a training strategy that will cater for the needs of workers. There are also traineeships available for new workers and existing workers in the social housing industry.

It is important to understand that existing workers will be assessed in the workplace to identify their skills, and where they may need additional training. Once assessed students will undertake work activities and projects as a way to gain their qualification. This provides a real benefit to the organisation, as the projects are always relevant. Any so called 'gap-training' will be held at CLCD on Wednesdays. It is important to understand that the course does not require significant absences from the workplace.

CHCWA would like to encourage all community housing providers to enrol their staff in the next intake of Certificate IV in Social Housing. For further information contact Di Niyati on 9237 4516 or email [diane.niyati@challengertafe.wa.edu.au](mailto:diane.niyati@challengertafe.wa.edu.au)

# Tenancy and Furniture

The Residential Tenancies Act (1987) (“the RTA”) is one of the key pieces of legislation underpinning the relationship between the community housing provider and the community housing tenant.

Over the last few months CHCWA has held discussions with the Department of Consumer and Employment Protection (DOCEP) (Building and Tenancy Industries Branch) over the issue that some community housing providers may be unaware that, by charging a fee for the use of the furniture, they may be in technical breach of the RTA.

For organisations charging a fee for the use of furniture, there are two relevant sections of the RTA. The first is section 27 (1), which says that landlords are not allowed to charge tenants for anything - apart from rent and a security bond. The second section is 42 (2) - which clarifies that the “premises” includes chattels, whether included in the tenancy agreement or not. (A “chattel” is “*an item of movable personal property, such as furniture,...*”.)<sup>1</sup> Further section 42 says that it is the landlord’s responsibility to maintain the chattels in a reasonable state of repair, at their expense.

Properties funded through the Department of Housing and Works, Community Housing Branch, are also expected to comply with the Program Guidelines. The Program Guidelines discuss both the maximum rent that can be charged and the charging of service fees, such as for furniture.

According to the Guidelines, the rent that an organisation can charge “...shall be set at but not exceed 25% of the household’s weekly income (excluding all available subsidies) OR market rent whichever is the lesser of these amounts.”<sup>2</sup> The Guidelines do allow organisations to charge “additional service fees” for such things as furniture, (subject to the approval of the Department of Housing and Works). These fees cannot, however, exceed the cost of providing these services and should be accumulated and identified separately in the financial accounts.<sup>3</sup>

In essence community housing providers cannot link the provision of, and charging for, furniture with a tenancy.

There are some relatively clear steps that community housing providers need to take to resolve this problem. However, it is important to understand the basic principle which underpin this; this is that the supply of, and charging for, furniture to tenants can in no way be connected to entering into, renewing, extending or continuing a residential tenancy agreement.

Once this principle is understood, community housing providers need to arrange the provision of any furniture, and the collection of any fees, to reflect this. This includes understanding that:

- The tenancy is in no way dependent upon the tenant taking the furniture - and there is no coercion for them to do this;
- Payment for the furniture is separately recorded in the accounts, and separately receipted;
- Any damage to the furniture is not linked back to the tenant’s rental bond;
- Items of furniture are clearly identified in a separate agreement;
- The tenant can terminate the furniture agreement at any time; and
- Failure to pay for the use of the furniture does not affect the tenancy.

It should be noted that some of these principles may be difficult to implement in certain situations and circumstances, however, every effort should however be made to comply with them. Further, neither DOCEP nor the Community Housing Coalition of WA can provide any guarantee as to how a magistrate sitting in the Small Disputes Division would view any arrangement.

## Further information

CHCWA has prepared a paper outlining the issues and responses for a copy go to the website [www.communityhousing.com.au](http://www.communityhousing.com.au) “Papers and Reports” and download the PDF file from the sidebar called “Furniture Fees and the RTA – June 2005”

## Or contact:

Alyson Szigligeti: Department of Consumer and Employment Protection, Building and Tenancy Industries Branch, Consumer Protection Division. Phone: 9282-0734. Email: [aszigligeti@docep.wa.gov.au](mailto:aszigligeti@docep.wa.gov.au)  
Mike Newbigin: Community Housing Coalition of WA. Phone: 9221-7933. Email: [mike@communityhousing.com.au](mailto:mike@communityhousing.com.au)

## Footnotes

<sup>1</sup> Collins English Dictionary

<sup>2</sup> Community Housing Branch (Feb 2005) Program Guidelines (p 15)

<sup>3</sup> Ibid (p 16)

# New GST Free Rates Apply

The Charities Consultative Committee, of the Australian Taxation Office, recently announced an update to the GST Free Market values for community housing. The previous tables have been in effect since the introduction of the GST, and have become largely irrelevant. The new tables apply from the 1<sup>st</sup> of April 2005 and include 'supplies' made from that date. The tables will now be updated annually from the 1<sup>st</sup> of January.

The below tables provides benchmark market values for the following types of supplies:

- short-term accommodation (see table 1)
- meals (see table 4)
- board and quarters (see table 5)
- long-term accommodation (see table 5)
- employment services (see table 6).

**Table 1: short-term accommodation – supported accommodation**

Place	Accomm	Breakfast	Lunch	Dinner	Incidentals
	\$	\$	\$	\$	\$
Perth	117.00	18.40	20.55	35.40	14.20
High cost* country centres	See note below	18.40	20.55	35.40	14.20
Tier 2 ** country centres	85.00	16.40	18.75	32.40	14.20
Other country centres	70.00	16.40	18.75	32.40	14.20

\* Note: High cost country centres accommodation expenses as listed at table 2.

\*\* Note: Tier 2 country centres you will need to download this from CHCWA's website [www.communityhousing.com.au](http://www.communityhousing.com.au) "hot issues"

**Table 2: high cost country centres – accommodation expenses**

Country centre	\$	Country centre	\$
Dampier (WA)	95.00	Karratha (WA)	135.00
Broome (WA)	116.00	Kununurra (WA)	104.00
Carnarvon (WA)	92.00	Newman (WA)	115.00
Christmas Island (WA)	100.00	Northam (WA)	100.00
Cocos (Keeling) Islands	90.00	Pt Hedland (WA)	117.00
Tom Price (WA)	92.00		

**Table 5: temporary accommodation – weekly\***

Type of temporary accommodation.				
Locality	4 or more bedrooms	3 bedrooms	2 bedrooms	1 bedroom *
	\$	\$	\$	\$
Perth	350.00	237.50	218.75	131.25

\* includes boarding house rooms.

# Establishing a Tenancy

Signing a tenancy agreement and establishing a new home can be very stressful time, especially if it is an entirely new experience. There are many things that a housing worker can do to make it a little easier. However, it is really important that you guide your tenant through the process rather than just doing things for them and making decisions on their behalf.

This may mean explaining forms and other agreements in a way that can be more easily understood by the tenant, or perhaps just by allowing them to use your phone or fax machine. The housing worker should aim to explain not only what will happen throughout the tenancy, but also why it is important to the tenant.

There are some aspects of establishing a tenancy, which challenge the understanding of housing workers themselves, for example, the internal workings of Centrelink or Homeswest Rent to Income Policy! However, tenants need to be given as much information as possible, and whilst housing workers should not 'judge' the living arrangements of their tenants, they do need to be able to explain to tenants the possible consequences of, for example, not giving accurate information to Centrelink.

## Establishing Utilities

Western Power has a 'Power Fax' form that they will forward to you upon request. Alternatively, forms are available online at: [http://www.wpcorp.com.au/html/home/your\\_account/home\\_open\\_or\\_close\\_an\\_account/open\\_and\\_close\\_an\\_account.html](http://www.wpcorp.com.au/html/home/your_account/home_open_or_close_an_account/open_and_close_an_account.html)

It is the responsibility of the account holder to notify Western Power five working days prior to vacating a premise to request their account be finalised.

Alinta Gas has a similar form available at: <http://www.alintagas.com.au/home/connect/closeopennewhome.aspx>

Alinta Gas do not have a fax form but advise that it is perfectly acceptable to print this form and fax to 9486 3346. If you use your organisation's fax cover page, they will contact you if they require further information.

By assisting tenants to cancel utility accounts at the address they are leaving, and establish accounts for their new home, you protect them from incurring debt arising from other people's consumption, ensure that they have all the services connected when they move in (minimise use of candles etc), and assist them to access any concessions available to them. Also by discussing connection to utilities with your tenant, you may become aware of debts that have the potential to impact on the tenancy.

It is also important to remind your tenant to redirect their mail and connect the phone (even if only for incoming calls). Without a phone connection, it will be difficult for the housing provider to arrange maintenance appointments etc.

## Structure of the Tenancy

There are a number of things to consider when setting up a tenancy, these need to be discussed with the tenant in a way that you are sure they understand. If you are not confident of your ability to do this, you should consider working with an appropriate advocacy service.

Import issues to consider are:

- How responsibility for costs associated with the tenancy (rent/water consumption/tenant liability etc) are shared between household members;
- Whether the contribution to rent made by unrelated 'household members' could be considered as 'income' for the tenant, which could impact on the payments they receive;

- Whether the tenancy should be established as a 'shared' tenancy. This may better reflect the relationship between tenants, but it is likely to have a negative impact on the level of Rent Assistance received.\*

(\*Whilst a reduction in Rent Assistance does not impact on the tenant directly, it may limit your organisation's capacity to maintain the property and hence impact indirectly on the tenant).

If the tenancy agreement is in the name of just one person, but you also factor in 25% of the income of a range of 'other household members', you should make the tenant aware that there is an expectation that these other people do make a contribution to the rent. I understand from housing workers that tenancy agreements are often written up in the name of the 'most vulnerable' tenant) to ensure security of tenure. However, it is possible that this may result in the tenant taking sole responsibility for the costs associated with the tenancy when others living in the house should pay their share.

It may be difficult to advise the tenant how much other household members should contribute, especially if the 'assessed' rent has been adjusted back to market rent. Whilst, you may not think it appropriate to become too involved in how the household works these things out, it is important that the tenant is aware of how their rent is calculated.

Centrelink's position is that, provided the 'other household member' making a contribution to rent is 'an immediate family member' then they are not regarded as 'boarders' and the tenant would not be considered to be receiving additional income. Where an 'unrelated' person is contributing to rent, this may be regarded as 'income' to the tenant and may impact on the Centrelink payment the tenant receives. There are questions on the Rent Certificate which request information about who the tenant lives with and their share of the rent, but I am not sure how often these are answered accurately.

Where the tenant is in a defacto relationship, it can become very complex. If the tenancy is established in both names, and rent assistance calculated on a 'couple' basis, the housing manager needs to ensure that this reflects the structure of payments actually being received from Centrelink (this will be clear from their Centrelink income statements). If a housing manager is aware that their tenants are living in a defacto relationship but each receives a 'singles' payment they will need to give careful thought to how their rent is calculated (they cannot be identified as a couple for Rent Assistance) and what information is provided on the Rent

Certificate! It is ironic that where same sex partners identify as being a 'couple', Centrelink will not pay them as such.

Providers may identify a number of people as 'tenants' on the rental agreement (implying shared responsibility for rent etc), however only a single 'property' rent can be identified, and rent assistance is calculated on the 'best fit' household type. To apportion a set or fixed rent (reflective of each individual's income) requires separate tenancy agreements for each 'sharer'.

Centrelink suggest that establishing 'shared tenancies' results in each party having access to Rent Assistance in their own right. This is unlikely to be beneficial (to the housing provider) in the majority of cases as, by 'splitting the rent' the amount payable by each tenant would fall below (or very close to) the lower threshold for Rent Assistance. However, it may be a more appropriate tenancy structure for 'unrelated' people living together as there is no 'relationship' implied, and neither tenant's Centrelink payments will be affected by payments received from a 'boarder'.

This is a complex policy area, and one that is seldom debated. Clearly, the guidelines for community housing regarding rent setting are quite restrictive, with rents being capped both by a percentage of income, and the market rent. The guidelines and the way in which Centrelink payments are calculated reflect a number of underlying assumptions about how families are structured and challenge the housing manager to establish tenancies to: maximize rental income, fairly distribute responsibilities between household members, and 'protect' the interests of their tenants (particularly in regard to Centrelink payments). One of the major problems being that Homeswest Rent to Income Policy was never designed to 'sit alongside' Rent Assistance, as this payment is unavailable to tenants in government housing.

If you would like to continue the discussion on the above issues, or to raise some more, please send us something to include in the next issue of the Newsletter – something you do that works really well – or a lesson you have learnt (possibly the hard way)!

## Vincentcare Meets The Standard



***The Community Housing Coalition of WA (CHCWA) is pleased to announce that Vincentcare has become the latest organisation registered with the Western Australian Community Housing Code of Practice.***

The code is a voluntary, regulatory mechanism to improve the standard of community housing provision in WA. Community housing is a term used to describe low cost rental housing provided by a range of private, charity and local government housing providers.

"We are very happy to have received registration," said Ann Jenkins, the Manager of Vincentcare.

Vincentcare celebrated the registration by hosting a morning tea for workers and residents at a property in Glendalough. The photo shows Mr Terry Maller from the Code of Practice Monitoring Committee (COPMC) congratulating Mr Brian Bull, Vincentcare's President at the celebration.

"Congratulations and it is fabulous to see Vincentcare's ongoing commitment to providing quality housing for disadvantaged Western Australians. CHCWA would encourage other community housing providers to follow the example set by Vincentcare and seek out registration" said Mike Newbigin, the Executive Officer of the Community Housing Coalition of WA.

# Exclusion And Discrimination – Lessons For Community Housing

Over the last twelve months a number of reports have focussed on the exclusion and discrimination practices of various housing providers around Australia.

These include the New South Wales Ombudsman's Office report called *"Assisting Homeless People: The Need to Improve their Access to Accommodation and Support Services"*, which was presented to the NSW Parliament in May 2004, and the Equal Opportunities Commission (WA) report entitled *"Finding a Place: An Inquiry into The Existence of Discriminatory Practices in Relation to the Provision of Public Housing and Related Services to Aboriginal People In Western Australia"*.

The NSW Ombudsman's report aimed to determine "...whether certain people were being excluded and if so the nature of such exclusions"<sup>1</sup> from Supported Accommodations Assistance Program (SAAP) services. The report found that 16.5% of SAAP services indicated they had 'global' exclusion policies, and these policies were targeted in the main towards:

- People who use, are affected by, or dependent on drugs and/or alcohol;
- People who exhibit or who have previously exhibited violence or other challenging behaviour;
- People with mental illness; and
- People with disabilities, intellectual disabilities and acquired brain injury.

Other key groups excluded were:

- People not willing to enter into a case management plan;
- People unwilling or unable to pay for their accommodation;
- Pregnant women;
- People who have been 'blacklisted' by agencies; and

- People who are unable to meet other eligibility restrictions set by agencies.

The inquiry placed these exclusionary practices within the legislative frameworks for the program, which confirmed SAAP is a program intended to be:

- Delivered free of discrimination within a framework of human and consumer rights and respect for individuals;
- Accessible and inclusive of people with a wide range of needs and circumstances, including people with complex needs requiring a high level of service response;
- Flexible and responsive to individual needs; and
- Coordinated and collaborative in its approach to meeting clients' needs and working with other service systems<sup>2</sup>.

Whilst the inquiry reported that a 'common view' was that it is not the 'core business' of SAAP services to deal with problems such as substance abuse, mental health and other complex issues, they stated that it 'is not sufficient for SAAP to consider every person within these groups to be outside its responsibility', and that "it is the role of SAAP, in conjunction with other service systems, to cater to a diversity of individuals who are homeless, including people with mental illness, disabilities and/or substance abuse".

The key reasons given by agencies for their exclusionary policies were

- concern around occupational health and safety and duty of care;
- lack of resources;
- compatibility with other clients;

The inquiry recommended that, rather than 'global' or 'group exclusions' where there was a presumption of risk, there should be more individual assessment of risk, and improved risk management. It was also recommended that alternate models (not based on congregate care) could reduce the incidence of access being denied based on incompatibility with other clients.

Discrimination occurs when a person is treated less favourably than another person in the same or similar circumstances because of certain personal characteristics.

Not all forms of discrimination are prohibited by law. However, in relation to accommodation, under the Equal Opportunity Act WA (1984), it is unlawful to refuse someone accommodation (including tenancy) because of their (or their relative or friend's):

- sex
- age
- marital status (including de facto partners)
- pregnancy
- race (includes colour, descent, ethnic origin and nationality)
- religious and political conviction (or lack of)
- impairment (includes physical disability, intellectual handicap, psychological disorders)
- sexual orientation
- gender history.

Discrimination can be either direct or indirect. People experience direct discrimination when their access to public services, such as accommodation, is denied due to a direct link with age, sex, race, etc. Indirect discrimination is when a rule, practice or policy appears to be neutral but may in fact have a worse affect on a particular group of people (grouped according to race, sex, age or other category as covered by the Equal Opportunity Act)<sup>3</sup>.

#### Footnotes

<sup>1</sup> Monica Wolf, NSW Ombudsman's Office Assisting Homeless People: The Need to Improve Access to Accommodation and Support Services. Parity, February 2005, Volume 18, Issue 1, Council to Homeless Persons, Victoria.

<sup>2</sup> NSW Ombudsman (2004). Assisting homeless people – the need to improve access to, and exiting from the Supported Assistance Program.

<sup>3</sup> [www.taswa.org/tm/chapter1/1\\_8.htm](http://www.taswa.org/tm/chapter1/1_8.htm)

# Proposed Licence Exemptions For Residential On-selling Of Electricity In Western Australia

The Government of Western Australia is undertaking extensive reform of the electricity industry to encourage more competition and increased reliability.

It is recognised that electricity is essential to consumers and they have high expectations about the quality, reliability and affordability of electricity. To provide increased consumer protection in a competitive environment, the Government will licence electricity generators, retailers and network operators, under the *Electricity Industry Act 2004*.

We are aware that there are circumstances where electricity is supplied to, and in some cases generated within, a group housing complex and the owner or manager of the complex then on-sells the electricity to the individual residents. It is not appropriate or intended that these owners and managers will be required to obtain licences under the legislation. However, the Government does have a responsibility to ensure that consumers of essential services are provided with similar consumer protection whether they purchase the service directly from a specialist supplier or from the owner or manager of their residence.

It is proposed that conditional licence exemptions will be automatically granted to property owners and managers such as bodies corporate, strata title managers, and businesses that are on-selling electricity to people living in some types of residential complexes as part of tenancy arrangements. Examples of such complexes are caravan parks, retirement and lifestyle villages, Aboriginal communities and some apartment blocks.

Considerable consultation has already taken place with the caravan park industry as part of the introduction in 2004 of the Government's power price parity scheme for permanent caravan park residents, and a licence exemptions for the on-selling for electricity in caravan parks already in place. Licence exemptions for other types of residential complexes are expected to be introduced later this year, after consultation with those affected.

The Office of Energy is seeking your views on the proposed licence exemptions and consumer protection issues. Please contact Mr Jeroen (Ron) Gerritsen, who can be contacted on 9420 5612 or e-mailed on [ron.gerritsen@energy.wa.gov.au](mailto:ron.gerritsen@energy.wa.gov.au)

## National Housing Conference 2005 for Perth

Under the broad theme of 'Building for Diversity', the 4<sup>th</sup> National Housing Conference will focus on the rapidly evolving and increasingly diverse housing needs of Australians.

The Conference program will comprise keynote addresses, plenary sessions, workshops and interactive discussion groups to ensure the full range of voices in housing is heard. The program will focus on four sub themes:

- Planning and Designing for Diversity;
- Meeting the Diverse Housing and Community Needs of Indigenous Australians;
- Challenges for Public and Community Housing; and
- Market and Policy responses to Changing Socio Demographics.

CHCWA and the other Community Housing bodies around Australia have been integrally involved in developing the agenda. Some of the topics to be discussed include: Indigenous Access to Mainstream Community Housing; Community Housing – a Social Service or a Social Business?; and the always relevant topic Does Size Matter?

Western Australian community organisations may be eligible for a subsidy funded by Lotterywest. Contact Shelter WA on (08) 9325 6660 or email [shelterwa@shelterwa.org.au](mailto:shelterwa@shelterwa.org.au)

For more information on the Conference go to the website [www.nationalhousingconference.org.au](http://www.nationalhousingconference.org.au) or ring Debrett's Conference and Event Management on 9386 3282 or email [housing@debretts.com.au](mailto:housing@debretts.com.au).

**Early bird registrations close on the 29<sup>th</sup> of July.**

# CHCWA

## Who We Are, What We Do

The Community Housing Coalition of WA is the peak representative and service body for organisations delivering non-government social housing in Western Australia.

### CHCWA'S ROLE IS TO >

#### **Represent the interests of local government and non-government social housing providers in WA.**

We make representations on behalf of the community housing sector to state and federal governments and also through our membership of relevant state and national committees including the National Community Housing Forum, The Community Housing Federation of Australia, the WA Housing Advisory Committee.

#### **Promote and expand local government and non-government social housing in WA.**

CHCWA is intimately involved in the ongoing promotion and expansion of community housing. This includes working with national, state and local governments to increase their commitments to community housing.

#### **Improve the delivery of local government and non-government social housing in WA.**

CHCWA also works at a grassroots level to improve the delivery of community housing through advice, resourcing and training. CHCWA is the agency responsible for administering the Code of Practice for the community housing sector in Western Australia.

#### **Identify unmet social housing needs**

Since merging with the Council to Homeless persons in 1999, CHCWA has become increasingly involved in homeless issues and now works to clearly identify unmet social housing need.

### **BECOMING A MEMBER >**

Community housing providers are a diverse group of organisations, but there are issues that affect the whole sector and which require a united voice. Membership of CHCWA ensures that individual providers can make a difference, shaping the political and social landscape in ways that best serve the needs of providers and tenants.

CHCWA speaks with a strong voice for the sector, as well as providing a platform for discussing policy direction and best practice.

Full membership of CHCWA is open to:

- Incorporated non-government, not-for-profit organisations that have the provision of community housing as their main objective.
- Incorporated organisations that manage or sponsor community housing projects as part of their operations.
- Unincorporated organisations that have the provision of community housing as their main objective.

Other organisations and individuals are most welcome to join as Associated Members.

### **MEMBERSHIP FEES >**

Full membership fees are based on the number of dwellings managed by the applicant as follows:

**0 - 10 = \$33**

**11 - 50 = \$88**

**51 - 100 = \$165**

**over 101 = \$220 (GST included)**

### **ASSOCIATE MEMBERSHIP FEES >**

**Individual = \$22**

**Organisation = \$66**

If you are interested in becoming a member, or would like further information please contact us. (You can apply for membership through our website.)



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