



10th November 2017

**Submission re: the Social Services Legislation Amendment (Housing Affordability) Bill
2017**

To whom it may concern,

HAPN is a subcommittee of the Forest Lodge and Glebe (FLAG) coordination group made up of local residents and representatives from local service providers, community organisations, churches, local council and schools in the Glebe, Forest Lodge and Camperdown area. FLAG's membership includes the Glebe Community Development Project (University of Sydney), St John's Church, Glebe Youth Service, Glebe Primary School, City of Sydney, Glebe Police, Glebe Treehouse, the Glebe Society, and local residents from the Aboriginal community and public housing estate. FLAG has approximately 80 members and meets on a monthly basis.

HAPN's primary aim is to build and support resilient community that can engage and participate in processes, conversations and appropriate forums and networks regarding social housing in the Glebe Estate and other social housing properties (Minogue Crescent and Camperdown).

HAPN supports the National Association of Tenants Organisations points regarding aspects of the proposed bill, particularly those surrounding regarding fairness and equity¹. Additionally, impacting factors are not always uniquely identifiable as housing related, including (amongst other matters) the availability of stable jobs, security of housing tenure, purpose and process of access to housing, risks of transition, and importantly a broader need to review income support programs in line with the realistic costs of living in 2017.

Overview:

The bill proposes establishing an automatic rent deduction scheme (ARDS), under which a social housing lessor may enter into an agreement with a Tenant permitting the lessor to request that the Secretary deduct from certain welfare payments payable to a tenant, outstanding rental, utilities or claims for damage to property. We believe this bill will have a large and detrimental effect on the Glebe, Forest Lodge and Camperdown Communities, as in our experience, the demographics of Glebe residents living in social housing generally reflect those identified by the Productivity Commission in their most recent report, namely they are

¹ https://files.tenants.org.au/policy/NATO-Summary_of_Concerns_SSLABill2017.pdf

“...more likely to be female, Indigenous, Australian-born, from single-person households, and have a disability”².

Our submission will cover:

- a) Our concerns with the bill
- b) Effects that these proposed measures will have on local tenants
- c) Recommendations

Key Concerns:

Extent of the bill:

Glebe HAPN strongly opposes the proposed extension of payment obligations under the bill, within which it outlines that lessors may request deductions in relation to not only rental arrears but also rent obligations generally, which include household utilities such as electricity and telephone bills, as well as compensation for loss and/or damage of property.

HAPN is also highly concerned by the lack of clarity in the bill regarding a specific time frame a tenant may be in arrears before deductions would be instigated. This could mean a lessor could initiate automatic deductions as soon as a tenant has accrued as little as one week of rental arrears. This would impact on the ability of social housing tenants to respond to any unforeseen life circumstances.

Additionally, the lack of an explicit cap on the amount that can be deducted from a tenant's social security entitlements allows for the extraction of the entirety of a tenants finances. We believe this is at odds with the mission of Housing NSW to provide housing opportunities “for those most in need so they can live with dignity, find support if needed, and achieve sustainable futures”³, robbing tenants of autonomy and dignity throughout the process.

Failure to provide procedural fairness:

The proposed amendment appears to demonstrate a lack of empathy, lenience and fairness for vulnerable tenants. Of considerable concern is the lack of requirement for tenant notification when a request is lodged for a deduction to be made under the ARDS or whether the request has been granted. Additionally, should the request be granted by the Secretary, there is no requirement outlining that the amount and duration of deductions be communicated to the tenant, nor does there appear to be an opportunity to object to requests under the ARDS or a process of review. As a result, the tenant may only become aware that these deductions are granted when the amounts have already been extracted from their social security entitlements.

² *(Introducing Competition and Informed User Choice into Human Services: Identifying Sectors for Reform, Productivity Commission Preliminary Findings Report, 2016, p. 16)*

³ <http://www.housing.nsw.gov.au/about-us>

The erosion of personal autonomy and dignity:

This is of significant importance to HAPN, particularly concerning our key aims of building and supporting resilient community. The deduction of payments under the proposed amendments would impede tenant's freedom to manage their money, and could potentially leave them more vulnerable. Examples of this include the ability for lessors under this proposed legislation to be able to lodge multiple requests for deductions, the lack of notification of tenants regarding requests made as well as the amount and time period these deductions would occur over, and the lack of ability to challenge requests.

This uncertainty of income, and potential for social security entitlements to be withdrawn without notification would not allow for flexibility and unforeseen circumstances in tenant's lives and has the potential to have an extremely negative effect on tenants quality of life. Should the majority of a tenant's social security entitlements be withdrawn under the ARDS, this would create a situation of extreme financial hardship, and could impact on tenants activities of daily living, including ongoing medical expenses, transport costs, food and emergency situations requiring immediate access to cash, all of which are basic human rights.

Recommendations:

HAPN supports the measures and recommendations proposed by the National Association of Tenants Organisations in their response to the *Social Services Legislation Amendment (Housing Affordability) Bill 2017*.

We look forward to hearing from you with regards to this submission.

Kind regards,

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