



YWCA CANBERRA

Response to the *Minimum standards for rental properties and occupancy law reform* consultation paper.
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Acknowledgement of Country

YWCA Canberra proudly recognises the rights of Aboriginal and Torres Strait Islander peoples to

own and control their cultures and pay our respect to these rights. YWCA Canberra acknowledges the need to respect and encourage the diversity of Indigenous cultures and to respect Indigenous worldviews, lifestyles, and customary laws. We extend our respect to the Aboriginal and Torres Strait Islander women who for thousands of years have preserved the culture and practices of their communities in the country. This land was never surrendered, and we acknowledge that it always was and will continue to always be Aboriginal land.

About YWCA Canberra

YWCA Canberra is a feminist not-for-profit organisation that has provided community services and represented women's issues in Canberra since 1929.

Our mission is 'We strengthen communities by supporting girls and women through our services and advocacy' and our vision is 'Girls and women thriving'. We provide essential, quality services for women, girls and families in the ACT and surrounding regions. We work in the areas of children's services, community development, homelessness and affordable housing, youth services, personal and professional training, women's leadership and advocacy.

We are externally accredited against the Quality Improvement Council (QIC) Health and Community Service Standards (7th Edition). Accreditation against the QIC standards supports us to improve client and community engagement, diversity and cultural appropriateness, management systems, governance and service delivery while committing to a cycle of continuous quality improvement. In addition to the QIC standards, we are accredited against the following external client-related service standards for our key areas of work:

- Australian Charities and Not-for-Profit Commission
- National Quality Standard for Early Childhood Education and Care and School-Aged Care
- National Regulatory System for Community Housing

- Registered Training Organisations Standards

Through our national Affiliate Association with YWCA Australia, we are part of the World YWCA network, which connects 120 countries across the globe.

Introduction

YWCA Canberra has provided housing support to women and the broader Canberra community for more than 90 years. Today we provide supported accommodation services on behalf of the ACT Government and are a registered housing provider under the National Regulatory System for Community Housing.

Currently, we hold 13 occupancy agreements covering tenants in our shared homes for single women, some of whom otherwise face homelessness, crisis or other vulnerabilities. We have maintained a strong and successful focus on providing accommodation and support services to women, their families and the community since 1942. Our Housing Support Unit provides supported accommodation, information, advocacy and referral to assist families who are homeless or at risk of homelessness, to access, maintain or develop safe, secure, affordable properties.

We have observed a concerning rise in the number of women seeking housing support due to increased homelessness, complex needs, funding challenges, and the broader housing affordability crisis. Government funding cuts and rising operating costs have further exacerbated these challenges, while cost of living pressure has made it increasingly difficult for women on low incomes to find affordable housing. Occupancy agreements, such as those in place at our shared homes for women, are an important feature in delivering affordable and safe housing to at-risk groups. Getting the framework for these agreements correct is important in meeting the ACT Government's housing deliverables and setting standards for safety in shared housing.

We use this Policy submission to highlight the following priorities:

- Achieving rental standards in social and community housing that are leased on behalf of the ACT Government or contribute to the government's own affordable supply targets.
- Prioritising the safety and wellbeing of tenants in shared housing.
- That social housing and affordable housing providers be supported in meeting new minimum standards in rental properties.

Considerations relating to minimum standards community housing providers

YWCA Canberra supports efforts to improve the minimum standards for rental properties in the ACT. Current alignment of ACT minimum standards with minimum standards in other states and territories is abundantly poor, putting the health and wellbeing of tenants at risk. We previously supported the reforms regarding minimum standards of ceiling insulation and support broad efforts to improve the conditions, safety and energy efficiency of rentals.

YWCA Canberra leases ACT Housing properties that deliver income-based rents to vulnerable Canberrans. We also provide affordable rentals. This suit of housing delivers an important supply of housing for vulnerable or at-risk Canberrans and contribute to the ACT Government housing goals

We recognise the significant cost burden which may be placed on social housing providers to meet the new standards and the limited avenues available to these providers recover costs. Given this, we call for the ACT Government to fund the necessary upgrades to their properties which are leased to community housing providers to provide income-based housing. This is crucial as these providers operate on a not-for-profit model without resources for extensive renovations.

Recommendation: A phased implementation for compliance allowing time for community housing providers.

Recommendation: Where housing is provided on behalf of Housing ACT, that costs associated with meeting the upgrades be met by the ACT Government.

Recommendation: Where income-based rentals or affordable housing is owned by a registered community housing provider, funding be available so that providers can sustainably meet the cost of necessary upgrades and continue providing vital housing to vulnerable cohorts.

Safety and wellbeing in occupancy settings must be prioritised

Crisis accommodation and shared housing face unique complexities which must be considered. Many clients in shared housing under occupancy agreements face

complex life settings including trauma, substance abuse, recidivism and violence. Maintaining the safety and wellbeing of all tenants in this housing is a delicate balance between the individual and the collective.

The existing legal framework permits the grantor to terminate an occupancy agreement where the party breaches an occupancy principle. In some shared housing settings, these principles or house rules may include prohibitions on alcohol or other drugs or the use or threats of violence. These principles are in place to recognise and respect the vulnerabilities of other tenants and achieve a sense of security and balance in the premises. Evicting a tenant in an occupancy premise is a last resort. Where YWCA Canberra decides to terminate an occupancy agreement, we provide the tenant with the opportunity to contest the eviction at ACAT.

Despite this conciliatory approach, we are deeply concerned by the proposal in the consultation paper that a grantor *be required* to obtain an ACAT order to end an occupancy agreement.

The proposed amendments, while well-intentioned, may inadvertently:

1. Compromise the ability of service providers to swiftly respond to instances of violence or abuse within shared accommodations.
2. Undermine the enforcement of house principles designed to maintain a safe environment.

Given this proposal, it is a significant oversight that the existing contractual obligations between the grantor and ACT Housing does not embed standards to guarantee safety and rights of occupants and grantors.

Recommendation: Maintain the existing legal framework that entitles grantors to terminate occupancy agreements when a tenant breaches the principles of the agreement.

Recommendation: Update the ACT Housing contractual framework to embed minimum standards into occupancy agreement leases governing ACT Housing properties.