

1 August 2022

To: The Hon Nat Cook MLC, Minister for Human Services
The Hon Kyam Maher MLC, Minister for Aboriginal Affairs

Private Rental Crisis

This letter is an appeal from members of the LERG (Lived Experience Reference Group) and ALERG (Aboriginal Lived Experience Reference Group) who have lived experience of homelessness and housing stress, including in the current Private Rental crisis. The LERG and ALERG were established as part of the Lived Experience Engagement Service (LEES) to engage the voices of people who have current or previous experience in accessing the housing and homelessness systems, to inform service design and Specialist Homelessness Service sector reform¹.

Quotes reflecting member's Private Rental experiences:

"It's just so stressful and it's affecting my mental health"

"Housing Officers are in a position of authority and this makes them threatening. Most Aboriginal peoples have been taught not to talk back to the white person or you lose your land (home)"

"They take one look at me and I have no chance"

South Australia needs to introduce and plan for a new way of thinking around private rental, with security of tenure i.e., long term leases, possibly lifetime and the concept of private rental becoming one's home with all the inherent benefits of that, not just a short stay for six months or one year. Renting whether private or social should not be seen as a place of 'last resort'.

We believe that consultation with person's who have actually navigated the homeless arena can offer valuable insight into past and current systemic failures and offer possible solutions that may assist in alleviating the current rental crisis in SA.

As such, we share our recommendations:

1. To introduce adequate 'Housing as Human Right' in the Australian Constitution or State based legislation. Currently, we have no charter for housing as a human right in our domestic sphere.
 - a. Housing should be of the same priority or even higher than the right to education, medical care, a justice system, employment and other human rights. A secure foundation - a home - is the gateway to an equitable, functioning, prosperous, democratic society.

2. Introduction of legislation to better protect tenants, with the following functions:
 - a. Currently there is no association, union or peak body for tenants, in contrast to property managers and landlords, who have support through the likes of REISA or CHCSA. Developing a Tenant's Association which includes Aboriginal specific advocates, would help minimise the power imbalance that currently exists between tenants and landlords. It would also be a body to bring the tenant's voice to planning, policy, service and legislative review, to advise of gaps, challenges and opportunities and practical considerations from the perspective of renters. With 30% of all households now being tenants rather than owner-occupier, it is an important for the tenant perspectives to be considered.
 - b. A cap on private rentals for rented homes that are free of debt, or where the landlord can manage the increased debt for a period of at least two years, a limit of how much rent can be increased with each lease renewal. If a landlord cannot maintain their mortgage under a capped rental scheme, they will likely sell the property, diminishing rental stock even further and escalating the current crisis.
 - c. The removal of 'no grounds eviction'. This an archaic feudal law and does not belong in a democratic society. A tenant in a periodical lease can be evicted for no reason by simply giving 90 days' notice by the landlord. If the eviction is challenged at SACAT, the outcome is always in favour of the landlord who holds the right to end the lease for no reason. There should be a valid reason given for not renewing the lease and 'evicting' a tenant.
3. Home ownership is becoming beyond the means of the average Australian on the average wage, which makes up the largest proportion of workers. We need innovative ideas and thinking outside the Aussie home ownership square to create affordable rents for those who will never own a home. Housing for all, should be a social responsibility not purely a business or tool for wealth creation.
 - a. Councils, wealthy benefactors could all be part of a 'new model' of building to rent, working and collaborating with other organizations and NGOs. These build to rents should be affordable and not looked at as another investor, negative gearing, profit making venture.
 - b. The repercussions of homelessness and unaffordable rents will affect generations to come in terms of education, health, employment, opportunity and wealth, which in turn negatively affects the rest of society.

4. To alleviate the current rental crisis, empty buildings and homes could be transformed into accommodation. These could be empty office buildings or empty private homes should the owner be willing. For anyone living in a tent in winter, in a park or car, the above, though temporary, is more humane.
5. Members of the Government responsible for urban planning and human services should research and visit other countries that have achieved successful housing models/programs for its citizens. Austria is a wealthy country and yet in its capital Vienna, 48% of its citizens live in social housing where it is not stigmatized. These models also incorporate schools, shops, green areas, GP's and amenities such as swimming pools and tennis courts. France has generational leases for private rentals (in certain areas, run by councils). It is very reasonably priced, whereby the next generation acquires the rights to live in the property and each generation can add to and enhance the property. That means each generation never has to worry about where they will live. Parts of Asia also have many models worth looking into.
6. We need leaders who are invested in long term social housing stock that corresponds with the current and emerging need of people on the wait list. Promising to build 400 houses for 17,000 people on the social housing wait list fails to address the current and foreseeable problem of increased homelessness.
7. The need to reintroduce Aboriginal specific housing exists, along with an explanation as to why this was taken away in the first place.
8. There has been an abject failure of previous governments to increase housing stock with the known projected growth in population, with factors such as the increase in the aged population (retirees who are renting), the increase in DV survivors, families, refugees and older single women who do not have sufficient super or any super to maintain a private home or rental.
9. A thorough audit of all public housing stock, i.e., public, community and co-operative housing to make sure tenants fit the criteria of their current housing needs. Examples are where single persons are still residing in three/four-bedroom houses with the children long gone or where tenants are in townhouses but due to mobility issues are unable to climb stairs and use the top storey. In such instances the tenants should be moved to more suitable accommodation for their circumstances, freeing up space for persons/families on the waiting list who are paying unaffordable rents or homeless and who are much better suited to that type of housing. Of course, there needs to be the housing stock available to transfer the existing tenant to, and without that increase in housing stock, unsuitable tenants will continue to monopolise homes that could house not one person, but three or four.

In conclusion, it is inevitable that in SA we need to increase public housing stock. The rental situation will continue to escalate due to mortgage interest rate rises with landlords passing on the interest to tenants in the form of hiked rents.

That is why we need vision NOW to start building or freeing up, affordable private rental homes and building more, much more, social housing to cater to the future population needs of this state.

On behalf of all members of the ALERG and LERG, we would be very willing to meet with you and your staff, to discuss in further detail our recommendations for change. Equally, we would be willing to offer our lived experience expertise, to provide constructive ideas, feedback and advice on the initiatives being considered by the State Government in relation to the private rental crisis or the housing and homelessness system more broadly.

Kind regards,

Patricia Pearson

Aboriginal Lived Experience Reference Group
Lived Experience Reference Group

ⁱ **The Lived Experience Engagement Service (LEES)** is an independent statewide and sector wide service funded by the SA Housing Authority and delivered by SYC as part of RentRight SA. LEES engage people who have experience of accessing any housing and homelessness system in SA to produce quality evidence that informs decision making on policy and broader sector service reform. LEES work with the sector to help embed client voice in the process of service design and SHS sector reform.

Disclaimer: The opinions expressed in this document are of people who have lived experience of accessing housing or homelessness services and are not necessarily those of SYC. The letter is an initiative of the ALERG and LERG members and is written by them to help grow the understanding of the needs of those accessing the housing and homelessness sector. The recommendations of ALERG and LERG members can be utilised to better respond, reflect, plan, design and develop how the voices of lived experience can be embedded in and guide system reform.