



Submission to the National Regulatory System for Community Housing Review, April 2019

About Shelter Tas

Shelter Tas is the peak body for housing and homelessness services in Tasmania. Shelter Tas also operates as CHIA Tas, the State's representative to the national CHIA body. The registered community housing providers that operate in Tasmania are all members of Shelter Tas/CHIA Tas.

Shelter Tas welcomes the opportunity to participate in the Review of the National Regulatory System for Community Housing. The community housing sector in Tasmania provides nearly half the social housing in the state, so it is important that the Tasmanian sector is effectively represented within this consultation process.

Community Housing in Tasmania

Tasmania has five Tier One registered Community Housing Providers: Centacare Evolve Housing, Mission Australia Housing, Community Housing Limited, Housing Choices Tasmania and Salvation Army Housing.

Of all Australian states, Tasmania has the highest proportion of Community Housing in its social housing sector. This is due to a major transfer of stock from public to community housing called Better Housing *Futures*. The number of dwellings under community housing management is now almost equal to level of public housing: Public Housing dwellings = 6856; Community Housing dwellings = 5749.¹

Under the Better Housing *Futures* (BHF) program, from 2013-2016, around 3,926 properties were transferred from public housing to community housing management.

The four community housing organisations who manage BHF properties, and are the largest community housing providers in Tasmania, are:

- Community Housing Ltd – 1,190 BHF properties in northern Launceston, out of a total 1,394 that they manage (CHL Annual Report 2016)
- Housing Choices Tasmania – 1,156 BFH properties in the north-west of Tasmania, out of a total 1,464 that they manage (Housing Choices Tasmania Annual Report 2016)
- Centacare Evolve Housing – 1,065 BHF properties in the Bridgewater area, out of around 1,422 that they manage (Centacare Evolve Housing Annual Report 2016-17, 2017-18)
- Mission Australia – 520 BHF properties in Rokeby and Clarendon Vale (Mission Australia Housing Annual Report 2016)

¹ Productivity Commission *2018 Report on Government Services* Public Housing dwellings = 6856; Community Housing dwellings = 5749. Public Housing dwellings = 6856; Community Housing dwellings = 5749.¹

All Tier One registered CHPs have contracts with the state government agency that operates Tasmania's public housing: Housing, Disability and Community Services, within the Department of Communities Tasmania. The Community Housing Registrar for Tasmania is Kate Kent, who is the Deputy Secretary for Communities, Sport and Recreation in the Department of Communities Tasmania.

Shelter Tas/CHIA Tas position

ShelterTas/CHIA Tas broadly supports the national CHIA submission.² In this submission we have not addressed each question individually. Our positions are based on consultation with our members, however, the content of our submission is the responsibility of Shelter Tas/CHIA Tas as the peak body. The submission draws on our knowledge and expertise as the State's peak body for members of the Community Housing Industry Association and for housing and homelessness services across the state.

- ShelterTas/CHIA Tas supports a truly national system of regulation for community housing providers across all jurisdictions. One national system is necessary to reduce regulatory burden and complexity.
- Shelter Tas/CHIA Tas supports including public housing under the same regulatory framework as Community Housing Providers. Consistent standards and the same framework should apply to State Government housing agencies, with variation only by exception.
- New providers that receive government subsidy, such as Trusts, providers of Specialist Disability Accommodation (SDA) and 'for profit' providers should also be required to comply with the same regulatory framework as Community Housing Providers, with perhaps additional precautions to mitigate any further risks that may arise from a profit-driven business model. (For comparison, it is instructive to consider the appalling outcomes in the vocational education sector that arose from an unfettered *laissez-faire* approach to 'for profit' providers.³)
- Shelter Tas/CHIA Tas does not support subsuming the Specialist Homelessness Services (SHSs) under the same regulatory framework as Community Housing Providers. In Tasmania, SHSs deliver short term and crisis accommodation that meet distinct client needs.
- ShelterTas/CHIA Tas supports both prudential and consumer protection regulation being combined in the regulatory system. These are equally necessary. If consumer protection is managed under a different framework, there is a risk that it will be under-resourced, undervalued and treated as less important for oversight and compliance purposes.
- Following CHIA NSW, Shelter Tas/CHIA Tas supports a single national Registrar with a state based representative (Deputy) in every state including Tasmania. The state based deputy should be an appointment independent of any housing authority.
- While we support a single national regulatory system, we are aware that Victoria and Western Australia may face some adjustment costs, and perhaps other barriers. We think

² We have also drawn from the CHIA NSW draft submission.

³ see, for example, <https://www.smh.com.au/politics/federal/how-australia-s-education-debacle-is-still-creating-victims-20180419-p4za13.html>

overall, that despite some initial transition costs and perhaps even some ongoing challenges, that the system will be better for all parties if it is uniform across all jurisdictions.

- However, perfect uniformity should not be prized over a well-functioning national system with a few well-justified exceptions. It may enhance the system to devise a pathway to allow jurisdictions to derogate from some aspects of regulations and rules in cases where there are particularly compelling reasons.
- Shelter Tas/CHIA Tas supports an update of systems to simplify and align reporting requirements to avoid duplication and redundancy. Where possible, the housing agencies that contract with CHPs and the Regulator should be encouraged to re-purpose or 'share-purpose' information that is already provided for other requirements (for example to ATSIIC, banks, Annual Reports and the like), and to standardise and harmonise data collection and reporting periods.
- NRSCH and the Registrar could improve communications with providers and other stakeholders, this would improve public awareness of the regulated community housing system, and enhance the transparency and accountability of the regulatory system.
- Shelter Tas supports the establishment of an advisory body for the National Regulator that would include practitioners and housing consumers/consumer advocates. We understand this was part of the original system design, but has not yet been implemented. Shelter Tas regards an advisory body including a consumer voice/advocate as a significant element of a best practice regulatory system, because it can contribute valuable information that balances other perspectives.⁴

Shelter Tas/CHIA Tas appreciates the opportunity to provide comment on the Discussion Paper, and look forward to contributing further during the review process.

For any further information on this submission, please contact

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⁴ Examples include the Office of the Tasmanian Economic Regulator's Customer Consultative Committee, and the Australian Energy Regulator's Customer Consultative Group.