



The End of the Road

Rooming Housing in South Australia

March 2017

Shelter SA
44/81 Carrington Street
ADELAIDE SA 5000
Tel: 08 8223 4077
www.sheltersa.asn.au

Contents

Rooming Houses in South Australia.....	3
Executive Summary.....	3
Background	4
The For-Profit Rooming House Model	5
Filling a Housing Gap - The Role of Rooming Houses	6
Positive Resident Views	6
No Choice of Housing.....	7
Failings of the Rooming House Model	8
Security of Tenure.....	8
Housing Condition.....	9
Safety, Privacy and Self-Determination	10
Erosion of Human Rights: Risks of Inappropriate Housing	11
Vulnerable Rooming House Residents.....	13
No Way Out.....	13
The Hidden Homeless	14
Support for Recovery	15
Legislative Change.....	16
Recommendations in the Literature	16
Recommendations from Residents.....	16
Recommendations by Landlords.....	17
Possible Ways Forward	18
Interstate examples	18
A South Australian Model	20
Conclusion.....	20
Recommendations	21
Bibliography	25

Rooming Houses in South Australia

“Studies suggest [rooming house] residents are increasingly people on the margins, physically, mentally and socially, and that ill health, poverty and disability, as well as loneliness and a lack of significant relationships and support, characterise the lives of many residents.”

(Anderson, Peter, et al, 2003:1)

Executive Summary

This study, conducted by Shelter SA, the peak body for housing in South Australia, constitutes the first methodical look at rooming housing in South Australia since 2003.

While there are a range of providers in the rooming house sector in our State, including government-owned sites leased to accommodation providers and community-run facilities, this study focusses on private rooming houses operated on a for-profit basis. The numerous issues that have been identified with for-profit rooming house accommodation highlight, however, the need for consistent regulation across this sector, regardless of proprietor or operating model.

This study examines the effectiveness of legislative, policy and regulatory measures and the tensions between rooming house business models and accommodation for vulnerable people to determine what policy and system changes are needed to ensure improved social and health outcomes for residents.

Shelter SA’s chief concern is for vulnerable residents who are experiencing homelessness but also have high and complex needs that deserve government intervention and community support: those people who are living with poor mental health, alcohol and substance abuse issues, illness or disability and multiple barriers to participation in employment and the community.

The research component is underpinned by primary data collated through survey and direct consultation with residents, service providers, landlords and owners of rooming house properties. The consultation report, which can be accessed [here](#), details the methodology used and provides an analysis of the feedback gathered.

Anecdotally, there is a common misconception that a person is better off in any type of accommodation than living on the streets or sleeping rough because at least they have a roof over their head. However, having a roof over your head does not guarantee adequate housing standards, privacy, and respect for the rights and freedoms of individuals. Nor does it mean that residents have access to the best quality health and mental health care, rehabilitation and support, or an environment that is appropriate or conducive to recovery.

This study provides evidence that rooming housing should not be considered a solution to homelessness, especially for vulnerable people. It aims to inform governments, policy-makers, service providers and the community about the need to raise standards in this sector and, it is

hoped, will be a catalyst for change. Shelter SA seeks to work collaboratively with government, landlords, residents and service providers to ensure that all rooming house residents have housing that better reflects what we all understand as a 'home.'

Background

Traditional boarding houses were large buildings with many bedrooms located in or near city centres, utilised by travellers and single working men to be near to their employment. After the mid-twentieth century, boarding houses, including smaller buildings, have increasingly accommodated people living on low incomes who do not or cannot work and experience health and mental health issues or significant impairment from substance misuse and addiction. This study uses the term 'rooming housing' to mean those rooming houses operated on a for-profit basis which provide accommodation to vulnerable citizens, who are identifiable due to the receipt of Centrelink benefits, either Newstart or the Disability Support Pension. The Residential Tenancies Act (1995) defines rooming houses as any "residential premises in which rooms are available, on a commercial basis, for residential occupation; and accommodation is available for at least three persons".¹

Compared to the general Australian population, rooming house residents are now mainly male, "of working age, less likely to be in the labour force; and, if employed, are more likely to be living on low incomes" (AHURI, 2013:34). Other characteristics of residents include that they are more likely to live with psychiatric and behavioural issues, social isolation and poor access to community supports and high levels of general health care needs with a profile in many cases of repeated admissions to acute care health facilities.

The last significant examination of South Australian rooming houses in 2003 found that 73% of rooming house residents live on government-supported incomes (Anderson, Peter, et al.). It was also documented in the same research that nearly half (48%) of rooming house residents experienced poor mental health and today it is hypothesised that this percentage is much higher.

The profile of rooming house residents across jurisdictions is predominantly one of complexity and vulnerability, which raises important policy questions about the suitability of rooming house accommodation beyond a transitional option.

However, rooming housing is potentially set to play a larger role in housing vulnerable people as affordability continues to force people out of the private rental market (AHURI, 2015). Thousands of South Australians are living with housing stress paying more than 30% of their income on housing costs. The 2011 Census shows that 9.3% (155,690 people) of South Australian households were living in housing stress. Private rental is becoming increasingly unaffordable for people and families living on low incomes (AHURI, 2007). Social housing stock is continually decreasing and demand far outweighs supply (SERC, 2015) demonstrated by the growing number of people experiencing homelessness with more than 23,000 people accessing South Australian specialist homelessness services in the 2015/2016 financial year. The National Rental Affordability Index² confirms that South Australia is experiencing a housing affordability crisis.

¹ s3 Residential Tenancies Act, 1995 SA

² National Rental Affordability Index <http://www.sgsep.com.au/assets/RAI-Release-Report-Final-231115.pdf>

Inadequate housing policy responses for vulnerable people means that private, for-profit rooming housing has evolved to fill a vacuum as almost de facto community facilities for the health and welfare systems. Yet, there are tensions between the needs of vulnerable residents and the business model in which rooming houses operate to be profitable, pointing to a system that historically was not created to cater for people with high and complex needs.

The For-Profit Rooming House Model

Shelter SA acknowledges the work of rooming house landlords who seek to house and support their residents, provide a quality standard of living and operate under the guidance of basic human rights and residency rights, balanced with responsibilities. Many of the landlords surveyed in our consultation felt that they were providing a community service through affordable housing that catered for people living on low incomes and who would otherwise be exposed to sleeping rough.

Nonetheless, the potential for unscrupulous operators does exist as evidenced by the inclusion of this tenure form in the Residential Tenancies Act (1995). This legislation that predominantly regulates the sector is, however, outdated and does not reflect the requirements of the current resident population, particularly those living with high and complex accommodation, health and/or mental health needs. There is no consistent or uniform registration process for rooming houses and no requirement that proprietors meet 'fit and proper person' standards or undergo background checks in order to manage housing for vulnerable people. This reflects the operation of rooming houses as commercial entities rather than housing for vulnerable people, which is confirmed by landlords who have reported that they do not wish to play the role of social worker because operating a rooming house is an investment, not a career (Anderson, Peter, et al. 2003).

The lack of a robust regulatory framework means that there is no formal register of rooming houses. It has been noted in other jurisdictions that privately-owned rooming houses are particularly difficult to monitor as it can be hard to distinguish them from other forms of residential or commercial property (Rooming House Operators Bill 2015 Research Note, 2016:2). As a result, there is limited information on the state of rooming housing and levels of compliance with current legislation. The literature does show, however, that the lack of clarity in the rooming house legislation and regulations affects levels of compliance by landlords or proprietors (Anderson, Peter, et al. 2003). Almost half of landlords surveyed in earlier South Australian research were not aware of rooming house regulations in the Residential Tenancies Act (1995) (Anderson, Peter, et al. 2003). It is noted that some local governments have rooming housing by-laws and Shelter SA is currently reviewing these.

A business model that is based on for-profit principles also creates a situation that is not well suited to housing and supporting vulnerable people who are living on low incomes. The majority of rooming houses are operated by small-scale investors and multiple property ownership is less common (AHURI, 2013:41). There is evidence that many owners focus on cash flow for their business and own their properties outright. Given the increase in land values, it is unsurprising that many rooming houses are sold to realise financial assets. AHURI conclude that rooming house owners are maximising their incomes and have low capital returns. Similarly, "State Government policy-makers recognise that a significant proportion of residents continue to live in rooming houses where their safety and security is compromised and that improvements required would increase the

costs incurred by owners” and “therefore, not surprisingly, there is a tension in the discussion about the viability of traditional rooming houses” (2013:42).

Residents living on low, fixed incomes have a severely restricted financial capacity to upgrade their accommodation to a less restrictive environment. The landlord, who seeks to maximise their cash flow, is in a position of power in relation to residents who have little or no choice to ‘vote with their feet’ and move on if they find that their accommodation is not suitable or safe. Due to resident vulnerability and the tensions between the need to house people living on low incomes in a suitable, affordable environment and the economic relations of rental housing, it is clear that new models are required if governments and society are concerned about the human rights of rooming house residents.

All community service focus group participants in the Shelter SA research called for more not-for-profit rooming houses. Participants said that rooming houses run by not-for-profit community or non-government sector agencies are the next best response after social housing in terms of an appropriate model to house vulnerable people as they would usually have a higher level of amenity with private bathrooms and kitchens in self-contained units. However, they also indicated that demand is higher for rooming house accommodation than supply, particularly for families and women, and noted a decline of rooming houses in the city area. Landlords also confirmed that the viability of for-profit rooming housing may be precarious. This is likely influenced by difficulties in reliable payment of rent (only 30% of landlords reported in the Shelter SA consultation that residents paid rent on time).

Although in its current state the provision of rooming housing on a for-profit basis has many failings, until there is a growth in the provision of government and community-run rooming houses, its demise could leave current residents further exposed to homelessness, institutionalisation and harm.

Filling a Housing Gap - The Role of Rooming Houses

Positive Resident Views

In 2003, rooming house residents described the primary benefit of rooming housing as affordability (Anderson, Peter, et al. 2003). The lower cost of rooming housing, compared to private rental housing allowed residents some level of financial freedom (Anderson, Peter, et al. 2003). Residents found secondary benefits to their decreased housing costs, as it could allow them to live in closer proximity to the city, public infrastructure and community services (AHURI, 2013).

Some residents also enjoy the decreased responsibility facilitated by rooming housing (Anderson, Peter, et al. 2003) compared to private rental, where a tenant must manage and maintain an entire property, while rooming house residents only need to maintain common areas and their own room. The social value of living in close proximity to other residents is a positive for some (although, as will be seen below, this can also be a negative for others).

The survey responses received from residents as part of the Shelter SA consultation confirmed that over half of residents (61%) believed that their rent was affordable and while this is encouraging, it also points to rooming housing as the only affordable option for some people living on low incomes,

when social housing is not available. Other responses to the survey questions based on legal resident rights and responsibilities were also predominantly positive though there was a worrying level of neutral and negative responses and open text answers provided greater insights.

No Choice of Housing

It is important to note that rooming house residents who responded to Shelter SA survey requests may have little or no knowledge of their rights as residents in rooming houses. The literature shows that many residents do not have access to, or do not know how to locate their rights and responsibilities or the capacity to negotiate the legislation and provisions surrounding their own residency (Anderson, Peter, et al. 2003). Residents are also unaware of how to exercise their rights. A 2011 report by the Salvation Army Rooming House Project noted that “Many rooming house occupants are unaware of their rights, or of locally available services. Coupled with this is a high degree of fear about speaking up against rooming house proprietors for fear of being evicted” (The Salvation Army Adult Services, 2011: i).

In addition, residents may be far less likely to complain due to the limited alternative housing options that are available to them. As accommodation of the last resort, rooming housing is not a real ‘choice’ that vulnerable people make. Many residents have reported that they are trapped “by the lack of affordability of private rental” and view their current living situation as their “only option” (The Salvation Army Adult Services, 2011: i).³ Most rooming house residents are living on Centrelink benefits qualifying them as people living on low-incomes which are largely capped apart from some indexation and support from limited concessions. The National Rental Affordability Index (NRAI) shows that it is impossible for low-income earners to secure affordable private rental housing (National Shelter, 2016). The NRAI illustrates that the increased cost of private rental housing forces households in the lowest two income quintiles to live in severe to extreme housing stress in South Australia (National Shelter, 2016). Median private rental housing costs in Australia have grown significantly faster than medium household incomes for decades (SERC, 2015). A report compiled by the Commonwealth Senate Economics Reference Committee notes that “the private rental market is a brutal place for people on welfare payments” (SERC, 2015). Housing is unaffordable for people living on one income, especially if that income is from Social Security (AHURI, 2007).

Rising housing costs have also led to a decrease in home ownership and lower vacancy rates for rental properties (SQM, 2013)⁴. Low vacancy rates create an environment where landlords are able to be more selective of tenants, creating barriers for marginalised or vulnerable people to access housing (AHURI, 2007). Commonwealth Rent Assistance (CRA) and the provision of government bonds and rent in advance are critical to assist people living on low incomes access private rental accommodation and rooming houses. However, in the rooming house sector they can be used as a pseudo housing subsidy that is propping up the for-profit rooming house sector but is inadequate to ensure any quality of life for its recipients. Due to the insecure tenure of some rooming houses, it is very easy for residents to amass a debt to Housing SA, further adding to their disadvantage and homelessness.

³ This report is cited in the Rooming House Operators Bill 2015 Research Note, No.1. (February 2015), Parliamentary Library and Information Service, Parliament of Victoria, p.3.

⁴ Per <http://www.sgmresearch.com.au/>

National Shelter has also argued for many years that Commonwealth Rent Assistance must be increased to be an effective housing subsidy for people living on low incomes. Income support payments generally are not adequate to be able to afford the costs of housing and utilities or basic necessities. South Australia has high electricity costs with a rising number of disconnections for non-payment by low income households. High utility costs are also born by rooming house residents as they are levied on top of rents. Based on maximum bond charges for rooming house residents, current charges including utility levies can amount to over half of a government-supported income such as Newstart, which far exceeds the 30% level deemed to cause housing stress in the rental market. In the Shelter SA consultation with community service providers, examples were provided where landlords have sought residents who receive disability support payments in preference to Newstart as higher rent can be charged. This signals a need for further examination of the affordability of rooming housing and some of the charging practices that are occurring.

Social housing⁵ has traditionally been the safety net for those who cannot access private rental housing, however, the supply of social housing stock currently fails to meet demand (SERC, 2015). Because private rental housing has become so unaffordable, the demand for social housing has also significantly increased (AHURI, 2014). The lack of an available supply of social housing means people are unable to access affordable housing and rooming housing is one of the only options for people living on low incomes who wish to break the cycle of rough sleeping and highly transient shelter options. Shelter SA and National Shelter strongly support the recommendation put forward by the SERC for government to increase the stock of social housing to meet demand (SERC Recommendation #24, 2015). At a policy and systems level, addressing the housing affordability crisis is the key first step towards providing more appropriate and affordable housing options for our vulnerable citizens.

Failings of the Rooming House Model

The research identifies that many rooming house residents have negative experiences of this form of shelter that include not having an affordable, secure, appropriate or safe place to live. It should be remembered that the people entering rooming houses have a wide range of capabilities and/or impairments and that what may be seen as secure accommodation by one individual may be seen as highly threatening by a person living with mental and physical health issues.

Security of Tenure

Issues presented by residents from the literature reflect a poor fit between policies and regulations and the rights and responsibilities of both residents and landlords. Residents expressed their displeasure at the lack of security of tenure and privacy afforded to them - which are resident rights outlined in the Residential Tenancies Act SA (1995).

When compared to tenants in other forms of rental housing, the limited nature of the protections afforded to residents of rooming houses is of particular concern. It was noted in a parliamentary research paper on legislative change in Victoria, that South Australia provides restricted rights to rooming house residents as boarders and lodgers under common law in a similar fashion to Western

⁵ Meaning public and community housing, where government or community groups generally cap rent costs at 25% of the tenant's income, making it affordable for people on welfare payments.

Australia (Rooming House Operators Bill 2015 Research Note, 2016). According to the Legal Services Commission of South Australia, as cited in this report:

The protection given by the law to a licensee [boarder or lodger] is much less than that given to a tenant. For example, a boarder or lodger can rarely take court action to stop the owner from evicting them. In most cases, the only remedy is an action for damages, that is, compensation for breaching the licence agreement (Rooming House Operators Bill 2015 Research Note, 2016:10).⁶

This form of action, akin to raising a complaint through the South Australian Civil and Administrative Tribunal (SACAT), is unlikely to be taken by residents who are not able to negotiate the complexity of the system, advocate for themselves, fund court action or seek assistance to do so. From the perspective of landlords as business operators, the SACAT process is far too complex and all participants in the Shelter SA consultation also called for a simpler way for residents and landlords to raise complaints.

Housing Condition

Residents cite poor maintenance, living standards and facilities as key reasons they have chosen to leave a rooming house (AHURI, 2013). In the focus groups held as part of the Shelter SA consultation process, community service providers who have direct contact with residents and familiarity with a broad range and standard of rooming houses, were clear on what constituted a bad rooming house. For these participants, bad rooming houses are places where the physical conditions of the buildings are poor, unreasonable and unsafe or there are landlords that use “stand-over tactics” on residents or bully residents.

The poor physical standards of some rooming houses have created safety concerns for residents (Anderson, Peter, et al. 2003). Poor rooming house construction and maintenance have resulted in resident deaths in Victoria (AHURI, 2013). In response, AHURI has called for the implementation of minimum safety and building standards, possibly in the form of a national framework (AHURI, 2013). Part of the concerns regarding construction and need for minimum standards relate to residents’ rooms. Residents have recorded their anxieties about plumbing, pest control, lack of electricity, heating or cooling, the size of the room and a lack of airflow (AHURI, 2013). It is clear in the literature that there are positive outcomes for residents and landlords when residents have access to more appropriate living spaces (AHURI, 2013).

In the consultation for this study, one community service provider described rooming houses as “sheds for beds” to demonstrate the poor standards that exist in some rooming houses visited and another said, “It’s like incarceration, they’d have a better lifestyle in prison.” Participants cited various safety issues they have seen including unsafe stairs, faulty electrical wiring and leaking roofs, while others reported overcrowding including an example of a rooming house where there were six residents and only two bedrooms.

Amenity and minimum standards of facilities such as bathrooms, kitchens and common areas which are shared and can be left in an unacceptable condition by other residents are also issues that affect residents (Anderson, Peter, et al. 2003). This issues was confirmed in the consultation for this study

⁶ Legal Services Commission of South Australia (2014), Law Handbook: Boarders and Lodgers, Legal Services Commission of South Australia website, 28 February.

in which residents raised the poor standards and maintenance of common areas, kitchens, bathrooms and toilets as a key issue. Under half (46%) agreed that kitchen appliances were well maintained and just over half (55%) agreed the bathroom was kept in good condition. Fifty-nine percent of resident respondents believed landlords respond to maintenance issues, yet one resident said that “the landlord leaves it months before replacing an appliance that no longer works (e.g. kettle, door, oven – nearly a year) yet still takes all of our rent on time or charges for extra electrical expenses, this isn’t fair.” Landlord survey responses confirmed that lack of resident care for common areas and amenities was also of significant concern.

Safety, Privacy and Self-Determination

A congregate accommodation model that houses multiple vulnerable people facing complex and high needs is not one that is desirable as a long-term accommodation option. The open text answers that residents provided in the Shelter SA consultation gave more insight into some of the issues that residents find challenging because they are sharing accommodation with others and include the use of illegal drugs, preventing the entry of police, overcrowding, no provision of keys and general lack of regulation. One resident said that his “primary concern is for peace of mind and safety.” He claimed that in his rooming house, “visitors are in and out on drug related runs and things can become quite scary.” Negative interactions and fear of other residents is an issue faced by many and a common reason for terminating a residency (AHURI, 2013).

At an operational level, a concern facing many residents of rooming houses is privacy. Common Law indicates that landlords have a right to unrestricted access to rooms in their rooming houses, which results in a lack of privacy for residents if the landlord has unfettered access to bedrooms (Anderson, Peter, et al. 2003).⁷ Issues surrounding privacy extend to non-residents who enter the property as guests of other residents (AHURI, 2013). However, in seeking to manage this situation, it is becoming more common-place for landlords to include restrictions on any visitation to rooming house residents. In the Shelter SA consultation process, landlords reported that predominantly there are “no visitor” rules in the rooming houses they represented and service providers also cited examples of rules preventing visitation even from close family members.

Many rooming house landlords take a ‘command and control’ view of their business and implement stringent risk management structures to counter the behaviours and effects of people living with high and complex needs in a congregate model of housing, even though such behaviours may not be wilful in their intention. It is acknowledged that without some rules and adequate supports in place, many rooming houses may have significant difficulty in managing their business. However, some landlords have responded to the current profile of residents by implementing a regime of rules that unfortunately limits the human rights of residents who, because of their complex circumstances, have limited ability to advocate for themselves or who live in fear of becoming homeless again.

The rationale behind restrictive house rules in rooming houses reflects that underpinning government policies behind the institutionalisation of people suffering from poor mental health: public safety. It was perceived that people living with mental health issues were a risk to themselves and the public, so restricting their freedom of movement outside a mandated institutional

⁷ *Street v Mountford* [1985] UKHL 4 – A British case that, in effect, distinguished residency rights from tenancy rights. The common law is that a resident has a mere licence to the room, whereas a tenant would have a lease. A licence greatly deteriorates a resident’s right to privacy.

environment became accepted. Due to inadequate housing policy responses during the deinstitutionalisation process, public safety structures, routines, and cultures of the institutions transposed onto the community in the guise of risk management (Chenoweth, 2000). Community settings that accommodated the deinstitutionalised people adopted the same risk management practices, rights restrictive policies and strict structures of the institutions (Chenoweth, 2000). A common characteristic amongst rooming houses is a high level of managerial control over conditions and the daily activities of residents (AHURI, 2013).

At their worst, rooming houses contravene the rights of residents to privacy, visitation from family and friends, control over bedroom space and the details of everyday life. A landlord participant even revealed in the focus group consultation that CCTV in shared living areas, designed to monitor whether visitors were entering the rooming house, was a feature in his rooming house.

Rooming house residents do not have a voice when it comes to having choice and control over their housing options, privacy and affordability, nor do they have control over the rules administered in a property. The acceptance of house rules as a 'necessary evil' that was reflected in responses to Shelter SA resident surveys may show that residents have given up on some of the rights that many people take for granted in where they live, such as having family and friends visit, privacy, amenity, security of tenure, safety, maintenance and affordability. Over time this can lead to an erosion in the very conception of what it means to 'have rights' to privacy, choice and appropriate housing. Rooming house residents accept less because they come to believe it is the best that they can expect.

Erosion of Human Rights: Risks of Inappropriate Housing

Many rooming house residents live with mental health issues exacerbated by South Australia's inadequate housing policy response to deinstitutionalisation - the process in which people were moved from institutional care and accommodation into the community (AHURI, 2000). The aim of deinstitutionalisation was to treat people who were unwell in a place where they had the maximum level of freedom their illness would allow (Shannon & Hovell, 1993). The deinstitutionalisation movement promoted the idea that people living with disabilities should live in ordinary housing arrangements in regular communities as part of mainstream society rather than segregated from it in institutions (Chenoweth, 2000). Government policy and systems failed to respond in terms of supply of appropriate housing to the increased number of people living with mental health issues who required accommodation in the community.

Many people leaving institutions transitioned for a range of reasons to other state establishments such as prisons, nursing homes and psychiatric hospitals; in a process known as trans-institutionalisation (Hudson, 1991). In 1997, the rise in the number of people with mental health issues within the criminal justice system corresponded with the numbers of people deinstitutionalised from state facilities (Armstrong 1997). Moving between institutions was so far-reaching that prisons became a de-facto housing option for vulnerable people (White & Whiteford, 2006) and many people relied on rooming housing for accommodation. The criminalisation and incarceration of people with severe mental illness has been widely reported in the media and from a range of speakers from other countries that have also undertaken a deinstitutionalisation path. The relocation of people with mental health issues from institutions into the community has been

characterised as resembling “grotty flats on high crime estates” (Rowntree Foundation 1997). A history of poor policy responses for people living with mental health issues and their accommodation needs has led to many vulnerable people relying on rooming housing for shelter.

Living in a highly controlled environment can be psychologically damaging for a vulnerable person who in many circumstances comes from a traumatised background and needs trauma informed care. Research confirms that the restrictive environments characteristic of rooming houses can have significant negative psychological and social effects on vulnerable people (Jones & Fowles, 1984). Housing people in facilities that restrict their rights and liberties can lead to them experience the same psychological harm that the deinstitutionalisation process aimed to avoid. When people become accustomed to living with greatly reduced human rights, they experience a ‘civil death’ (Goffman, 1961). Part of the reason for moving away from institutionalisation was to avoid civil death amongst patients. Civil death is brought on when a person becomes accustomed to restrictions in the way they live, sleep, play, work, learn and fulfil their other basic human needs (Goffman, 1961). People who are forced to live in a highly controlled and unfulfilling environment can experience submissiveness, low self-esteem, deterioration of personal standards and habits, loss of interest in the outside world and a loss of interest in their own personal future (Jones & Fowles, 1984). It is noted in the research that the symptoms of living in a controlled environment without access to human rights over a prolonged period are indistinguishable from schizophrenia (Jones & Fowles, 1984)

If we think about human rights occurring on a continuum and the freedoms afforded to home owners in terms of their tenancies, the control over their own living space and how they access privacy might be compared to private renters who have less control due to their lack of ownership of their home. There is a decrease in the control you have over your own life according to your housing tenure. Further along the continuum are other forms of temporary or unaffordable accommodation. On face value, sleeping rough would seem to be the situation that would see the person have least access to their human rights. However, when rooming houses have no clear standards of space allocations and low amenity levels but highly restrictive rule regimes and controlled environments they may be seen to present greater restrictions and limitations over choice for residents than a rough sleeper living and sleeping in public places. This is reflected in a Council to Homeless Persons report, which noted that during their consultation:

Some individuals would rather sleep rough than stay in a rooming house. Other individuals simply do not want to share spaces with strangers – this can be related to the individual’s history, the lack of single sex rooming houses (for women and families) or simply previous experience in rooming houses. The consultation also heard reports of workers being too scared to visit some rooming houses, which highlights how dire situations can be for residents. (CHP Rooming House Project, 2014:18)

It is disturbing to think that we sanction rooming houses as an acceptable form of accommodation for vulnerable people in a human rights framework based on the fraught belief that a roof over your head gives you the same equity in shelter and comparable quality of living as say a home owner or a private renter.

Unlike house ownership, private rental or even shared housing arrangements, rooming house residents do not have a place to call their own, they cannot choose who they share common

amenities and spaces with and they must reside with strangers who face multiple health and social challenges. Rooming housing based on a congregate accommodation model fails to meet current community standards for housing. Intellectual disability and physical disability sectors and services have long realised that residents want and need to live in homes just like everyone else and strongly value their privacy, choice and independence.

Vulnerable Rooming House Residents

No Way Out

Research confirms that most rooming house residents have experienced various levels of homelessness at some point in their lives. The way a person enters rooming housing is either 'downward' (becoming homeless for the first time and not being able to access any housing assistance) or 'upward' (a person relying on rough sleeping or emergency shelters for housing, where rooming housing can be seen as an upgrade). A person can also be 'immobile', meaning they are living in rooming housing and have no ambition or opportunity to move 'upward' from that point (Anderson, Peter, et al. 2003). Many residents see rooming housing as a temporary stop, however become immobilised and only find opportunities to move laterally to other rooming houses (Anderson, Peter, et al. 2003). Rooming housing is a form of shelter that people may reluctantly access and struggle to exit. This is confirmed in the results of the Shelter SA consultation with community service providers who said that there is no "next step" for their clients living in rooming housing; they are just living "in limbo" and "don't feel as if they will ever live independently again."

Rooming housing can trap people into a cycle of homelessness that is difficult to break without significant intervention and the longer an individual remains homeless, the less likely they are to break that cycle and secure long term affordable and safe housing (Chamberlain & Johnson, 2002). Homelessness, as an embedded concept, develops in three stages: at risk of homelessness, becoming homeless, and embedded homelessness (Chamberlain & Johnson, 2002). Embeddedness occurs when a person sees no way of escaping homelessness and accepts it as a way of being. In the final stage, housing becomes impossible and shelter becomes the goal. Goffman (1967) conceptualises embeddedness as acceptance. Goffman illustrates the psychological path common to homeless people in a way that resembles a person drowning. If a person cannot find a way out of homelessness quickly after becoming homeless, then they 'drown'. The drowning is the psychological phase of acceptance. Hirst (1989) describes embeddedness as a loss of hope that entrenches a person into homelessness.

Once a person loses their disposition or motivation to change their situation through a range of complex psychosocial needs, they have little chance of moving 'upwards.' Clark (2004) identifies that for many homeless people living with mental health and substance abuse issues, embeddedness problems prevent them from exiting homelessness, especially if they are left untreated. Chamberlain and Johnson (2002) point out the ease in which people can become embedded in the final stages of homelessness through living in a place that is not safe, secure, appropriate and affordable - leading to lasting negative consequences for the individual. If rooming housing is not safe, secure, appropriate or affordable, it is preventing the recovery of the individual and cannot be seen as a solution to homelessness.

The Hidden Homeless

In fact, people who reside in accommodation that is not affordable, safe, secure or appropriate cannot be classified as adequately housed, as concluded by Anderson, Peter, et al. (2003). The academic literature confirms that rooming housing should not be seen as an adequate form of housing, but as a form of homelessness (Anderson, Peter, et al. 2003).

This assertion is supported by definitions of primary, secondary and tertiary homelessness accepted by research institutions and Commonwealth/State governments. The Australian Bureau of Statistics (ABS) defines three levels of homelessness and at the broadest, tertiary level someone who does not have a safe, secure, affordable and appropriate place to live is experiencing homelessness (ABS 2012). By a range of researched qualitative descriptors, rooming house residents fall within the tertiary homelessness classification and it is intended that they be captured by ABS census data as part of the homeless population.

However, vulnerable residents in rooming houses are hidden from government services and may not be represented in data as they reside in unregistered forms of housing. In other jurisdictions, rooming houses for people have distinct legislation, regulations and licensing requirements, a key benefit of which is the greater visibility this affords vulnerable residents.

Rooming house residents are also hidden from government policies that treat a 'roof over your head' as an adequate solution to homelessness. A chief entry point into rooming housing, identified in the literature and confirmed in the Shelter SA consultation, is traceable from the exit points of health and corrections institutions where release planning and implementation has not been able to secure appropriate accommodation prior to release. One focus group participant in the consultation said that, "Single males won't get motel accommodation, they will be put up in rooming houses, be classified as housed, and will be forgotten." Rooming housing as an option directly after release from hospital and mental health facilities, sometimes well before a patient is ready to care for themselves independently, was described by one participant as "a way for Government to hide the problem."

In these cases, rooming houses are accommodation of the last resort where some of our most vulnerable citizens are left to a life without the services they need and assistance to move into a home that is more affordable, private and safe than a rooming house. As one community service provider in the Shelter SA focus group explained, when an individual has previously been a client within the mental health system or a patient within the health system and suddenly loses that status to become a 'resident' they are excluded from multiple supports. The participant said this is the case "because when you are a resident you do not have the same rights and access to care and support, in part because you are deemed to be 'housed'." Landlord participants in the Shelter SA consultation were also in agreement that some social workers simply "handball" their clients to them and can pressure them to accept residents, who in reality are not ready to be released from hospital due to mental and physical health issues. Participants said that some government agencies pay bond and rent in advance for their patients/clients in order to move them out of their institution. The landlords Shelter SA consulted felt that they are the "ultimate coalface" when it comes to people with high and complex needs.

Citizens who are receiving services from government and non-government organisations should not be classified as 'housed' if they reside in a rooming house and should be eligible for the same level of housing, services and community support they would receive if they were homeless. Rooming house residents require extra supports to participate in society, realise their housing aspirations, live within the least restrictive environment possible and achieve recovery. Institutions must desist immediately from discharging citizens who are not ready to return to the community and who do not have an adequate discharge plan and community supports in place directly to rooming houses. The payment of bonds and rent for rooming house accommodation by government agencies, other than Housing SA, must also cease as a matter of urgency as this practice forms another pseudo housing subsidy with no policy setting to guide practice.

As long as rooming house residents are considered to be housed and receive less support and clinical services than a person living in an institution, sleeping rough or considered homeless; they are at the centre of critical health, mental health and housing policy failure.

Support for Recovery

In a public health context, rooming housing goes against contemporary best practice for treating people living with mental health issues (Leamy et al., 2011). The widely acknowledged, funded and applied best practice model, the recovery model, relies on support to enable the individual's path to healing. The external factors necessary for people to experience a healing of their mental health issues are access to their human rights, a positive culture and the provision of adequate support services (Jacobson & Greenley, 2001). People on the pathway to recovery need access to the tools and supports that will help them maintain positive engagement with their families and quality of life improvement opportunities available to wider society.

The recovery model is based on the concept that there is no cure for mental illness. Instead, recovery is a process of healing. Healing, as opposed to curing, identifies that people living with mental health issues require ongoing support and ideally they will have access to workers and individualised support plans when required to minimise the need for acute interventions when a relapse to illness occurs. Without basic supports, individuals are worse off and the mental health system receives added pressure from having to deal with crises the extent of which could have been mitigated. The current operation of rooming housing appears to contradict best practice models for supporting people living with mental health issues. Without adequate access to their human rights or rights under specific health charters, healing processes and support services, rooming housing is not an appropriate option for people living with mental health issues.

Ideally, relationships with support workers and mental health case workers would commence while at the time of institutionalisation to ensure a smoother transition to the community, including a thorough assessment of their housing, health and mental health needs. Landlord participants in the Shelter SA consultation said that they are often told the person seeking accommodation has a mental health worker, but then they discover there is no worker assigned to the resident. One participant asked, "Who are the mental health workers?" adding that there is a breakdown in communication and trust between mental health workers and rooming house landlords. A suggestion was that landlords should receive a written report from mental health workers prior to residents moving in. All community service participants also called for a system that ensures residents can remain linked to health and community services – there was unanimous agreement

that living in a rooming house does not mean that you stop being a client or a patient in need of care.

Legislative Change

The Residential Tenancies Act SA (1995) is the chief legislation that outlines rooming house agreements, with Part 7 specifically dedicated to rooming houses. This section of the Act deals with rooming house agreements, mutual rights and obligations of proprietors and residents, including house rules. In addition, contractual lease controls apply to government-owned rooming houses and other regulations may also be applied that issue from the Local Government Act, the Development Act and Public and Environmental Health Act. The legislation governing the rooming house sector is not always consistent across all rooming houses or all parts of South Australia.

The literature confirms that an overlapping jigsaw of legislative regulation makes it challenging for rooming house landlords and residents to understand their rights and responsibilities (AHURI, 2013). There are concerns about gaps, coverage, enforcement and effectiveness of rooming house legislation and regulation (Anderson, Peter, et al. 2003). In particular, the inconsistencies and complexities of the legislation render the regulatory structure ineffective in many ways when it comes to vulnerable people. In order to create a safe, secure, appropriate and affordable framework for rooming housing, there must be an increase in the responsibilities of owners, landlords and managers through legislation, regulation and standards in South Australia.

Recommendations in the Literature

Recommendations from Residents

The Registered Accommodation Association of Victoria developed a code of conduct for its members because of regulatory changes and then the peak body for rooming house owners proposed a set of accountabilities. The accountabilities were in response to three common issues as follows (AHURI, 2013:37-39):

1. Managers who did not follow legislative requirements and exercised unaccountable authority over residents who were often not in a position to challenge them;
2. It is often not clear who is the manager of a rooming house, especially if authority is delegated to a resident; and
3. Operators do not always acknowledge that residents may have a range of disabilities and require access to community support services.

The accountabilities are as follows:

- Rooming house landlords must have some form of registration/training;
- Rooming houses must link residents to support services;
- Rooming house residents must have access to privacy;
- Rooming houses must satisfy a minimum safety and construction standard;
- The government must develop a way of collecting good data from rooming houses; and

- The government must reframe rooming house legislation so it is more accessible and simplified for residents and landlords.

Vulnerable people reside in rooming houses and it has been noted earlier that landlords are not required to be registered in order to undertake the role of proprietor in South Australia. This means that there are no background checks, no training or qualifications required in this sector though there are comprehensive registration procedures in other sectors where people are working with highly vulnerable clients.

This lack of an adequate regulatory framework also means that there is minimal data and an absence of any clear research or evaluation program of resident outcomes in a more contemporary sense. Implementing procedures for the improvement and collection of data from rooming houses would facilitate improved policy decisions in relation to regulations and residencies (AHURI, 2013). Registering landlords or rooming houses would also enable the creation of pathways for residents to connect with external community services (AHURI, 2013).

Recommendations by Landlords

In the surveyed literature, landlords have expressed that their two main concerns are the amount of administrative activities they must attend to in operating a rooming house and the level to which they have to undertake “social work” roles for people with high and complex needs who cannot access supports and services (Anderson, Peter, et al. 2003). More recently, the Private Hotels and Boarding Houses Association of New South Wales claimed that boarding houses in that state are “financially precarious” due to the following landlord issues:⁸

- High insurance costs;
- Increasing fire safety upgrades and fire compliance costs;
- Council inspections;
- Council requirements and environmental planning policies compliance;
- Upgrades to meet modern standards;
- Commercial water rates, garbage charges and electricity;
- Management costs;
- Competition with the unregulated ‘share’ accommodation or quasi boarding house providers who do not have expense or workload of the onerous financial and government controls in the areas of fire, health, council registration and statutory requirements that apply to boarding houses;
- Positioned in generally high value locations with increasing pressures by developers to sell;
- Rent control and length of stay conditions for those who apply for land tax exemption; and
- Low [financial] returns.

It is clear from the research and Shelter SA consultation with South Australian rooming house landlords that some may be reluctant to support any changes to regulations, given existing concerns about the regulatory processes they must already adhere to (Anderson, Peter, et al. 2003). Regulations surrounding minimum standards of building construction and electricity access may increase costs of operating a rooming house to the point that selling the land becomes a preferred

⁸ <https://www.poansw.com.au/information/boarding-houses/>

financial option for landlords in the absence of new operational models supported by feasibility and business cases. If changes are to be designed and implemented it is necessary to identify and engage all stakeholders, including residents and landlords.

Changing the way rooming housing operates may be a complex task but it is one we must address. Anderson et al (2003) indicate that there are signs of older landlords who are set to move out of the business and younger landlords are emerging that have very different attitudes to business and administration. A key driver of a possible shift in the sector is the increasing value of a rooming house asset in terms of land and income stream value and an older owner seeking to exit the business world as part of their retirement. This possibility was confirmed in the surveys conducted by Shelter SA in which the majority of respondents were over 55 years of age and nearly a quarter of all respondents were nearing retirement age. New owners bring different skills and knowledge sets and may enter the rooming house business with a clearer understanding of laws and regulation.

If the for-profit rooming house sector is transitioning to a new generation of owners, there is an opportunity to seek change including new regulatory systems. However, while new owners may be more aware of legislative controls and responsibilities, this does not mean that their attitudes to residents are necessarily altruistic. In fact, the for-profit motive underpinning rooming house provision will remain and is likely to remain transactional and focussed on high occupancy rates and not carrying rent arrears, which is supported in the legislation and regulation of the Residential Tenancies Act (1995). As long as there is the desire to maximise profits, which is often accompanied by a desire to minimise capital expenditure on housing improvements, there is the potential for a conflict of interests in the provision of housing for vulnerable people. Any change in rooming house legislation or operation must remain cognisant of the contradictions inherent in this model and keep a primary focus on the rights and responsibilities of residents.

Possible Ways Forward

Interstate examples

There is growing recognition in interstate jurisdictions that the rooming house sector requires more robust regulation and closer scrutiny. In addition, consideration has been given to adding special arrangements for residents with high and complex needs with the general intention to improve the quality of life of residents.

Distinct legislation for rooming houses was introduced in Queensland in 2002, New South Wales (NSW) in 2012 and the Victorian parliament has recently passed the Rooming House Operators Act (2016). These Acts establish registration or licensing schemes for rooming houses, minimum housing and operational standards and include 'fit and proper' person checks on potential proprietors.

The NSW Boarding Houses Act (2012) creates a framework that aims to address key community concerns about rooming housing and has established a registrar of rooming houses administered by their government business administration body (NSW Fair Trading). All 'registrable' rooming houses, as defined by Fairtrading in New South Wales⁹, must register with the registrar. NSW Fair Trading

⁹ http://www.fairtrading.nsw.gov.au/ftw/Tenants_and_home_owners/Boarding_houses.page

also administers occupancy rights for all rooming house residents and local councils enforce certain minimum standards (AHURI, 2013).

In Victoria, following the death of two people in a rooming house fire in 2006 and subsequent Coroner's investigation, a reform process was initiated that targeted private rooming house regulation. A Taskforce was established to respond to the Coroner's recommendation for introduction of a 'fit and proper' person test for rooming house operators and a range of other potential interventions including a state-wide register of private rooming houses. All 32 recommendations made by the Taskforce were supported by government and many have been implemented (Council to Homeless Persons Rooming House Project, 2014:4).¹⁰

The Rooming House Operators Act (2016) has recently passed the Victorian Parliament and will enable a licensing scheme to be established to protect against exploitative practices within the rooming house sector. This licensing scheme is to be administered by the Business Licensing Authority and monitored and enforced by the Director of Consumer Affairs Victoria (Rooming House Operators Bill 2015 Research Note, 2016:1).

As part of this reform process in Victoria, rooming house landlords also recommended certain regulatory frameworks and accountability measures they were willing to implement to improve the standards of rooming houses. The Registered Accommodation Association of Victoria Ltd., the peak association representing rooming house owners, wrote a proposal that required landlords to:

- Have more direct communication with residents and help resolve problems sooner;
- Help residents feel safer;
- Help minimise damage to the building;
- Ensure repairs and maintenance works are carried out quickly and maintain hygiene standards;
- Help enforce the house rules;
- Help build good relationships with neighbours; and
- Address legal issues promptly (AHURI, 2013).

Many of these proposed accountability measures are subjective in that they are difficult to measure. South Australia can look to Victoria and other jurisdictions to frame possible improvements to current rooming housing legislation and regulation in addition to monitoring the effectiveness of any reform processes currently being considered and implemented.

In Queensland, the Residential Services (Accreditation) Act (2002) establishes minimum standards and living conditions for private sector boarding house residents. Operators must be registered with the Department of Housing and Public Works and seek accreditation in order to operate. Registration includes a character test and a criminal history check, which is also applied to any 'associates' of the boarding house operator that will be involved in the management of the boarding house (Rooming House Operators Bill 2015, 2016: 11).

¹⁰ The Council to Homeless Persons found that 10 recommendations were still outstanding from the Taskforce report and highlight many issues with implementation of the licencing scheme that should be given consideration if South Australia is to avoid some of the limitations in the Victorian approach. See pp.5-6.

A South Australian Model

The Supported Residential Facilities Act SA 1992 was purposely created to address the problems that arise when vulnerable people are accommodated with multiple others on a for-profit basis. Issues of licencing, privacy, visitor entry, human rights and standards of care are specifically addressed in this legislation, as are complaint mechanisms.

As a result of the findings of this study, Shelter SA contends that vulnerable rooming house residents require similar intervention and support services as Supported Residential Facility residents in South Australia. A community visitor scheme has been implemented in some local government areas of South Australia and Facility residents are eligible for support and health services. In addition, some financial supports are provided to Supported Residential Facilities through “board and care subsidies” and an intake system has been created to properly assess a potential resident’s capacity to achieve a residency.

A similar model of regulation could be applied to rooming houses to ensure the human rights of vulnerable citizens are enshrined in legislation and minimum standards for accommodation and support are adopted to enhance the chance for rooming house residents to recover and return to independence.

Conclusion

Shelter SA acknowledges that existing rooming house legislation aims to balance the rights and responsibilities of residents and landlords. However, until rooming housing regulation and legislation reform ensures that all vulnerable citizens have a safe, secure, appropriate and affordable place to call home, rooming houses should not be considered as an appropriate way to accommodate residents given the complexity and variability of their conditions. All South Australians must have access to the full range of health, welfare, educational, training, employment, creative and recreational activities they require to achieve their potential and the rooming house tenure provides no immediate or direct capability to attend to resident needs in an adequate manner.

The ability of many rooming house residents to transition into more secure and appropriate housing is limited often because of very significant psycho-social reasons and therefore rooming housing runs the very real risk of embedding vulnerable people into homelessness. To ensure the best housing and health outcomes for vulnerable people, legislation, policy, procedures and practices must change so that rooming housing is the beginning of the road to recovery, and not the end of an emergency or crisis support response.

Many rooming house residents have complex needs yet live within a context of risk management, at the expense of many of their human rights. Living in a highly regimented and controlled environment has complex social and psychological impacts on a vulnerable person. Controlled environments also go against best practice models for responding to people living with mental health issues.

At the heart of any changes should be policy measures that raise the benchmark of outcomes for this target resident population and ensure vulnerable people do not need to rely on rooming housing for long-term accommodation. State and federal governments must work together to

address the lack of affordable private rental options for people living on low incomes and ensure social housing stock can meet demand. Failure to change policy, regulations and legislation will continue to hurt our most vulnerable people.

Recommendations

Society is judged on how it looks after its most vulnerable citizens, those who cannot look after themselves; our children, older people and those living with mental health issues. South Australia can no longer sit idly by and allow the relegation of a relatively small number of our most vulnerable citizens to a form of accommodation that prevents access to their human rights and an acceptable quality of life, therefore failing a moral test. It is time to create a new policy and regulatory environment, adequately funded, to ensure that rooming house residents who are vulnerable receive adequate care and support. The Shelter SA recommendations are underpinned by further calls for an investment in social housing by Federal and State Governments as the ultimate way to improve accommodation for our most vulnerable citizens.

The following recommendations specifically relate to rooming house residents who are living in poverty and/or who are vulnerable, indicated by their receipt of Centrelink benefits and/or who may be clients of other government and community services including health, disability, mental health and corrections.

Shelter SA seeks to work collaboratively with the State Government and suggests consideration be given to forming a taskforce, including Shelter SA, other relevant peak bodies and government agencies to address the identified risks facing vulnerable rooming house residents and give further consideration to these recommendations.

The South Australian government must urgently address the situation of rooming house residents who are living in poverty or who are vulnerable by acting upon the following recommendations:

1. Vulnerable rooming house residents require greater legal protections than are currently afforded in Part 7 of the Residential Tenancies Act (1995) or by ad hoc local government by-laws. The legal rights and responsibilities of landlords/proprietors and vulnerable residents of rooming houses must be safeguarded by considering the creation of a new piece of legislation, separate from the Residential Tenancies Act, and similar to the Supported Residential Facilities Act including, but not limited to, regulations around the following:
 - Health and safety standards
 - Building standards
 - Privacy
 - Access
 - Registration or Licensing
 - Monitoring
 - Fire safety
 - Community visitors
 - Complaints
 - Security of tenure

- House rules
 - Background check of rooming house managers
2. An overarching policy be developed by State Government housing, health, mental health and corrections agencies to ensure that all of their clients and patients are consistently and effectively guaranteed access to best practice discharge planning when they are exiting institutional care that include community support, adequate health and mental health services and full access to their human rights to enable their participation in society and the alleviation of poverty. The practice of paying rental bonds by government agencies outside of Housing SA, must cease.
 3. The Housing SA Integrated Housing Exits Program assists some prisoners who are leaving custody to find suitable accommodation and the merits of extending this program should be considered to prevent clients from being released directly to rooming houses without exploring longer-term, more suitable and affordable accommodation.
 4. Consideration be given to expansion of the Community Visitor Scheme to include vulnerable rooming house residents, who share a similar profile with Supported Residential Facility residents who have limited capacity to access their legal rights or make complaints.

The Community Visitor Scheme (CVS) is an independent statutory scheme that visits and inspects acute mental health facilities, emergency departments of hospitals, disability accommodation, and supported residential facilities (SRFs) for the following purposes:

- perform regular (and on request) visits and inspections of approved mental health treatment centres, disability accommodation and supported residential facilities (SRFs);
 - promote the proper resolution of complaints and advocate for the rights of individuals; and
 - refer issues of concern to relevant people or agencies, including the Minister for Mental Health, the Minister for Disability or the Health and Community Services Complaints Commissioner.
5. Consideration be given to expansion of the Department of Communities and Social Inclusion (DCSI) "Single Entry Point" for SRFs to include vulnerable rooming house residents who have the same identified need for community and mental health support services.
 6. Housing SA, and Consumer and Business Services to ensure systematic collation of existing data on resident bonds paid for rooming houses, the income source of recipients and a unique customer identifier to ascertain the numbers of vulnerable rooming house residents in South Australia. This data would enable a register to be created of the for-profit houses they reside in, a better understanding of vulnerability, i.e whether residents have disabilities, and sharing of analysis across government support agencies to support interventions. Customer consent and the ethics around data collection to be addressed.

7. As part of transition planning and implementation of the National Disability Insurance Scheme (NDIS), DCSI work to ensure that rooming house residents who are identified as having a disability through receipt of disability pensions are part of the NDIS assessment processes and assured access to the maximum community supports to which they are entitled.

Shelter SA is concerned that rooming house residents, particularly in for-profit houses, will be invisible to the NDIS assessment and support processes as this sector lacks the service provision framework of SRFs but rooming house residents may have similar levels of disability. We welcome further discussion with the NDIS and DCSI about the element(s) of the NDIS that should be made available to rooming house residents and to enable communication with rooming house providers and residents.

8. Review and adapt policies and procedures to provide adequate subsidy for the accommodation of vulnerable South Australians, including but not limited to the Housing SA Private Rental Assistance Program, to address rooming house resident debt and rent in advance arrangements. It is pleasing to note that Housing SA provide rent in advance to rooming house residents as a non-recoverable grant (therefore cannot lead to customer debt) however, it is recommended that bonds are also issued as non-recoverable debts.
9. Housing SA and Consumer and Business Services to consider ways to consider changing the management of bonds for vulnerable rooming house residents in response to concerns raised by proprietors during the Shelter SA consultation that there is too much paperwork, red tape and time taken up if they claim a bond. Any changes must attend to the rights of vulnerable residents to have their bonds returned to them and one that does not encourage residents to cease paying their rent and strikes a balance of fairness for proprietors who are genuinely seeking unpaid rent or recovery of damage costs through claiming a bond.
10. State Government to develop a board and care subsidy for vulnerable rooming house residents who cannot access the NDIS, similar to Supported Residential Facility subsidy, to ensure residents currently living with housing stress (paying over 30% of income on housing) to ensure adequate access to basic necessities including food, health care, transport and clothing. Shelter SA recognises that this recommendation may not apply to vulnerable rooming house residents living in rooming houses leased by the South Australian Housing Trust.
11. Community service workers who participated in the Shelter SA focus group agreed that rooming houses operated by not-for-profit agencies were generally of a higher standard than for-profit rooming houses and this possibility should be explored further with a view to the provision of high quality, affordable and safe accommodation for vulnerable South Australians.
12. State Government to fund, develop, and distribute a residents' rights and responsibilities poster (similar to the one pictured below) and a free-call number for complaints and enquiries.

BOARDING HOUSE RESIDENTS HAVE RIGHTS!

"The roof is leaking in a number of places and water flows under residents' doors. It's not right!"

"The landlord tried to forcibly evict me with no notice. Luckily a crowd gathered and stopped him. I ended up going to the Tribunal about it."

"There are ten rooms and I know all of the residents. There's a sense of community in this house."

"It's a nice house in a good street."

Do you live in a boarding house?
Your local Tenants' Advice and Advocacy Service is on your side.

- ✔ You're entitled to receipt and a written agreement.
- ✔ The house should be clean and in reasonable repair.
- ✔ You should get reasonable notice for inspections.
- ✔ You can apply to the Tribunal to resolve disputes.
- ✔ You can't be evicted without reasonable notice, in writing.
- ✔ The notice can't be more than two weeks' rent.
- ✔ The owner can't charge penalties for breaking rules.
- ✔ The rent can't be increased without your written notice.

Got questions? Get free advice.
Call 1800 767 126
(Free from mobiles and landlines)
www.tenants.org.au

Shelter SA has a range of activities planned to support the recommendations listed above and we invite you to join us and support our work. If you have any comments, questions or feedback regarding the contents of this report, please contact Shelter SA by phone (08)8223 4077 or by email sheltersa@sheltersa.asn.au.

Bibliography

- Anderson, P., Hume, A., Rogers, N., Stephenson, T. (2003) *It's No Palace: Boarding Houses, the Sector, its Clientele and its Future*, Department of Human Services, Adelaide, South Australia.
- Armstrong, L. (1997) The Reality of Rights: People with an Intellectual Disability and the Criminal Justice System in *Australian Journal of Social Issues* 3, No. 2:78-89.
- Australian Bureau of Statistics (2011) *Census of Population and Housing: Time Series Profile*. Accessed on 12 October 2016 available at <http://www.abs.gov.au/ausstats/abs@.nsf/productsbytitle/3177338022D899BACA2570D90018BFAE?OpenDocument>
- Australian Bureau of Statistics (2012) *A Statistical Definition of Homelessness*. Accessed on 12 October 2016 available at <http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/4922.0Main%20Features22012?opendocument&tabname=Summary&prodno=4922.0&issue=2012&num=&view>
- Bostock, L., Gleeson, B. (2004) *Contested Housing Landscapes? Social Inclusion, Deinstitutionalisation and Housing Policy in Australia* in *Australia Journal of Social Issues* 39, No. 1.
- Chenoweth, L. (2000) *Closing the Doors: Insights and Reflections on Deinstitutionalisation* in *Law in Context*, Issue 17, No. 2:77-100.
- Clark, A. (2004) *Supported Residential Facilities - Supporting Residents to Stay or Move On?* University of South Australia Honours Dissertation Adelaide, South Australia.
- Evans, L. (1996) *The Objectives of Institutional Reform within the Better Cities Program* in National Capital Planning Authority Institutional Reform, Occasional Paper Series 2, Australian Government Publishing Service, Canberra, Australian Capital Territory.
- Joseph Rowntree Foundation (1997) *Foundations: Making Housing and Community Care Work*, Joseph Rowntree Foundation, York, United Kingdom.
- Gleeson, B. (1996) *Geographies of Disability: Let's Get Planning out of Community Care* in *Urban Policy Research*, Issue 14, No. 3.
- Goffman, E. (1961) *Asylums*, Anchor Books, Doubleday & Co., New York, United States of America.
- Goodman, R., Nelson, A., Dalton, T., Cigdem, M., Gabriel, M., Jacobs, K. (2013) *The Experience of Marginal Rental Housing in Australia*, Australian Housing and Urban Research Institute Limited, Melbourne.
- Greenhalgh, E., Miller, A., Minnery, J., Jacobs, K., Gurrán, N. (2014) *Boarding Houses and Government Supply-Side Intervention*, Australian Housing Urban Research Institute.
- Pawson, H., Dalton, T., Hulse, K. (2015) *Rooming House Futures: Governing for Growth, Transparency and Fairness—New South Wales Discussion Paper*, Australian Housing and Urban Research Institute Limited, Melbourne.
- Hirst, C. (1989) *Forced Exit: A Profile of the Young and Homeless in Inner Urban Melbourne*, edited by Salvation Army Melbourne, Victoria.

- Hudson, B. (1991) Deinstitutionalisation: What Went Wrong? in *Disability, Handicap and Society*, Issue 6, No. 1: 21-36.
- Jacobson, N., Greenley, D. (2001) What is Recovery? A Conceptual Model and Explication in *Psychiatric Services*, Issue 52, No. 4.
- Johnson, G., Chamberlain, C. (2001) The Debate About Homelessness in *Australian Journal of Social Issues*, Issue 36, No. 1
- Johnson, G. and Chamberlain, C. Homeless Adults: Understanding Early Intervention in *Just Policy: A Journal of Australian Social Policy*, No. 26, May 2002: pp. 28-39.
- Jones, K., Fowles, A.J. (1984) Ideas on Institutions: Analysing the Literature on Long-Term Care and Custody, Routledge & Kegan Paul, London, United Kingdom.
- Leamy, M., Bird, V., Le Boutillier, C., Williams, J., Slade, M. (2011) Conceptual framework for personal recovery in mental health: systematic review and narrative synthesis in *British Journal of Psychiatry*, Issue 199
- Nicholls, S. (2014) Perpetuating the Problem: Neoliberalism, Commonwealth Public Policy and Housing Affordability in Australia in *Australian Journal of Social Issues*, Issue 49, No. 3.
- O'Conner, I. (1989) Our Homeless Children: Their Experiences, edited by Human Rights and Equal Opportunity Commission Sydney, New South Wales.
- Parliamentary Library and Information Service (2016), Rooming House Operators Bill 2015 Research Note, No.1., Department of Parliamentary Services, Parliament of Victoria, Victoria.
- Shannon, P.T. and Hovell, K.J. (1993) Community Care Facilities: Experience and Effects. Report prepared for Dunedin City Council and the Otago Area Health Board, Dunedin.
- The Council to Homeless People (2014), The State of Rooming House Reform in Victoria. The Council to Homeless People Rooming House Project, Victoria.
- The Salvation Army Adult Services (2011) No Room to Move? Report of the Outer West Rooming House Project, Kensington, Salvation Army.
- The Senate Economics References Committee (2015) Out of reach? The Australian Housing Affordability Challenge, Commonwealth of Australia, Parliament House, Canberra.
- Swain, J., Finkelstein, V., French, S., Oliver, M. (1993) Disabling Barriers - Enabling Environments: An Introduction to Disability Studies. Open University, UK.
- Wiesel, I., Pawson, H., Stone, W., Herath, S., McNelis, S. (2014) Social housing exits: incidence, motivations and consequences, Australian Housing and Urban Research Institute Limited, Melbourne, Final Report No. 299.
- Yates, J., Milligan, V. (2007) Housing affordability: a 21st century problem, Australian Housing and Urban Research Institute Limited, Melbourne, National Research Venture 3: Housing affordability for lower incomes Australians.