



“At least there weren’t any cockroaches in prison”

**Rooming Houses in South Australia:
An Update**

@ Shelter SA 2020

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Introduction

Rooming houses are the only accommodation option for some South Australians, who are usually extremely vulnerable in relation to their housing situation, health, mental health and financial status. In 2017, Shelter SA, the peak body for housing in South Australia, published the first research report since 2003 on rooming housing in South Australia.¹ It was highlighted in the report there is an urgent need for consistent regulation across the for-profit operators within this sector and Shelter SA recommended greater safeguarding of legal protections for vulnerable residents, stronger legal protections of the rights and responsibilities of residents under the Residential Tenancies Act South Australia (1995), and the development of an overarching policy by State Government housing, health, mental health and corrections agencies to ensure greater oversight, planning and support for housing clients and patients exiting institutional care.

This paper describes our latest consultation with residents that resulted in the creation of a booklet for residents and owners explaining their legal rights and responsibilities² and the past and present concerns Shelter SA has raised in relation to rooming houses. Some of the views of more recent interactions with owners are described and recommendations for action by State Government are noted throughout and summarised at the end of the paper.

Consultation with Residents

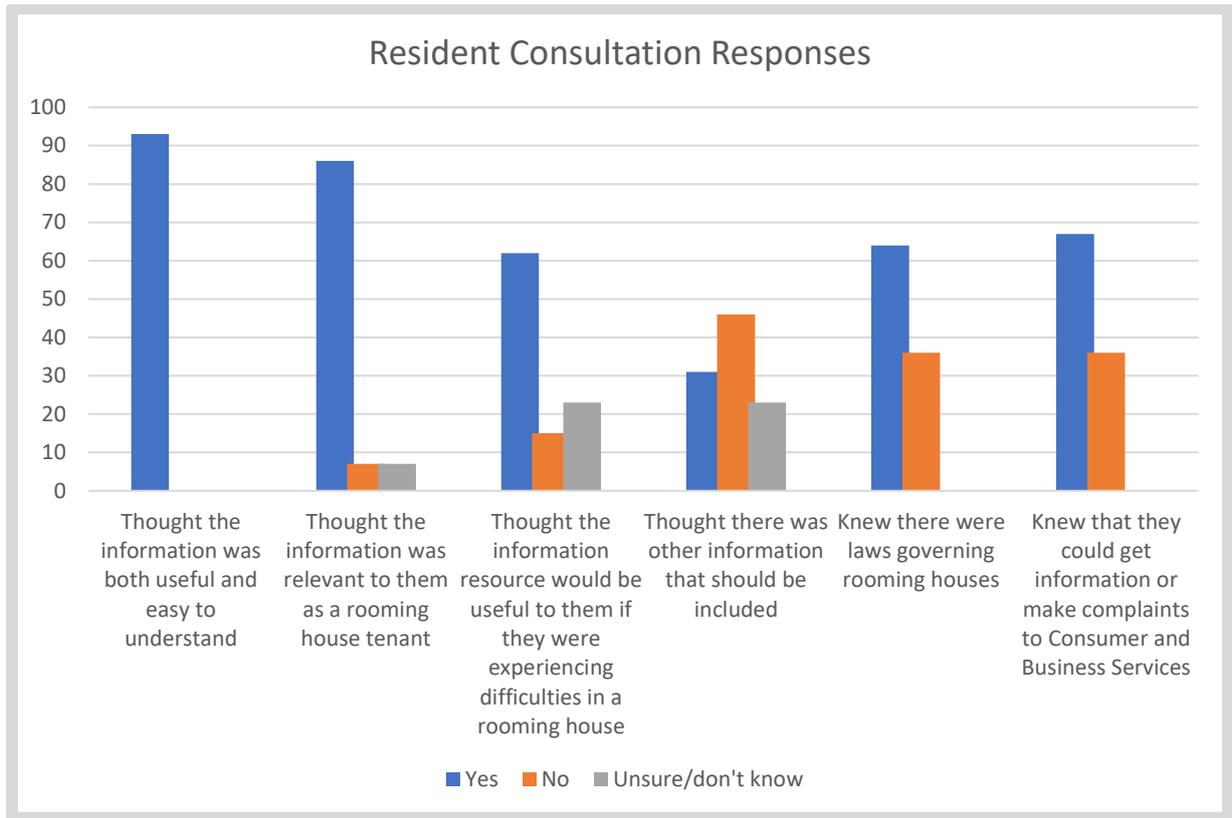
Recognising the existing gaps in policy and legal protections for rooming house residents, Shelter SA created a booklet for residents and owners of rooming houses, in consultation with residents, aiming to increase their knowledge of, and access to, their legal rights and responsibilities. After giving the residents time to consider the draft information, Shelter SA held a barbecue for residents to discuss the content of the planned booklet in person and distributed a questionnaire to collect their written feedback.

There were more than twenty-five residents present at the barbecue and fourteen people completed the survey. Conversations revealed confusion about whether there were rules that applied to all rooming houses considering past resident experiences of different rooming houses revealed that each had its own rules. It was difficult for residents to discern between the content of existing legislation, what they think should be in the legislation and what their personal experiences of rooming houses were.

The content of the booklet was then adjusted to reflect the resident feedback using the simplest, easy to understand language.

¹ The End of the Road Rooming: Housing in South Australia, March 2017 <https://www.sheltersa.asn.au/wp-content/uploads/170315-Shelter-SA-The-End-of-the-Road-Final.pdf>.

² https://www.sheltersa.asn.au/site/wp-content/uploads/SSA_BOARDING_INFO_BOOKLET-FINAL.pdf



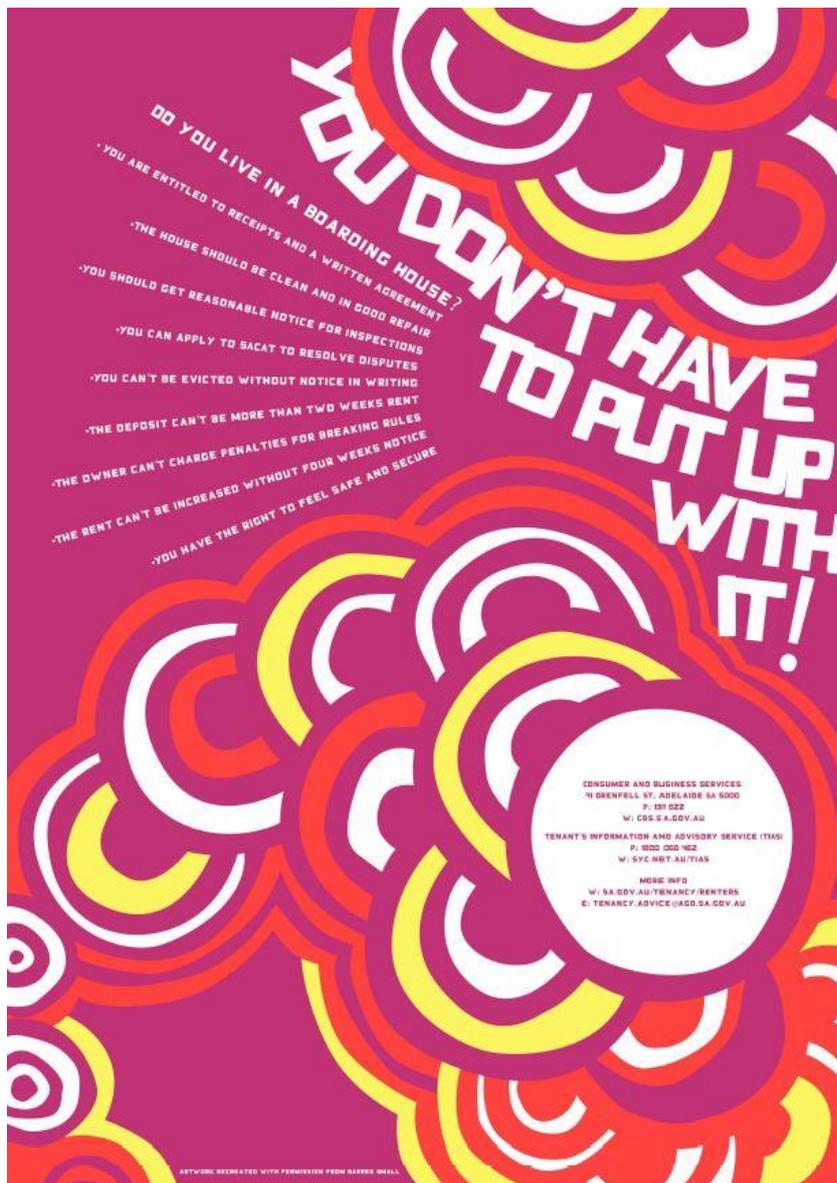
Responses to the Shelter SA questionnaire by percentage

Consultation with Owners

Rooming house owners were contacted by letter, telephone and/or email to discuss the distribution of the Shelter SA booklet. Engaging owners was difficult and time consuming because they would not respond to emails and phone calls. Some owners could not be contacted at all, others were reluctant to participate, some had sold their rooming houses and one was interstate. Common themes from the contact that was made with owners included the below issues. We note that owners have a perspective that is not always balanced with the views, issues and concerns as experienced by residents.

The care and attention to residents' needs articulated by rooming house owners varied considerably between individuals indicating that there are few standards for owners to adhere to, nobody to safeguard residents' rights or consistent supports in place for residents. Owners reiterated that rooming houses are first and foremost a for-profit business enterprise. Shelter SA has previously stated that a for-profit business model is a poor fit with accommodating vulnerable people and is at odds with the provision of high-quality accommodation and support. Rooming house owners were reluctant to engage with Shelter SA and this reinforces the concerns previously raised by Shelter SA that rooming houses receive little or no outside scrutiny to ensure that vulnerable residents have safe, appropriate accommodation and support.

Rooming house owner participants, who receive accommodation referrals from a variety of government and non-government services, said that they are often not given adequate information about the mental health, drug and alcohol use, domestic violence situation or medical problems experienced by residents. There must be a balance between information sharing and consent from residents to provide such information and continued support for residents from specialist homelessness services could address the issue of a lack of information negatively impacting on tenancies.



An example of a Shelter SA poster developed with and for rooming house residents³

Despite State Government policy settings that outline “no discharge into homelessness” (from State Government institutions) it is well-known that various agencies place people in rooming houses when they are exiting hospitals, prisons and mental health facilities, effectively delivering them into

³ Full set of posters available here <https://www.sheltersa.asn.au/boarding-house-posters/>

homelessness, as defined by the Australian Bureau of Statistics. This practice should cease immediately to enable government departments to adhere to discharge and release policies through the provision of safe, affordable and appropriate accommodation.

There is great need for improved assertive outreach for rooming house residents, flexible community-based drug and alcohol and mental health services, and effective support measures. Community services that refer people to rooming houses often do not have the capacity to continue working with them once they are considered to be housed. This leaves rooming house residents alone, owners without resources to turn to in case of resident problems and often results in people returning to homelessness or moving to another rooming house.



Residents churning around in the rooming house sector or caught in a revolving door situation between institutions and rooming houses may exhaust the assistance they can obtain in the form of a residential tenancy bond guarantee or rent assistance from State Government due to accumulating a debt.

State Government should provide increased and specific funding to specialist homelessness service providers to support people that are placed in rooming houses. Residents may be eligible for the National Disability Insurance Scheme but there is no support for them to apply. Nobody is checking with residents if they wish to apply for public housing, update their contact details if they have an existing application or supporting them to explore alternative housing options.

Rooming House owners all remarked that it is difficult to get police attendance in some situations and South Australian Civil and Administrative Tribunal (SACAT) processes are lengthy. Participants suggested that SACAT should have a section dedicated to rooming houses, so a timelier response is possible, referring to the previous Residential Tenancies Tribunal as more responsive than the current amalgamated service. Vulnerable residents require support and assistance with Tribunal processes but there is a lack of resident knowledge about where to go for help.



Owners said that there is a lack of culturally appropriate emergency accommodation for Aboriginal and Torres Strait Islander peoples. Shelter SA is pleased that the South Australian Government is currently developing an Aboriginal Housing Strategy that will consider the full housing continuum and we look forward to the release of the Strategy in 2021. Owners said that there is a lack of support for pregnant women with previous involvement in the child welfare system. The Housing Authority's eligibility criteria for emergency accommodation⁴ are below and if people do not meet all criteria they are currently ineligible for assistance. That means that a pregnant woman, who may experience health and safety issues alone, due to their pregnancy, without the remaining criteria, are also ineligible for assistance.

People are eligible for assistance into emergency accommodation if they meet **all** the below conditions:

- they're homeless and unable to return to their usual address due to domestic abuse, severe family or household breakdown, or natural disaster
- they can't access alternative housing options, for example shelter, boarding house, staying with friends or relatives
- they live in South Australia at the time assistance is sought
- they meet the [income and asset limits for the Private Rental Assistance Program](#), except if they're experiencing [temporary financial hardship](#)
- their health and safety is assessed as being at risk if they don't receive assistance into emergency accommodation
- they don't have a debt to Housing SA, or they make and keep an arrangement to repay a debt to Housing SA

⁴ <https://www.housing.sa.gov.au/about-us/policies/emergency-accommodation-policy>

A potential answer to these problems would be a dedicated rooming house support team where residents and owners could get the support they need from workers that could be tailored to each situation. Only owners who have some interest in the welfare of their residents may utilise such a service but it is possible that it could bring for-profit rooming houses in from the shady past that has characterised the sector, to the mainstream, as a recognised and supported form of accommodation for people in need. If there were a genuine, workable resource to which residents and owners alike could turn, this could improve the rooming house experience for everyone.

The current residential tenancy bond guarantee system was changed for rooming houses, requiring owners to apply to the Tribunal to claim resident bonds and it is recommended that this system remain. The owner participants said that while this system can limit rorts by exploitative rooming house owners—to some degree they said that it also impinges on the operations of those doing the right thing. Anecdotally, some rooming house owners are no longer accepting bonds or do not always lodge bonds. Bond Guarantees issued by the South Australian Housing Authority are automatically cancelled if they are not lodged. Owners complained that there is no back-up or recompense for owners when it comes to unpaid rent. Until rooming house laws are strengthened it is not recommended to address this problem as it has the potential to further financially disadvantage vulnerable residents.

Some owners were unaware that 30% or less of household income is considered an affordable rent. Others were unaware that residents could be eligible for Commonwealth Rent Assistance (subsidies for utilities may also be available for those with a healthcare card). Prior to the introduction of the JobSeeker payment, many rooming house residents were reliant on Newstart which was approximately \$500 per fortnight. The maximum rent chargeable for a rooming house is \$320 per fortnight and many owners also add a utility charge—for which there is no cap. This amount of rent is deemed severely unaffordable for people living on low incomes. With the introduction of JobSeeker, many rooming house residents may have found themselves better off financially, however the for-profit system does not provide an affordable housing option for residents, JobSeeker has already been reduced once and may face further decreases.

Distribution of Booklet

Four rooming house owners agreed to distribute the information booklets to their residents. One or two owners were willing to have Shelter SA speak directly to residents but circumstances made in person visits impossible to arrange. Shelter SA instead decided to distribute booklets to organisations that refer clients to rooming houses. Five hundred booklets were distributed to organisations. The booklet is also available online through the Shelter SA website (see footnote 2).

Recommendations

Building on the 2017 Shelter SA rooming house research, the following recommendations for State Government have emerged from this project.

1. Urgently increase the supply of public and community housing to meet the short, medium and long-term housing needs of South Australians living on low incomes but specifically for people who are exiting institutional care.
2. It is noted that SA Health and the Housing Authority are exploring new forms of supported accommodation to create safe pathways for people with complex needs however the development of a new supported accommodation residence is urgently required, modelled on The Terraces. The residence should be not for profit, staffed 24/7, have self-contained accommodation and be affordable for people living on low incomes.
3. Urgently fund a culturally appropriate, not for profit, rooming house model and rooming house resident advice and advocacy service for Aboriginal and Torres Strait Islander peoples.
4. Urgently develop a crisis accommodation solution for young pregnant women who are not eligible for emergency accommodation or, change the current eligibility criteria.
5. Develop enforceable minimum standards for rooming houses. The Housing Safety Authority that regulates minimum housing standards should proactively and routinely visit rooming houses and have the authority to mandate improvements if standards are not met.
6. Include proactive, routine visits to rooming houses by the Community Visitor Scheme to mandate outside scrutiny.
7. Specifically include rooming house residents in the Adult Safeguarding legislation.
8. Waive accumulated debts if clients have a history of applying for bond guarantees for rooming houses or if they require emergency accommodation.
9. Enforce government policy around no discharge from institutions into homelessness.
10. Fund the provision of support by specialist homelessness services for all rooming house residents to:
 - Receive assertive outreach services;
 - Explore alternative housing options;
 - Apply for public and community housing;
 - Apply to the National Disability Insurance Scheme; and
 - Other daily living and health needs.
11. Provide education for rooming house owner and residents about:
 - Housing affordability for people living on low incomes;
 - the availability of and eligibility for Commonwealth Rent Assistance; and
 - Where to seek assistance with SACAT.
12. Consumer and Business Services to examine the issue of non-lodgement of cash bonds.
13. Fund and establish a dedicated rooming house team at SACAT.
14. Fund and establish a dedicated rooming house support team to support owners and residents, made up of representatives from the health, mental health, corrections, disability, Aboriginal and women's support services.

Conclusion

Our latest discussions with rooming house owners and residents confirm that the issues raised by Shelter SA, of broader systemic problems in the for-profit sector, remain unchanged since 2017. Depending on the way that homelessness services are funded and structured, and the way that outputs are measured, there is a risk that a housing outcomes, no matter what their quality or

suitability for the client, will meet targets. Rooming houses have become dumping grounds for citizens with complex needs. There is not enough public housing, supported accommodation or crisis accommodation to meet the needs of people experiencing a health or housing crisis in South Australia. Equally, there is not enough longer-term support for people with complex needs. It is essential that the standard of living, human rights and legal rights of people in rooming houses are protected.

There needs to be a workable resource to which residents and owners alike could turn; a rooming house support team, tailored to each situation could provide recognition and support that could mainstream accommodation for people in need. The recommendations of our 2017 report “The End of the Road” are as relevant now as they were three years ago and they grow more urgent every day.