

# *Working on both sides*

*Jo Hibbert, Tenant Advocate, Elizabeth Evatt CLC*

***Social Housing Providers are increasingly using the Consumer and Commercial Division of the NSW Civil and Administrative Tribunal (NCAT) as a dominant, and sometimes first strategy in dealing with tenancy disputes. As a Tenant Advocate with an unequivocal responsibility to assist, advise and represent tenants in an ethical and principled manner, what opportunities are there to work from both sides, and so reduce unnecessary exposure of tenants to the tribunal mechanism?***

**“It is increasingly evident that governments are unwilling and/or unable to inject adequate equity into maintaining and expanding conventional public housing to meet the growing need for affordable housing in Australia.”**

Jacobs, K. et al. (2010) *What future for public housing? A critical analysis*

AHURI Final Report No.151.Melbourne: Australian Housing and Urban Research Institute.

## CONTEXT

- ❑ **State Housing Authorities “would effectively operate as enablers of social housing rather than as providers, with responsibility for managing a new regulatory framework.”**

Jacobs, K. et al. (2010) *What future for public housing? A critical analysis* AHURI Final Report No.151.  
Melbourne: Australian Housing and Urban Research Institute.

# CTTT APPLICATIONS

Year	Tenancy	% +/- from previous year	Social Housing	% +/- from previous year
2012-2013	31,671	-3%	17,725	+10%
2011-2012	32,626	+5%	16,084	+25%
2010-2011	31,039	+2%	12,912	-2%
2009-2010	30,490	-11%	13,135	+30%

[http://www.ncat.nsw.gov.au/agdbasev7/wr/\\_assets/ncat/m771022114/annual\\_report\\_1112.pdf](http://www.ncat.nsw.gov.au/agdbasev7/wr/_assets/ncat/m771022114/annual_report_1112.pdf)

Note as the Social Housing Division was established on 1 October 2008 the percentage increase of applications in 09/10 compared to that of 08/09 is not directly comparable to subsequent years.

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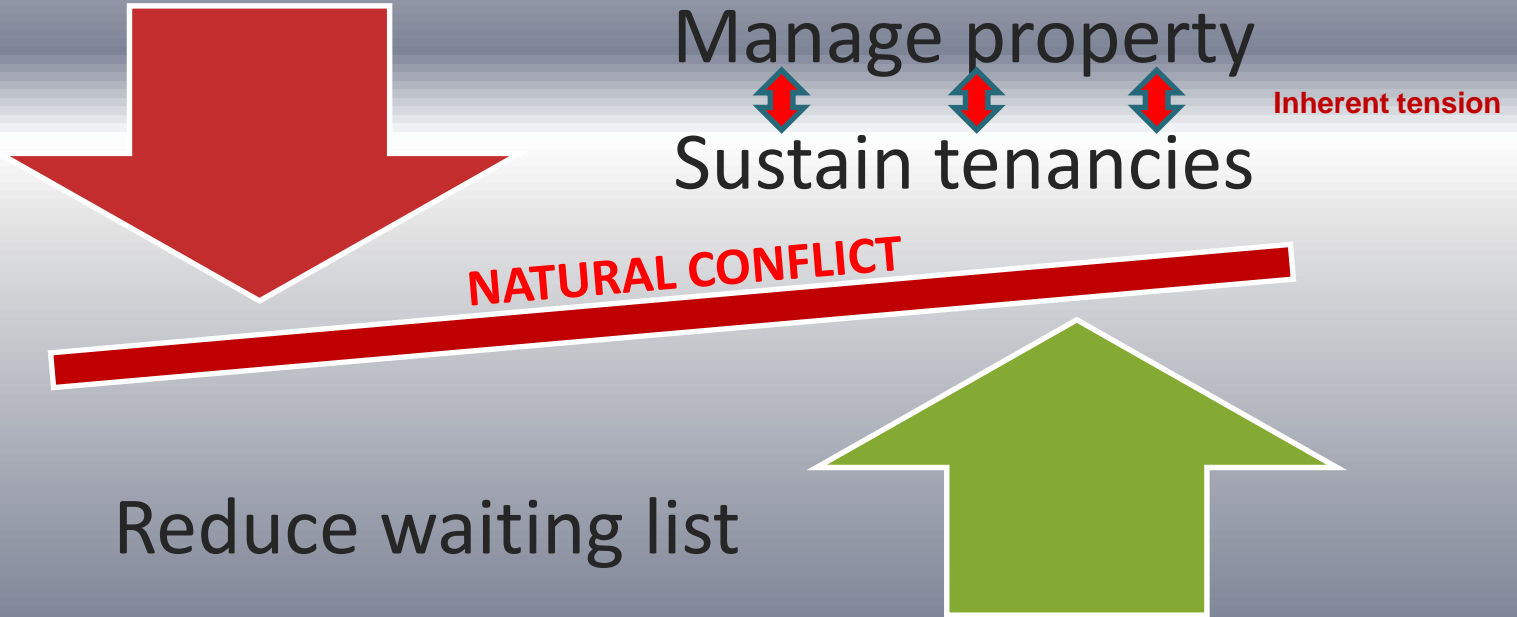
# *12 sitting days Katoomba CTTT between 18<sup>th</sup> April and 22<sup>nd</sup> August 2013*

**251** listed matters during this period of which  
**88.5%** or **222** of these were tenancy related matters  
**118** – private tenancy agreements  
**104** – social housing agreements

# *Reasons for looking for different ways of working/new alliances*

- Aim to reduce the use of the Tribunal as a punitive weapon against tenants;
- Improve relationships between Landlord and Tenant Advocate and reserve the adversarial position for when it is most necessary;
- Encourage early engagement with problems and a work together ethic;
- Wanting the housing provider to contact the Tenant Advocate and refer tenants;
- Wanting a greater level of accountability from social housing providers; and
- Greater opportunities to work to sustain tenancies when things do go wrong .

# *Community Housing Provider* key accountabilities





# *Tenant Advocacy Worker* key accountabilities

**NATURAL SYNERGY**



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# TENANCY

Applications	%	Lodgement by
31,671	75%	Landlords
	<b>24%</b>	<b>Tenants &amp; co-tenants</b>
	1%	Occupants, prospective tenants and other persons

# SOCIAL HOUSING

Applications	%	Lodgement by
17,725	67%	HNSW
	21%	Community Housing Providers
	7%	Aboriginal Housing Organisations
	<b>5%</b>	<b>Tenants &amp; occupants</b>

# QUESTIONS TO COME BACK TO

- **Why the substantial difference in tenant initiated action in the Tribunal?**
- **What factors might be at work?**
- **What strategies could be initiated to turn this around?**

# *Housing Lottery Activity Questions*

1. Consider the impact of your waiting time;
2. Consider the task of keeping on the list over such a period of time, maintaining currency when there is no other relationship than being on a list/maintaining an address when homeless;
3. Would you consider relocation to an area with greater housing stock availability (likely also to be an area of reduced employment option, regional, remote)?