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Submission to the Senate Community Affairs References Committee

Inquiry into Poverty and Financial Hardship in Australia 2003

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Summary of Recommendations

Recommendation 1:

That the Commonwealth Government establish an agreed indicator of poverty in general and a nationally agreed benchmark for housing related poverty.

Recommendation 2:

That the Commonwealth Government investigate the nexus of security of tenure and poverty, based on comprehensive research and consultation with tenants, tenant groups, industry and other key stakeholders.

Recommendation 3:

The Commonwealth Government review the Commonwealth Rent Assistance (CRA) program in consultation with all levels of government, the Australian Council of Social Service (ACOSS), community sector agencies, and recipients of CRA.

The review must address:

- **The effectiveness of CRA as a housing program in improving affordability, access, and standards;**
- **The annual cost of CRA and projected long-term costs;**
- **The relationship of CRA to income support;**
- **The relationship of CRA to the private rental market; and**
- **Eligibility criteria.**

Recommendation 4:

That the Commonwealth Government create a Commonwealth Ministerial Department of Housing, responsible for strategic housing policy coordination across tenures, including:

- **A review of Commonwealth Rent Assistance;**
- **An expansion of the supply of affordable housing in both the private rental market and social housing system;**
- **Development and implementation of a National Housing Policy; and**
- **Reporting on the First Home Owners Grant and its' impact on low-income households and affordable housing.**

Introduction

An inquiry into poverty in Australia is welcomed, timely and necessary in order to understand the causes and consequences of poverty in Australia, and to provide the Commonwealth Government with an opportunity to develop well-considered, coordinated, and relevant solutions of both a long and short-term nature.

The Tenants Union of Victoria (TUV), through this submission, seeks to highlight the connection between poverty and housing tenure and, in particular, the situation for low-income tenants. This submission focuses on the issues concerning Victorian tenants and residents, including private and public tenants, and rooming house and

caravan park residents. Many of the trends and issues identified are not specific to Victoria, and are, in fact, replicated across Australia.

In particular the submission will address the following terms of reference as they impact on rental households across a range of tenures:

- The extent, nature and financial cost of poverty and inequality in Australia;
- The effectiveness of income-support payments in protecting individuals and households from poverty;
- The effectiveness of other programs and supports in reducing cost pressures on individual and household budgets, and building their capacity to be financially self-sufficient.

The Tenants Union of Victoria

The Tenants Union of Victoria Ltd (TUV) welcomes the opportunity to contribute to the Senate Community Affairs References Committee, Inquiry into Poverty and Financial Hardship in Australia. The TUV is a specialist statewide advocacy organisation and community legal centre, established in 1975, that provides free information and advice to residential tenants, rooming house and caravan park residents across Victoria. In the year 2001/2002 the TUV assisted almost 34,000 private and public tenants and residents in Victoria.

The vision of the TUV is for genuine housing choice without social or economic disadvantage. Our mission is to promote and protect the rights and interests of all residential tenants in Victoria.

The TUV also promotes community awareness of tenancy laws and issues, lobbies for tenancy law reform and provides accredited training on a statewide basis for tenant and housing workers. The TUV produces a number of publications throughout the year including multilingual information in 11 community languages, a journal on tenancy issues entitled 'Tenancy Quarterly' and a broadsheet publication for tenants entitled 'Tenant News'. In previous years the TUV has been a member of a number of State Ministerial Advisory Committees related to housing and tenancy issues, and currently has a seat on the Victorian Ministerial Housing Council.

The Australian Housing System and Poverty

The Australian housing system has undergone significant change in the last thirty years. Changes to the labour market and incomes of individuals and households, changing demographic make-up of households including an increase in single person and single parent households, an increasing demand for private rental housing and a shortage of low cost rental properties, and the influence of the broader policy environment, in particular economic liberalism, have had a significant impact on the housing opportunities and choices of Australian households (TUV 2002).

The place of the private rental market in the 'housing career' of Australian households has changed considerably. Research indicates that the private rental market is no longer primarily a transitional tenure in which households spend a short period of time on the way to home ownership or the more permanent tenure of public housing (Burke 1999:9-11). In fact, a significant number of households are now spending

more than ten years in the private rental market (Wulff 1997:203). Wulff and Maher (quoted in Burke 1999:10) observed that by 1994, forty percent of renters had rented for more than ten years, indicating that private rental had become a more permanent tenure for a sizeable number of renters.

If tenants are staying longer in the private rental market by choice then that may represent a valid decision. However, commentators like Burke (1999:11) identify a “choice-constraint dichotomy” affecting different income brackets, whereby the private rental market provides “choice for the more affluent and constraint for the poor”. This is supported by studies showing a greater percentage of those renting are in poverty than owners or purchasers and that when housing costs are taken into account even more people renting are living in poverty, from 18.1% before to 27.8% after (Harding, Lloyd, Greenwell 2001:19). For those remaining in private rental into old age this is significant as their housing costs will not diminish in the way they do for owner occupiers.

Further to this, the private rental market is failing to provide enough affordable housing to meet the needs of low-income¹ Australians. Yates (2002) estimates a shortfall of 36 000 units of low cost stock in Victoria by 1996 caused by an overall loss of affordable housing as well as a lack of availability of low cost stock to low-income tenants. Recent newspaper reports note two features of the ‘housing boom’ for the private rental market, increasing vacancy rates and an oversupply of newly built inner-city apartments (Colebatch 2003). This does not seem to have affected the availability of low-cost housing for those on statutory incomes as the Office of Housing (2002:8) reports that supply of affordable housing remains tight and is locationally divergent. So, smaller properties in the inner city remain costly, with larger properties more available in the outer suburbs of Melbourne. Further the Office of Housing (2002:8) notes that “[t]he decline in the availability of affordable dwellings has come in the same quarter as the median rent for all properties has declined. This is due to fewer tenancies for more expensive properties commencing as well as a contraction in the availability of cheaper properties”².

The Office of Housing (2002) reports slower growth in rent increases for the year 2001/2002, with quite wide variation of median weekly rents across the metropolitan regions (\$175-\$270) and non-metropolitan regions (\$125-\$155). A comparison of median rents and affordability showed that of 8491 lettings in the State, 629 dwellings were classed as “affordable for households on statutory incomes” the quarter to June 2002, that is about 7.4%, with most of them outside of the metropolitan area (OoH 2002).

Home purchase continues to remain out of the reach of many low-income households, despite recent policy initiatives such as the First Home Owners Grant (FHOG). A recent report released by the Reserve Bank (2003) has found that home ownership rates have remained unchanged over the last decade, presumably despite initiatives such as the FHOG. It has been argued in recent times that the FHOG has done little to assist low-income households into home purchase, and in fact has spurred households into home purchase who were already able to do so.

¹ Low income in Yates (2002:38) study refers to below \$300 per week in 1996, with a further category of low to moderate income of between \$300 and \$499 per week.

² While median rents declined in the quarter there was an overall annual increase

The inability of low-income households to access home ownership has a long-term impact on the capacity for wealth creation and self-sustainability. Home ownership is the only tenure in which housing costs reduce over time, as mortgage payments reduce and eventually cease. The purchaser is also then in possession of a significant asset, which can be used to fund lifestyle changes, and which allows the owner to further access to credit throughout their housing career.

Social housing³ makes a valuable but limited impact on housing affordability for low-income households. While after-housing poverty has been shown to reduce for households in social housing, social housing stock comprises only 3.8% of total Victorian housing stock (Hudson 2002). In addition 37,944 households are on the public housing waiting list in Victoria, with a further 6,160 existing households requesting transfers (OoH 2003). As public housing is increasingly targeted to those 'most in need', through the introduction of the Segmented Waiting List⁴ in Victoria, poverty or financial difficulty is no longer enough to become eligible for public housing in any sort of timely way.

The ability of low-income households to access other forms of private rental housing such as rooming houses and caravan parks has also changed significantly. Rooming houses have traditionally provided a low cost housing option in inner city Melbourne and regional Victoria for singles and couples. The availability of rooming house stock has steadily declined over the last three decades however, while rents have correspondingly increased (Burke 1998). Generally, the Tenants Union of Victoria estimates room rental to be between \$90-\$120 per week, but recent Commonwealth Government estimates put median rooming house rents at \$140 per week (Henry 2001). Similarly, caravan rental costs are difficult to quantify but are generally reported to be comparable to apartment and housing rental, dismissing the myth that caravan park residency is a cheaper form of rental. Actual figures relating to demand for this type of stock are difficult to collate (due to the nature of the population), however, anecdotal evidence gleaned through casework suggests that significant demand for rooming house and caravan park accommodation continues to exist.

Another aspect of marginal housing forms like hotels and caravan parks is the inappropriate use of them to house people in crisis when an alternative is unavailable. This includes people leaving prisons, escaping domestic violence, suffering mental illness, and facing homelessness. The complexity of these peoples' situations is often compounded by poverty and being inappropriately housed.

Where housing is located has an impact on people's ability to access work and study opportunities. There is increasing evidence that tenants are locationally disadvantaged, even in the private rental market as their declining capacity to pay forces them to move further from job opportunities, thereby increasing their transport

³ The term social housing refers to both public housing owned and managed by the state housing authority, and community housing owned either by the state housing authority or community agencies and managed by community agencies.

⁴ The Segmented Waiting List was introduced to Victoria in 1999 as a means to ensure that households deemed most in need of housing are assisted first. There are four categories, listed here in order of priority, Recurring Homelessness, Supported Housing, Special Housing Needs and Wait Turn. Allocations under the first three segments now comprise more than 50% of allocations.

costs. Further, even where people are prepared to pay more for location there is not the stock available to rent (BSL 2003).

In summary, there is an important relationship between poverty and tenure that needs to be addressed. It requires an understanding of how the Australian housing system is operating, particularly recent changes in the private rental market that have seen a decrease in available, affordable housing and more households constrained to the private rental market for longer periods.

Poverty measurement

Recent debates about the existence and extent of poverty in Australia do little to improve the lives of those living in poverty. Arguments over the exact extent of poverty and whether poverty in Australia is 'absolute' or 'relative', while important and interesting, do little more than distract attention from addressing the problem that many Australians live without enough money to achieve a good standard of living. A number of agencies working with low-income households have documented the interplay between the non-negotiable living expenses that people face like housing, utilities, food, health/medical services, and transport and that people are trading off one for the other. For example, going without food to pay the rent, or not paying the rent to pay the electricity bill (Smallwood, Webster, & Ayres-Wearne 2002; BSL 2003).

Expertise in studying poverty is beyond the resources and scope of the Tenants Union of Victoria, however, there are a number of small and large community agencies working with people living in poverty who provide examples, not only of the circumstances of people but what is needed to make a difference. Reports from The Smith Family, Good Shepherd, and the Brotherhood of St Laurence, amongst others, serve to inform government and communities about poverty in Australia and should be accepted, analysed and acted upon to address the situation for Australians living below the poverty line.

The generally accepted benchmark of affordable rent being no more than 25% of household income can serve to mask the actual dollar amounts that people on statutory incomes and other low incomes are surviving on. An Austudy recipient on \$310.10 per fortnight needs a weekly rent of \$39. Whereas a single parent with two dependent children on Parenting Payment of \$952 per fortnight could pay a rent of about \$220 per week (based on January to March 2003 benefit details). In between there are a number of income support recipients whose income is not enough to allow them to easily access the private rental market in some areas of Victoria.

It is often more useful to use these actual dollar amounts when discussing the adequacy of incomes for those people without a lot of money as they bring home the segment of the market tenants are looking for housing in, along with an indication of how much money is left after housing to live on. Median rents in Melbourne run from \$160 per week for a one bedroom flat to \$220 per week for a two bedroom house or \$205 per week for a three bedroom house – though these vary widely for different subregions within metropolitan Melbourne. Aggregated figures can be misleading; for example, it appears from the above figures that a single parent with two children can afford the median rent of \$205 per week, but availability is also a factor. For the

quarter to June 2002, available and affordable 3 bedroom new lettings varied from 0.5% of all let stock in Inner Urban Melbourne compared to 52.2% of similar stock in South Eastern Melbourne and greater for the regional areas. So the locational factor is highly significant.

Any level of poverty in a country like Australia is unacceptable. Establishing an accepted benchmark for affordable rent, based on real incomes, and applied to the public and private rental sectors would go some way towards addressing affordability and poverty issues for rental households. Including the views, opinions, and experiences of community agencies working with those in poverty will be necessary to ensure accurate and appropriate policy responses.

Recommendation 1:

That the Commonwealth Government establish an agreed indicator of poverty in general and a nationally agreed benchmark for housing related poverty.

The extent, nature and financial cost of poverty and inequality in Australia

It has been well documented that people living in the private rental market generally experience greater after-housing poverty than those in home ownership or public rental housing (Harding, Lloyd, & Greenwell 2001; Burke 1999). There are three main reasons for this, the low income of those in private rental relative to other tenures (in particular, a high number of people on statutory incomes), the decline in affordable housing in the private rental market, and the ongoing cost of rental in old age that is not present for those who achieve home ownership by old age. Another related factor is the lack of control of private renters over associated household costs of utilities resulting from landlords choosing cheap installation costs that lead to high running costs for tenants. Tenants are often faced with the difficult decision of paying rent or paying utility costs. Which ever they choose results in the landlord or utility provider seeking to recover their costs, and the risk of the tenant either being evicted or having their electricity, gas or telephone disconnected.

Poverty and inequality in the housing market is a significant cost problem not only for the social services system, but for individual landlords and tenants as well.

The ultimate failure of affordability in the rental market (both private and social) is eviction. Evictions occur for a range of reasons however. While rent arrears is the clearest indicator of affordability problems for the tenant household, evictions for other reasons include where a premises is being renovated or sold. These type of evictions represent indirect affordability issues, as the landlord often enforces these type of evictions with a view to capitalising on current market trends, and is usually seeking to improve their own wealth creation.

The costs of enforcing an eviction are attributed to the Victorian Civil and Administrative Tribunal, Residential Tenancies List (VCAT). The VCAT is responsible for granting possession orders on rented premises. The Tribunal is funded from the interest earned on tenants bonds and in the financial year 2001/02 incurred

operational costs of \$6.6 million. More than half the Tribunal applications in 2001/02 - 57% of the 69,191 total applications - were made by landlords seeking possession orders against sitting tenants. Where tenants become homeless as a result of the eviction, they will often access homelessness and crisis services who assist by either providing on-site short term accommodation, payment of one to two weeks rent in advance on another property, assistance with other financial costs and/or support services to address other issues or problems. Tenants may access the Bond Loan Scheme (operated by the Office of Housing in Victoria) to assist with bond payment on a new premises, where they do not already have an outstanding debt with the OoH. Eviction may also prompt tenants to make an application for public housing, thereby adding to waiting lists.

The eviction also incurs costs for the landlord, namely a reletting fee that is charged by real estate agents for their services in securing new tenants for the rented premises. Where a landlord manages the premises themselves, they will still be required to pay for advertising and other sundry expenses in order to secure new tenants.

Tenants incur a range of additional costs when forced to move. These comprise both financial and social costs. Financial costs include removalist costs, disconnection and reconnection of utility costs, and other sundry costs associated with moving including school uniforms, some additional food costs, mail redirection and lost wages due to time off work. The social costs can be less easy to quantify but just as significant. They can include disruption to schooling for children, disruption to health care records and consistent treatment by a family doctor, disruption to employment, and disruption of support networks amongst family, friends and social services. The isolated social costs associated with forced eviction are compounded by increased mobility over time and have longer-term implications.

Evictions can also lead to both short-term and long-term homelessness as the private rental market becomes dominated by the operation of tenant databases that are largely unregulated. These databases operate to exclude tenants from the private rental market, thereby fuelling an informal private rental sector (which is a reasonable size in Australia) as a number of low-income tenants find themselves excluded from agent operated private rental.

The continuing growth of Commonwealth Rent Assistance, which cost \$1.8 billion in 2001/2002, is not sustainable and it has been demonstrated that investment in public housing is more efficient (see further discussion below). The two systems need to better complement each other.

Recommendation 2:

That the Commonwealth Government investigate the nexus of security of tenure and poverty, based on comprehensive research and consultation with tenants, tenant groups, industry and other key stakeholders.

The effectiveness of income-support payments in protecting individuals and households from poverty

Commonwealth Rent Assistance (CRA)

There is no doubt that the availability of Commonwealth Rent Assistance (CRA) for private renters in receipt of income support payments gives tenants additional income. What is unclear is the extent to which this assists with housing costs, particularly across different regions in Australia. There are also equity issues with the program as it only assists some income support recipients and only those in the private rental market. So people experiencing hardship purchasing a home are not assisted, nor are low-income workers assisted with private rental costs. The annual reporting on CRA does not really address what sort of difference CRA makes to the success, or otherwise, of tenancies in the private rental market. In particular, a failure to establish the housing outcomes of CRA, apart from a 30% of rent to income ratio or benchmark means that any benefit from the program is not well assessed.

One of the major flaws of the CRA program is that it relies on the market to provide supply at an affordable price in a location suitable for recipients. The work by Yates (2002) on the decline of affordable housing stock across Australia is important in two ways. It shows a decline in absolute numbers of low-cost private rental at a time when the private rental market overall experienced strong growth, and it demonstrates that there is also a problem for low-income renters accessing of low-cost stock, as they are competing with all renters. In Victoria, by 1996, Yates (2002) estimated the shortfall of affordable housing to be 36 000 units of stock. This might explain why CRA recipients reported less satisfaction with their dwelling in regard to “access to work opportunities” (78%) than private renters generally (87%) (Wulff 2000). We believe that the level of CRA is not enough for recipients to rent properties in locations that provide the access to work, transport, services and education that tenants want or require. However, any increase in CRA needs to keep in perspective that tenants may use CRA to afford other necessities rather than pay more for their housing. Hulse (2002) identifies in her research the problem of the hybrid Australian system that links CRA as a housing payment to the income support system making its use and role unclear.

The performance of CRA is not tied to specific housing outcomes apart from superficial reporting on the numbers of tenants paying more than 30% of income on rent before CRA and the reduction of these numbers after adjusting for CRA. These calculations assume that the entire amount of CRA is applied to rental, which is a policy assumption that is not necessarily based on how tenants actually apply their expenditure. There are still more than 30% of tenants in receipt of CRA who pay more than 30% of their income on housing, which is unacceptably high and highlights the need for a review of the CRA program and its effectiveness in alleviating housing-related poverty amongst income support recipients (DFaCS 2002). As rent assistance is an allowance, ‘add on’ to income support the problem may lie with the inadequacy of income support levels and as such that may be the area in need of addressing.

The problems with the system of breaching also need further work as this has a great impact on tenants ability to continue their rental payments on time, thus jeopardising their tenancies. The harshness of the penalty system severely limits the effectiveness

of the income support system in protecting individuals and households from poverty, and in fact serves to entrench poverty and cause homelessness.

Recommendation 3:

The Commonwealth Government review the Commonwealth Rent Assistance (CRA) program in consultation with all levels of government, the Australian Council of Social Service (ACOSS), community sector agencies, and recipients of CRA.

The review must address:

The effectiveness of CRA as a housing program in improving affordability, access, and standards;

The annual cost of CRA and projected long-term costs;

The relationship of CRA to income support;

The relationship of CRA to the private rental market; and

Eligibility criteria.

The effectiveness of other programs and supports in reducing cost pressures on individual and household budgets, and building their capacity to be financially self-sufficient

Adequate, appropriate and affordable housing is the cornerstone of household stability. Without access to adequate, appropriate and affordable housing, many households are unable to access employment opportunities, maintain an adequate standard of physical and mental health, pursue educational opportunities or to enjoy sporting, cultural or social events. There are a number of other housing policy measures which should assist individuals and households to reduce cost pressures, such as the public housing system and the First Home Owners Grant (FHOG). However neglect of the public housing system by some Commonwealth and State governments, and the lack of targeting related to the FHOG, have severely diminished the capacity of these policy measures to actually alleviate cost pressures and provide a genuine opportunity for households to build capacity and to work towards financial self-sufficiency.

Public Housing

The public housing system is an essential means by which many low-income households are able to secure affordable and appropriate housing of a suitable standard. However a steady decrease in funding to the system, increasing maintenance and upgrade stock needs, and increasing demand for affordable housing, is threatening the long-term viability of the system.

Despite the recognition that ‘public housing is the most cost effective way of ensuring housing is appropriate and affordable’ (Industry Commission 1993), Commonwealth funding to the system has decreased in real terms by 26% from 1989/90 to 2000/01 (Hudson 2002:51). Stock acquisition has stabilised in Victoria as a result, with social housing stock representing just 3.8% of total housing stock in Victoria, approximately 72,000 dwellings (including community housing) (Hudson 2002:51). Despite this public housing in Victoria comprises approximately 40% of affordable housing stock in Victoria. More startlingly this figure rises to 80% in the inner city areas of Melbourne (Hudson 2002:51). Yet access to social housing is increasingly targeted at

those households with more than just housing need. In 2000/01 more than 50% of allocations were priority allocations (Hudson 2002:54). Households experiencing only affordability problems, and 'working poor' households are either waiting for excessive periods of time for allocation of a property, or are excluded from the system all together.

Despite improved affordability outcomes for tenants of public housing, with rents set at 23-25% of household income, rent arrears continue to be a problem in the public housing system. In March 2003 the Office of Housing in Victoria changed its' allocation policy to require all new households to sign onto Centrepay as a condition of tenancy. This policy shift was in response to the arrears load being carried by the Office of Housing, an issue that the Auditor General's (2003) report had identified as a significant problem. The reason for the arrears problem is unclear, however it is unlikely that the total debt could be attributed to the sum of individual household failure. The level of debt indicates that despite affordable rent setting policies an income equal to statutory income is not enough to cover basic living requirements. In addition, the arrears problem must be considered alongside a range of other factors such as the increasingly complex needs of many public housing households, increasing costs of other necessities such as utilities charges and access to medical services. A further policy response by the Office of Housing has been the employment of 12 Specialist Housing Officers who support tenants who have fallen into rent arrears to retain their housing.

Jindara Community Program

Clearly, the capacity of households to pay their rent on time and in full appears to have reduced. The Jindara Community Program in Geelong has been established in response to this increasing trend. The service uses financial counselling principles to assist tenants and prospective tenants to reorganise their debts, and to set up affordable repayment agreements with the Office of Housing in order to either gain access to the public housing system, or to maintain their housing in the face of eviction (tenancy quarterly affordable housing issue p30). The Jindara Program was initially set up as a pilot program, in response to the numbers of homeless households being denied access to the public housing system due to existing debts with the Office of Housing, and the numbers of households being evicted from the public housing system back into the homelessness cycle, due to rent arrears. The Jindara Program has been extremely successful in assisting households to access the public housing system, or to retain their housing, and has received a further 12 months funding to June 2003. There are a range of programs, such as the Jindara program, that can address individual household failure and they should be encouraged as well as sitting alongside measures that address the structural problems identified above.

First Home Owners Grant (FHOG)

Home ownership remains the most cost effective housing tenure for all households. It is the only tenure that ensures that housing costs reduce over the lifetime of the household, as purchasers pay out their mortgage and move into outright ownership, with a realisable asset secured. However access to home ownership remains limited, with many low-income households restricted from entering the home ownership market, despite the policy levers available to the Federal government. Research conducted by the Reserve Bank (2003) found that home purchase rates had remained stable throughout the last decade, despite low interest rates and deregulation of the

banking sector which has freed up access to borrowing. It could be inferred from the conclusions of the Reserve Bank's report (2003) that the FHOG has had a limited impact in assisting low-income households into home purchase. Much of the criticism of the FHOG has centred on the untargeted nature of the policy, which leads to the question of whether the FHOG has simply assisted households who would have purchased anyway to do so sooner, rather than providing a genuine opportunity for low-income households to purchase a home.

National Housing Policy

The above issues highlight the need for a coordinated and strategic housing policy program at the Commonwealth level. Current housing policy initiatives are dispersed across departments and Ministers, leading to a lack of strategic focus, and minimising the potential for effective outcomes. Policy programs that operate in isolation will never operate at their full potential. In creating a Housing portfolio the Federal government creates the opportunity to effectively use the policy levers at its' disposal, and to more efficiently coordinate current policy to ensure efficient and effective housing outcomes for low-income households.

Recommendation 4:

That the Commonwealth Government create a Commonwealth Ministerial Department of Housing, responsible for strategic housing policy coordination across tenures, including:

- **A review of Commonwealth Rent Assistance;**
- **An expansion of the supply of affordable housing in both the private rental market and social housing system;**
- **Development and implementation of a National Housing Policy; and**
- **Reporting on the First Home Owners Grant and its' impact on low-income households and affordable housing.**

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