

# AMIDA NEWS

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April, 2016



AMIDA (Action for More Independence & Dignity in Accommodation) is a disability advocacy group that works on housing issues. This means we speak up for people with a disability or help them to speak up for themselves about problems they have with their housing.

## The AMIDA Committee for 2016:

Chair	-	Peter Waters
Assistant Chair	-	Norrie Blythman & Luke Stone
Treasurer	-	Brenda Lacey
Assistant Treasurer	-	James Teeken
Secretary	-	Norrie Blythman
Ordinary Member	-	Trudy Ryall, Simon Chong, Amanda Millear, Lincoln Humphries

## New AMIDA Committee members wanted

Are you interested in becoming involved in AMIDA's work? We are looking for people to join our Management Committee. You will need to be committed to our work, have experience and/or expertise in disability, housing, or committee management. We have meetings monthly on Tuesdays from 10.00am - 1.00pm. Please contact us to discuss what is involved, and what you can contribute - 9650 2722. *We support and encourage people with disabilities to be involved in our work.*

**If you would prefer to receive your AMIDA NEWS by email, please let us know.**

## Raising Our Voices Radio show on 3CR

2<sup>nd</sup> Wednesday of each month at 6.00 – 6.30pm

**Raising Our Voices is now podcast** - Go to: [www.3cr.org.au/raisingourvoices](http://www.3cr.org.au/raisingourvoices) and download Raising Our Voices to your computer. Copies of the radio shows are available from AMIDA on CD or audio tape, website [www.amida.org.au](http://www.amida.org.au)



AMIDA recently made 2 submissions, parts of which are included here:

1. **Feedback on the Specialist Disability Accommodation Pricing and Payments Framework - February 2016**

Framework Part 1. Preliminaries. Vision and Context.

Australia is a signatory to the **United Nations Convention on the Rights of Persons with a Disability**. Australia has an obligation to develop the NDIA in line with the UNCRPD. The Vision and Operating Context for Specialist disability accommodation under the NDIS needs to state that this obligation is part of the context in which the Framework is developed in particular;

**Article 16 - Freedom from exploitation, violence and abuse & Article 19 - Living independently and being included in the community**

States Party to this Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:

- a. Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others **and are not obliged to live in a particular living arrangement;**
- b. Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to **prevent isolation or segregation from the community;**
- c. Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their need

Sustainability may well be a key plank of the NDIA but sustainability is more than dollars and cents. Housing people in certain environments is more likely to lead to abuse where they have no choice, person centred service or freedom from risk, is also unsustainable. Certain environments have more risk of abuse. The SDA framework must not legitimise and fund these settings or oblige people to live in particular settings such as institutions, cluster living or larger residential settings in order to receive support and with no plan for their redevelopment. The NDIS has to improve outcomes. The Framework provides a tool to leverage this change and for those providers who register, could insist on a time frame to make these changes in order to continue to have dwellings approved.

Not all people are suited to sharing, even in smaller group homes. Group homes are fine for many people but one size does not fit all and choice of co-residents is a right

we must all have. However even just looking from the financial perspective there is also the cost blow out in trying to manage tensions between incompatible residents, challenging behaviour and spending vast resources to try and ease the pressure through training programs and workshops, consultancies, meetings, appeals, investigations and assessments – the ‘hidden costs’ (Mansell 2007) of inappropriate placements.

It is important that eligibility for SDA under the Framework looks at level of risk (clause 74) to others in the household due to challenging behaviours if living independently or with families or carers in the community. However if this is an assessed risk for families and carers it should also be an acknowledged risk for people with a disability who must not be forced to share accommodation with the person assessed as a risk.

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## 2. Residential Tenancies Act Review - Rent, bonds and other charges

### **Bonds**

1. AMIDA’s experience is that it is sometimes difficult to retrieve the bond from a landlord, or that it takes more time than it should. The landlord is required to lodge the bond with Residential Tenancies Bond Authority within 10 days of receiving it. The same time frame should be adhered at the end of the tenancy.

2. Although bonds are not compulsory and one month’s rent is the maximum that can be required, people on low incomes are greatly disadvantaged by this. They may only be able to raise 2 weeks rent in advance let alone an extra two weeks as a bond. This needs to be taken into consideration. The example of Ontario, Canada not allowing any security deposit should be noted.

3. As landlords have the opportunity to take out landlords insurance, and would be wise to do so, this seems to negate the need for a bond at the start of a tenancy, or at least could be used to keep the bond at a lower rate.

4. The idea that the landlord should also take out a bond to ensure that they keep to the agreement to provide urgent repairs to the property seems just. Our experience is that often landlords are reluctant, or tardy in providing maintenance to their properties. Tenants having to apply to VCAT for something that is clearly covered in the RTA, is an action that should not be necessary.

### **Rent**

1. As mentioned above, for people on low incomes the need to pay rent in advance together with a bond can be a hardship. This needs to be taken into account when setting rents and bonds at the beginning of a tenancy. It should be acknowledged that people on low incomes can be good tenants.

2. It is AMIDA's experience that sometimes the landlord appears to wish to remove a tenant, and they make a rent increase that puts the property out of the reach of the current tenant. If the rent should be 'fair, and not excessive or extortionate so as to cause hardship to tenants and undermine security of tenure' at the beginning of a tenancy, perhaps a limit in increases to rent should be set.

3. Late payment of rent should not be acted upon immediately with the issue of a 14 day notice to vacate. The first step should be that the tenant is given the opportunity to pay the rent. The example given in the Issues Paper of South Australian landlords being able to issue a written notice to remedy the breach within 7 days demonstrates this approach, but could then be followed by the notice to vacate and then the application for an order to repossess the property.

4. The Issues paper points out that rental bidding and auctions could have a disproportionate impact on disadvantaged tenants. AMIDA would say that they do, not they could have.

5. AMIDA agrees with TUV that 'the Act should prohibit rental bidding and auctions to ensure applicants can rely on the advertised price when seeking a rental property'.

In conclusion AMIDA seeks to ensure that people with disability are not disadvantaged by any processes which have been set up. In addition we see the need to improve the Act so people with disability have equal access to well maintained, affordable housing.

We see that the major difficulties in the rent, bonds and charges area of RTA are the need for a bond, even two weeks can be difficult for some people. We also consider that the reluctance of landlords to provide maintenance quickly is an ongoing issue. We certainly consider that tenants should not be charged to pay their rent.

Complete submissions are available at <a href="http://www.amida.org.au">www.amida.org.au</a>
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**AUDIT** - AMIDA was audited by SAI Global on 15<sup>th</sup> March against the National Standards for Disability Services. AMIDA received a good report for its work and is now certified until 2019.

**Planning Day** - On 12<sup>th</sup> April AMIDA held a Planning Day where we reviewed our Plan from last year and had discussion on directions for the coming year.

### **NDIS**

NDIS has released its Specialist Disability Accommodation Position Paper on Draft Pricing & Payment. AMIDA was pleased to see the approach particularly, "The NDIA

has explicitly limited the maximum number of residents to five. The Agency is of the view that, in line with current industry practice, larger models than this are not optimal for long term participant outcomes and limit opportunities for inclusion”.

AMIDA is supportive of this approach, however, we need to ensure swift progress occurs to close all existing institutions.

The other major feature of the position paper is the fact that housing and support provision are to be separately funded.

“The separation of funding for the actual accommodation and...support is important because it gives participants choice and control over the supports they receive. An individual is not tied to receiving support from a specific provider just because of the place they choose to live”.

For more information on the Paper, please follow this link:

<http://www.ndis.gov.au/news/sda-news>

### **DANA Advocacy Summit**

AMIDA recently attended the DANA (Disability Advocacy Network Australia) Advocacy Summit. Information and discussion covered:

1. NDAP (National Disability Advocacy Program) review - DSS (Department of Social Services) assures there will be no decrease in advocacy funds and they acknowledge there will be an increase in the need and demand for advocacy under the NDIS so...we are hopeful advocacy will be strongly supported and funded to continue. We must remind all governments that Advocacy is vitally important.
2. ILC (Information, Linkages & Capacity Building) - This funding source under the NDIS is to address the need for community inclusion and accessibility. In the future, they will fund information, education and other tasks that Advocacy organisations can apply to do. Priority will be given to organisations run by and for people with disability. Also peer support, including self-advocacy groups and resource units will be a focus. Good news indeed!

AMIDA is taking all this on board.

Banyule council has provided some information on the NDIS:

<http://www.banyule.vic.gov.au/Services/Diverse-Communities-and-Social-Inclusion/People-with-Disability>

April, 2016



The AMIDA office is usually open:

Monday 9.30 - 5.00  
 Tuesday 9.30 – 5.00  
 Wednesday 9.30 - 5.00  
 Thursday 9.30 - 5.00

Please phone AMIDA for an appointment: 9650 2722

Email: [amida@amida.org.au](mailto:amida@amida.org.au)

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AMIDA receives funding from the Commonwealth Department of Social Services, and the Victorian Department of Health & Human Services

You can offer any comments you have on AMIDA Policy or Newsletter by phone, email or writing:

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