



Housing

White Paper

Advocacy for Inclusion

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This is a consultation draft which does not necessarily reflect the final views of AFI

White Paper on Housing

OUR KEY PRIORITIES

Compared to people without disability, people with disability are more likely to face barriers to secure, accessible and affordable housing. Moreover, over one quarter (29%) of social housing tenants are people with disability, and thus they are also likely to experience a range of widely reported issues associated with ACT Housing.¹

Through our advocacy, we have heard Canberran's with disability express the following concerns about housing:

- People with disability want a place of their own, which is not dependent on Supported Disability Accommodation funding under the NDIS. Current housing is not designed to support disability or ageing in place, making it difficult and frustrating to live independently with choice and control over their lives.
- Lack of housing diversity is an issue when people with disability want to remain and live independently in the community close to public transport, centre complexes and support services. Most leases are short-term, which can cause people with disabilities anxiety as they may be required to move more frequently.
- Social isolation is a significant issue for people with disabilities and mental health living alone. Women with disability worry about security and feel safer living near central locations.
- High-density residential areas, including apartment complexes, are prone to being used as the default option for some people with disability, including those involved in the justice system and mental health system. This can be experienced as ghettoization and result in fraying communities with limited pools of social capital.
- Group homes and large cluster housing remains a feature of housing for people with disability in the ACT. Yet this form of housing is inconsistent with CRPD (article 19), erodes independence and capacity, limits choice, often breaks down and leaves people at risk of violence, rape, abuse and homelessness.
- Public and social housing remains the main viable form for people with disability. There are long waiting lists for public housing (375 days for priority housing and over 7 years for a standard wait), a lack of social housing and unaffordable private rental housing. People with disability face a double disadvantage in Canberra – a lack of affordable housing and a lack of appropriate built form. These issues are amplified by low rates of Disability Support Pension and Jobseeker, and Canberra's high-cost private rental market.

¹ ACT Housing Strategy, p 32.

We need concerted action on housing across all markets via the ACT Disability Strategy and this is supported by the [Productivity Commission's Study Report on the Review of the NHHA](#) which has made a recommendation that there be a targeted action plan on housing under Australia's Disability Strategy, to look at improving the availability of affordable and accessible housing for people with disability.

AFI supports this and recommends the following actions are progressed to ensure accessible and affordable housing for Canberrans with disability.

Action 1: Reform the planning system to produce accessible housing.

- The new ACT planning system should prioritise the development and construction of affordable and accessible housing at scale within Greenfields and Brownfields development.
- The ACT should progress requirements to ensure all new housing in the ACT complies with minimum accessibility standards for residential housing and apartments in the National Construction Code 2022 based on the Liveable Housing Design Guidelines silver standards. Work should be undertaken to encourage more housing built to the Gold Standard.
- Accessibility should be prioritised within the Indicative Land Release Program, with a commitment to a 15% minimum target for social and affordable housing.

Action 2: Deliver public housing.

AFI supports a focus on public housing and ensuring this is available, accessible and well maintained with proximity to transport, commercial centres and services. Public Housing serves people with complex lives, is a provider of last resort and part of the safety net. As part of this, the ACT Government:

- should deliver its commitments under the ACT Housing Strategy and update those commitments to keep pace with demand.
- must increase availability of public housing, improve maintenance and enable better provision of disability modifications. Public housing should be protected and grown as

Action 3: Support community housing that complies with Article 19 of the CRPD.

AFI supports the range of recommendations made by ACTCOSS to increase the delivery of community housing run by not-for-profit housing providers.

- The ACT Government must focus on creating more affordable and accessible housing which enables people to live independently in the community (as per CRPD Article 19), rather than group housing or congregate settings.

Action 4: Encourage more accessible private rental.

- The ACT Government should work with the development industry including architects, designers, town planners, real estate developers and property owners to create more accessible private rental.
- The ACT Government must increase regulation to encourage accessibility improvements by property owners. Inclusionary zoning policies should be introduced to encourage the provision of land earmarked for private rental which is accessible.
- The Government should consider using levers through the tax and transfer systems to incentivise property owners to offer and maintain accessible rental housing.
- There should be a package of work to encourage accessible private rental focussing on championing the need for the real estate sector (including 'mum and dad' landlords) to play a more socially responsive role in addressing the increased barriers faced by people with disability to access appropriate, affordable rental housing.
- This should be twinned with measures to foster more socially responsible, sector-wide leasehold application processes. Features of this would include
 - Better identification of rental housing that is suitable for people with disability. This would include but extend beyond the legislated requirement to advertise adaptable housing dwellings in accordance with Residential Tenancies Act 1997 Section 11AAA Adaptable housing – advertising.
 - Better housing rental application processes that support applicants with disability; and
 - Provision of longer-term housing leaseholds, suitable for NDIS-funded home modifications where appropriate.
- We also support proposals by Rights and Inclusion Australia to develop a comprehensive, detailed overview of unmet housing needs for people with disability of all ages to inform supply.

Action 5: End congregate and devolve large group homes.

- Supported Disability Accommodation should be reformed so that it no longer pushes people towards group housing
- The ACT should cease building congregate housing for people with disability and should begin a process of devolution from supported accommodation dwellings.
- There should be a human rights framework for considering and assessing unsolicited bids and housing projects for people with disability.

The evidence

- Australians with disability are at higher risk of experiencing homelessness, housing insecurity, housing dissatisfaction, poor quality and/or inaccessible housing, and housing unaffordability²
- Across Australia, close to one-third (29%) rent privately. 3.4% of people with disability live in social housing (2.6% in public housing and 0.71% in community housing). Approximately two-thirds (64%) of people with disability own their own home (this includes over 65's and people who may have owned a home prior to acquiring a disability).
 - However, nearly 40% of people with disability aged under 65 are renting.³
- Across Australia, 38.2% of public housing households include a person with disability and 30.4% of community housing include a person with disability.
- 76% of Disability Support Pension (DSP) recipients across Australia are non-homeowners. DSP or additional government allowance is the main source of income for 56% of people with disability.
- A single person aged 21 years or older on DSP receives \$450-500 a week. The median rental average for all dwellings in the ACT is \$650 a week
- The weekly rental costs available in the private sector – even at the lowest price points – have increased by \$100 in Canberra over the last five years.⁴
 - Commonwealth Rent Assistance (CRA) has only increased by \$6.10 over the same period.
- Using ACT SDAC, 2018 data, private renters with disability make up 55.6% of all renters with disability in ACT. These renters are stressed: The ACT continues to have the highest rate of rental stress for low-income private renters of any Australian jurisdiction (73% compared to 50% nationally)
- A DSP recipient could not afford any of the 1,354 private rentals advertised for rent in the ACT and Queanbeyan in March 2022.⁵ The median rental price for a unit or house was more than their entire primary income.
- People with disability are needing to increase their disposable income by half (in the short run) to achieve the same standard of living as people without a disability, but many live below the current poverty line of \$611 for a single person per week.⁶

² Aitken, Z., Baker, E., Badland, H., Mason, K., Bentley, R., Beer, A. and Kavanagh, A.M., 2019. Precariously placed: housing affordability, quality and satisfaction of Australians with disabilities. *Disability & Society*, 34(1), pp.121-142.

³ Australian Institute of Health and Welfare (2022) [People with disability in Australia 2022](#). Catalogue number DIS 72, AIHW, Australian Government, p. 210. Accessed 5 August 2022.

⁴ Duncan, A. (2022). [Behind the Line: Poverty and Disadvantage in Australia 2022](#). Focus on the States Series, No. 9/22. Bankwest Curtin Economics Centre, p. 9.

⁵ Anglicare Australia (2022) [Rental Affordability Snapshot: Regional Reports](#). Anglicare Australia, Canberra, April, 'ACT and Queanbeyan', pp. 33-34; accessed 4 August 2022.

⁶ Vu, B., Khanam, R., Rahman, M. and Nghiem, S. (2020). The costs of disability in Australia: a hybrid panel-data examination. *Health Economics Review*, 10(1), pp.1-10.

- The stringent DSP eligibility threshold means that more people with disability have been diverted to the much lower JobSeeker allowance.⁷ For example, 42% of people receiving JobSeeker reported a 'partial capacity to work'⁸
 - This exacerbates the true nature and extent of the housing affordability and accessibility crisis among people with disability.
- It is impossible to live in the ACT on the DSP, let alone Jobseeker, without compromising on housing, utilities, food, clothing, medical bills, and additional costs that come with disability.⁹
- In 2020-2021, the ACT reported 10436 public housing households. 53% of which include someone with disability.¹⁰
 - The average waiting time for priority public housing is 375 days.
- In 2020-2021, the ACT reported 4012 people accessing Specialist Homelessness Services (SHS). This number includes 100 people with disability.¹¹
 - Homeless people with disability have consistently and continuously increased in the ACT¹²
 - Across Australia, around 1 in 12 people receiving support from SHS services in 2019-2020 have disability¹³
- People with disability have a greater exposure to the risk of homelessness than the general population. Specifically, individuals with schooling or employment restrictions, psychological and intellectual disabilities, and mental illness are especially vulnerable to extreme levels of relative homelessness risk.¹⁴
- The reliance on voluntary construction of accessible homes, post-construction home modification, and provision of accessible social housing has failed to deliver accessible housing for most people with mobility restrictions.¹⁵

⁷ Soldatic, K, Bowman, D, Mupanemunda, M, & McGee, P. (2021). [Dead ends: how our social security system is failing people with partial capacity to work](#). Brotherhood of St. Laurence, Melbourne, p. 10-12.

⁸ Department of Social Services (2022). [DSS Payment Demographic Data – March 2022](#). Australian Government, Canberra. Accessed 4 August 2022.

⁹ Li, J., Brown, L., La. H.N., Miranti, R., and Vidyattama, Y. (2019). [Inequalities In Standards of Living: Evidence for Improved Income Support for People with Disability](#). NATSEM, Institute for Governance and Policy Analysis, University of Canberra. Report commissioned by the Australia Federation of Disability Organisations, p. 21.

¹⁰ Community Services Directorate (2021) [Community Services: Annual Report 2020-21](#). ACT Government, Canberra, p. 93. Accessed 4 August 2022.

¹¹ Community Services Directorate (2022). [Homeless Commissioning: ACT and National Data Snapshot](#), February 2022. ACT Government, Canberra, p. 1.

¹² Ibid., p. 3.

¹³ Australian Institute of Health and Welfare (2022) [People with disability in Australia 2022](#), p. 245. Accessed 5 August 2022.

¹⁴ Beer, A., Baker, E., Lester, L. and Daniel, L., (2019). The relative risk of homelessness among persons with a disability: New methods and policy insights. *International Journal of Environmental Research and Public Health*, 16(22), p.4304.

¹⁵ Wiesel, I. (2020) [Living with disability in accessible housing: social, health, and economic impacts](#). Melbourne, University of Melbourne School of Geography, p. 53. Accessed 5 August 2022; see also Ward, M. and Jacobs, K., 2017. 'Policies that Fail—Words that Succeed': The Politics of Accessible Housing in Australia. *Australian Journal of Public Administration*, 76(1), pp.80-92.

- None of the targets for the uptake of the agreed Universal Housing Design standard by the Commonwealth and the State and Territories were met by 2020.¹⁶
- The World Health Organization recommends an indoor housing temperature of 18°C to protect residents from the harmful health effects of the cold. In the ACT, an experiment revealed that renters experienced an average overall indoor temperature of 14.2°C during July 2022.¹⁷
- In short, the limited supply of accessible housing that is affordable in the current market does not meet Australia’s commitment to the UN CRPD and the rights of people with disability to live with equality and choice.¹⁸
- AFI’s experience through individual advocacy has been that NDIS Supported Disability Accommodation funding tends to locate people in grouped accommodation. These places are flawed – no community, uneven supports, no choice of who you live with along with risks of tenancy failure and homelessness.
- There is a lack of suitable post hospital accommodation. ABC Canberra recently highlighted the story of a woman who waited in hospital for more than a year for the want of suitable accommodation.¹⁹

What people tell us

Anonymous direct experience quotes from people with disability and allies

“I use a wheelchair and came to Canberra for study a few years ago. After leaving ANU and being offered a position in the Public Service I tried to locate accessible housing on the private rental market. This was absolutely impossible. I must have been to 30 open houses and the accessible places were all snapped up. Some of the places advertised as accessible were not accessible – for instance baths instead of showers, toilets I couldn’t get into and even steps. I wound up having to stay with my parents in Sydney and then in a hotel for ages. It’s a nightmare.”, Troy

¹⁶ Australian Network for Universal Housing Design (2015) [‘Report on the progress of the National Dialogue on Universal Housing Design 2010-2014.’](#) Sydney, Australia. Accessed 5 August 2022.

¹⁷ Dignam, J., Barrett, B. (2022). Cold and costly: Renter Researchers’ Experiences of Winter ’22. Canberra: Better Renting.

¹⁸ Goodwin, I., Davis, E., Winkler, D., Douglas, J., Wellecke, C., D’Cruz, K., Mulherin, P. and Liddicoat, S., 2022. Making homes more accessible for people with mobility impairment: A lived experience perspective. *Australian Journal of Social Issues (early view)*.

¹⁹ Frost, H. (2022) [ACT government, National Disability Insurance Agency to streamline NDIS approvals to free up hospital beds.](#) ABC News. Published 2 October 2022; accessed 7 October 2022.

“Having mental health issues means I can’t work all the time so public housing is security and a blessing. My rent gets taken out automatically each fortnight and then I live on what’s left. I have to, otherwise I wouldn’t have a place to live. I can’t remember the last time I ate out.

I’m below the tax-free threshold so it’s not like they can throw me out for earning too much. Housing is a godsend – it really is. Social or community housing has to be there. Some of my neighbours have serious problems including fights, drug and alcohol problems and I’ve seen problems in these units get worse over the years. Units have been robbed in the area. I say a little prayer when I leave and when I return to my home”, Freya (from ACTCOSS’s Stories of Home)

RIGHTS AND FRAMEWORKS

Action in this area occurs in the context of frameworks for rights protections and disability inclusion as well as improving wellbeing

CRPD – Article 28 – Adequate standard of living and social protection

“States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate ...housing... and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability.” Appropriate measures include, “to ensure access by persons with disabilities to public housing programmes” (s2(b)).

CRPD - Article 9 – Accessibility

“To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment... These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to... (1(a)) housing.”

Wellbeing indicators – Housing and home

“Canberrans have access to secure, suitable and affordable housing throughout their lives.”

Relevant sections of the Parliamentary Agreement – ACT Labor Policy Platform

“ACT Labor recognizes the right of all ACT citizens to live in housing appropriate to their needs.”

“ACT Labor recognizes that housing plays a role in reducing poverty and ensuring a decent standard of living for the citizens of the ACT.”

“Recognition must be given to the housing needs of disadvantaged groups in the community such as the aged, unemployed, Aboriginal and Torres Strait Islanders, youth, single people, sole parents, people with disabilities, and those in crisis. Programs will address both emergency and medium to long-term needs of these people.”

ACT or National Disability Strategy themes

“The ACT Government is committed to working with the community and people with disability to grow and develop innovative options to improve affordability and security of housing, across all forms of tenure for people with disability in the ACT.”

“Policy Priority 2: Housing is accessible and people with disability have choice and control about where they live, who they live with, and who comes into their home.”

Backgrounder

Where we are now

Housing plays a major role in the health and wellbeing of people with disability, by providing shelter, safety, and security. In the ACT, the limited supply of accessible housing that is affordable and appropriate does not meet Australia’s commitment to the UN CRPD and the right for people with disability to live with equality and choice.

Across Australia, 96% of the 4.4 million Australians with disability live in non-specialist housing. At first glance, the proportion of homeowners amongst people with (64%) and without disability (66%) appear broadly comparable. However, these figures include people of all ages. Homeownership is highest in people with disability aged 65 and over. Considering that the prevalence of disability increases with age, some older people with disability who are homeowners may have bought their house before onset of disability.

People with disability under the age of 65 are less likely to be homeowners (55%) than people without disability (61%). People with disability aged 15-64 also have a higher rate of renting (39%). The Australian Institute of Health and Welfare (2022) found that people with disability aged 25-34 most commonly rent from a real estate agent but, from that age on, renting from a state or territory housing authority becomes more common.

The housing situation, both public and private, in the ACT for people with disability is nothing short of a crisis. The Productivity Commission’s Report on Government Services (ROGS) show that the number of households in social housing in the ACT decreased over the last year by 1.8 percent. This is the largest decrease of all jurisdictions and comes at a time when the ACT also had the least affordable rents in Australia. In 2020-21 alone, net recurrent expenditure on social housing in the ACT decreased by 3.1 per cent, while nationally it increased by 3.4 per cent.

The ROGS data also highlights a significant deterioration in “dwelling condition” in ACT public housing. This is defined as “the proportion of households living in houses of an acceptable standard. A house is assessed as being of an acceptable standard if it has at least four working facilities (for washing people, for washing clothes/bedding, for storing/preparing food, and sewerage) and not more than two major structural problems.” For households with a member with disability, dwelling condition declined from 82.3 per cent in 2018 to 69 per cent in 2021.

Most of Australia’s dwellings – old and new – are not designed to meet the needs of people with disability. Problems include poor access and unsuitable internal layouts, particularly inadequately designed bathrooms and kitchens. In privately owned and

rented dwellings, it is left up to individual households to decide whether to make changes to their dwellings and to determine how the costs will be covered.

The Centre for International Economics estimates that the social cost of the current shortfall of accessible housing in Australia is “between \$2.2 billion and \$2.7 billion per year”, with other sources indicating that this may be an underestimate. Despite the strong economic incentive to increase accessible housing stock, progress has been slow. To date, it is estimated that 5% of existing housing stock is suitable for a person with mobility disability.

At present, the ACT is experiencing its longest running streak of escalating asking rents. House rents increased for the seventh quarter in a row, up 1.5% to a record \$690 a week. Unit rents increased by 1.9% over the June quarter to a new record high of \$550 a week. This is the steepest incline in unit rents since 2011, at 10%.

It is impossible to live in Canberra on the Disability Support Pension (DSP) without compromising on housing, utilities, food, clothing, medical bills, and the additional costs that come with disability. A person with disability receiving the maximum DSP rate (incl. supplements), plus Commonwealth Rent Assistance (CRA), would receive \$1,133.50 per fortnight, or \$566.75 per week. To afford the median weekly rent for a house in the ACT, DSP recipients receiving CRA would need to source an additional \$83 per week just to cover rent.

However, only 21.5 per cent of DSP recipients in the ACT were receiving Commonwealth Rent Assistance in March 2022. Without CRA, DSP recipients would need to source an additional \$156 per week just to cover rent. Over a third of people with disability receiving DSP as a primary payment experience rental stress.

People with disabilities are at much greater risk of living in unaffordable housing. As a result, they face a higher risk of homelessness. People with disability are more likely to live in social housing compared to people without disability (7.9 per cent versus 1.5 per cent). Nationally, across all three major social housing types, almost 2 in 5 households (38%, or 151,500) included a tenant with disability. In the ACT, 53% of public housing properties included someone with disability.

About Advocacy for Inclusion

Advocacy for Inclusion acknowledges the Ngunnawal people as the traditional owners of the Australian land on which we work.

Advocacy for Inclusion provides national systemic advocacy and independent individual, self and advocacy for people with disabilities in the Australian Capital Territory. We are a Disabled Peoples Organisation which means most of our board, members and staff are people with disabilities. We represent all people with disabilities and recognise diversity.

We act with and on behalf of individuals to act on their own behalf, to obtain a fair and just outcome.

Advocacy for Inclusion works within a human rights framework and acknowledges the *United Nations Convention on the Rights of Persons with Disabilities* and is signed onto the *ACT Human Rights Act 2004*.

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