



Submission to Senate Standing Committee on Community Affairs

The Worsening Rental Crisis in Australia

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1. Introduction

National Shelter welcomes the opportunity to make a submission to the Senate Standing Committee on Community Affairs on 'the worsening rental crisis in Australia'.

National Shelter's initial submission to the inquiry was the joint statement prepared with the National Association of Renters' Organisations (NARO) and endorsed by 80 organisations from across Australia (Appendix One). This subsequent submission draws upon previous recent National Shelter documents including submissions to inquiries, pre-budget submissions, and policy positions.

1.1 Overview

The current Australian private rental market is highly competitive and highly dysfunctional. Tenants are finding it increasingly difficult to locate appropriate and affordable housing. Tenants who are housed are facing insecurity of tenure as property owners significantly increase rents meaning that households must decide whether to pay the increase or attempt to seek housing elsewhere. They are having to decide between paying for housing or paying for food, medicines, utilities, and other essential services. It is an unenviable position that is stressful for households and is harmful to their health and wellbeing.

A significant and increasing proportion of Australians rent and will do so for long periods of time or the rest of their life. Renting is no longer a residual or transitional tenure – it is a normative housing experience for a larger number of households. Nationally, the long-term rental cohort is overrepresented by low-income households with 45.5% of all long-term renters being low income¹.

The private rental market is impacting on the ability of households to establish a home. Insecurity of tenure and high housing costs means that households cannot establish a home that provides identity, security, and a sense of belonging. Households in Australia are bearing the costs of multiple moves resulting in instability and disruption from relationships, support, and education.

Currently the private rental market is not providing security of tenure due to the significant rental increases which the tenant is not able to pay, or tenants given notices to leave so the property can achieve higher rents. Property owners can seek higher rents with tenants have very little meaningful recourse through tenancy regulations. It is a housing market contributing to after housing poverty and instability.

1.2 About National Shelter

National Shelter is a non-government peak body that aims to improve housing access, affordability, appropriateness, safety and security for people living on low incomes.

Since 1975, National Shelter has worked towards this goal by influencing government policy and action, and by raising public awareness about housing issues.

National Shelter's aim is to work towards every Australian having access to housing that is:

- affordable — people should not be living in poverty after they have met their housing costs
- adequate — everybody is entitled to housing that meets basic standards of decency and their own basic needs
- secure — people should not live under a threat of loss of home and shelter
- accessible — access to housing should be free from discrimination and conform with universal design principles, at a minimum.

- in the right place — housing should be located close to transport, services and support networks, job opportunities, and social and leisure activities
- able to meet their lifecycle needs — people have different housing needs at different stages of their lives, and housing should be available to meet these changing needs

National Shelter is supported by the work of State and Territory Shelters¹ and members in all jurisdictions and its national member organisations, sponsors and associate members.

National Shelter policies and views are evidence based, drawing on a range of academic, industry and sector informed sources.

2. The rental market in Australia

By almost every measure, Australia is facing a nationwide housing emergency.

- Vacancy rates across Australia are functionally zero with both metropolitan, urban, and regional areas experiencing very low private rental vacancy rates. The national vacancy rate in July 2023 was 0.9% to 1.3%ⁱⁱⁱ, with some areas experiencing lower rates.
- Significant increases in private rental prices with the median rent for June 2023 having increases nationally 11.5% for houses and 26.1% for units. For capital cities the increase is 11.5% annually, and 6.3% for regions^{iv}.
- Rent prices are outstripping the inflation with the June 2023 Consumer Price Index (CPI), with CPI increasing 0.8% in the June quarter but rents increasing 2.5%^v. For the 12month period rental prices rose 6.7% - the largest annual rise since 2009.
- All data points to an acute rental shortage, with the rents set to continue to rise^{vi}.
- The 2022 Rental Affordability Index (RAI) demonstrates deteriorating rental affordability in both capital city and regional areas of Australia. Regional areas were found to be the hardest hit, with rental affordability worsening across every state, even more so than capital cities^{vii}.
- The construction of social housing is not keeping pace with population growth or household growth. Social housing grew 2.6% between 2016-2021, while population growth was 5.7% and household growth 8.2%. In real terms, the growth of social housing was from 420,000 dwellings to 431,000 dwellings^{viii}.
- The winding up of the National Rental Affordability Scheme (NRAS) means that almost 25,000 incentives will expire between 2023 and 2026 placing additional pressure on the lower end of the market^{ix}. It is anticipated that most of the homes owned by private NRAS recipients will not be retained as affordable housing, while NRAS properties owned by the community housing sector are more likely to be retained as affordable housing. This could see the loss of a minimum of 12,500 affordable rental homes but anticipate that the figure will be much higher.
- Recent research for CHIA has demonstrated that by 2041 there will be almost one million households with unmet housing needs^x - an increase of 300,000 households from 2021². The research illustrates an overrepresentation of families with unmet housing need, and that lone person households' regional areas will be considerably impacted.
- People with disability or long-term health condition are over-represented in the private rental market than home ownership^{xi}. Ongoing project work in conducted by National Shelter, in conjunction with Rights & Inclusion Australia (R&IA)³, indicates that against virtually all measures people with disability are at further disadvantage when it comes to accessing and maintaining housing. Across the country renters with disability predominantly access the private rental market (for example, in Western Australia over 78,000 out of a total of 111,600) and are

¹ With the exception of Victoria where there is no Shelter Victoria.

² Unmet need is defined as holds were not in appropriate housing on census night. These Australians were either experiencing homelessness, in overcrowded homes or spending over 30% of their income on rent.

³ This project is being undertaken by National Shelter, Rights and Inclusion Australia, and Enliven Communities. It is an Information, Linkages and Capacity Building (ILC) project funded by the department of Social Services (DSS).

subject to discrimination and insecurity of tenure as a result of steeply rising rental prices, and an unwillingness on the part of landlords to apply the required modifications needed to make dwellings accessible.

- First Nations people continue to experience much poorer housing outcomes and homelessness, and it is well documented that poverty, unemployment, discrimination and a lack of appropriate housing impact on Aboriginal and Torres Strait Islander peoples' ability to access the housing they need^{xii xiii}.

The housing crisis is predicted to increase, particularly for those households in the rental sector. The increased quota for the permanent migration program to address the skills shortage gap will increase from 160,000 to 195,000 a year^{xiv}. This is anticipated to place additional demand on our housing market, particularly the rental market. The Reserve Bank of Australia (RBA) anticipate that 'further large increases in rents expected over coming years as population growth picks up'^{xv}. Furthermore, Australian households and families are making very difficult decisions as inflation occurs in non-discretionary items (such as energy bills, food, transport) rather than discretionary items that can be left off purchasing for another time^{xvi}. In the June 2023 quarter, annual food inflation was 7.5%, and while it is easing, annual price increases for some individual items are up to 15.2% (diary).

3. Role of the Commonwealth in rental reform

National Shelters policy position is that there is a role for the Commonwealth in the development of a national set of rental law reform.

According to Martin et al (2022), the regulation of the Australian private rental sector directly affects about 40% of Australian households – 26% who live in private rental housing as tenants and 14% as owners^{xvii}. States and territories are either currently undertaking reform of their residential tenancies' legislation⁴ or have completed reform processes⁵. There is criticism that these processes have been 'uncoordinated at a national level, and significant divergences and gaps have opened up in the law'^{xviii}. Despite the reforms, the regulations still accommodate property owners over the choice and control of the tenant resulting in an unbalanced relationship.

While tenancy legislation is the remit of the state/territory governments, there has previously been a role for the Australian government to set the agenda for tenancy law. Almost 50 years ago the Australian government, through the reports of the Commission of Inquiry into Poverty, set the agenda for the law reform processes that eventually produced the residential tenancies legislation currently operating in all states/territories.

It is not unthinkable for the Australian government to lead the states/territories in establishing tenancy legislation that is consistent across the jurisdictions, particularly as the Commonwealth provides significant funds into the rental sector through Commonwealth Rent Assistance of almost \$5billion annually⁶.

A significant and increasing proportion of Australians rent and will do so for long periods of time or the rest of their life. Renting is no longer a residual or transitional tenure. It is critical that tenancy regulations are more sophisticated to reflect the growing importance of renting, including better security of tenure, rent setting and rental increases, and dwelling conditions and repairs. Regulations should also reflect the minimum standards required for housing that is healthy, reduces energy poverty, and responds to climate change. Poor tenancy regulations have implications for participants of the National Disability Insurance Scheme (NDIS) who are not able to undertake modifications to their dwellings because of a lack of security of tenure.

⁴ See South Australia, Western Australia, the Northern Territory, and Queensland is working through a second round of reforms.

⁵ See New South Wales, Victoria, and the ACT

⁶ See <https://www.aihw.gov.au/reports/housing-assistance/housing-assistance-in-australia/contents/financial-assistance#fa1>

National Shelter has welcomed the initiatives from National Cabinet, as they broadly align with our policy position and the statement. However, we are disappointed that there was no outcome on restricting the quantum of rent increases or the inclusion of minor modifications. Renters need certainty about not only when they may expect rent increases (such as once yearly), but also an indication that rental increases are not unreasonable. We would welcome an ACT style fairness equation across all jurisdictions. Renters also need to be able to make a home, and the inclusion of minor modifications is important for people with disability and also for safety. What is needed from the National Cabinet is a clearer understanding about *how* the reform process will be rolled out and the *timing* of the process. A new national agenda for tenancy law reform could be progressed through the National Housing and Homelessness Plan, and the National Housing and Homelessness Agreement, with the states and territories providing information about when and how they will progress the reforms. Funding could be tied to the delivery of the reforms.

We are concerned that not all jurisdictions will deliver on the commitments made by National Cabinet, with a recent statement attributed to the WA Government seeming to retain 'no grounds' evictions^{xix}. We only need look to the implementation of livable housing in the National Construction Code (NCC). Accessible housing is to be introduced in 2023 but not all jurisdictions have agreed to their implementation (such as New South Wales and Western Australia) and other jurisdictions are now considering delaying their implementation (such as Victoria).

We endorse the submission from NARO ['The National Nine: Principles for strengthening renters' rights](#) as experts in the application of tenancy law, and representatives of the voices of tenants. This should provide the framework for national tenancy reform, and the minimum national standards that are needed to provide for a rental market that is safe, secure, and provides certainty. We also endorse the [Community Sector Blueprint: a National Framework for Minimum Energy Efficiency Rental Requirements](#) developed through the Healthy Homes for Renters about the standards that are needed in rental homes.

Recommendation

National Shelter recommends:

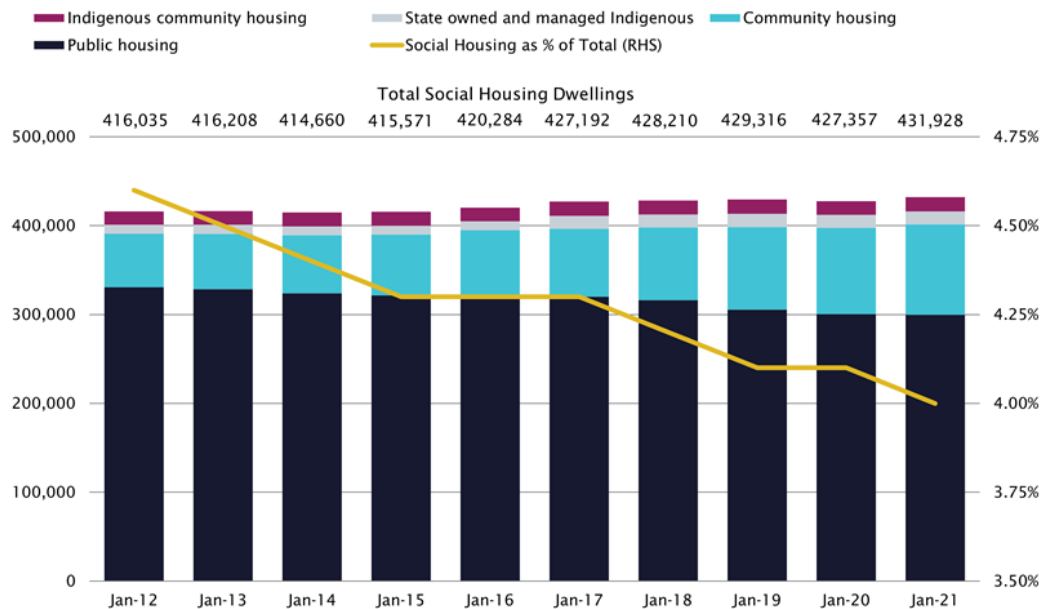
- That the Australian government continue to lead the development of a new national agenda for tenancy law reform with state and territory governments that provides better protections for tenants for security of tenure, minimum standards, and rent increases. This includes the adoption of the NARO 'national nine' as a framework and includes the Community Sector Blueprint.
- That National Cabinet commit to a clear process and timing on the implementation of the rental reform agenda. This could include utilising the National Housing and Homelessness Plan and National Housing and Homelessness Agreement as the vehicle and reporting mechanisms on progress.

4. Increased investment in social and affordable housing is needed

There is a need to significantly lift the investment into social and affordable housing to respond to the current demand, meet the backlog, and future demand. At least a minimum of 30,000 social and affordable dwellings needs to be delivered *annually* to meet this demand. Alternatively, we need to aim for social and affordable housing to be 10% of housing stock. This quantum does not need to be delivered from 2023/24, but the new National Housing and Homelessness Plan and revised National Housing and Homelessness Agreement could include targets and actions that demonstrates how the delivery of 30,000 new dwellings per year will be achieved. As it stands, the current funding regime,

including both the National Housing and Homelessness Agreement and the Housing Australia Future Fund will not achieve this aim.

While the stock of social housing dwellings has grown, the proportion of the stock to overall dwellings has declined. Also, the production of social housing is significantly lower than population growth^{xx}.



Source: Productivity Commission, *Report on Government Services 2022*, Housing and Homelessness, (Canberra: Productivity Commission, 2022)

Source:

https://www.aph.gov.au/About_Parliament/Parliamentary_departments/Parliamentary_Library/pubs/BriefingBook47p/HousingMarketInterventions

The funding commitment through the NHHA of \$1.6billion has remained relatively stable for some time without significant funding enhancements. The Australian government does have the means and will to provide significant funding towards housing outcomes when needed. This includes the \$2.5billion for the HomeBuilder scheme to support confidence in the residential construction sector, or the \$5.6billion Social Housing Initiative which had both significant social and economic benefits^{xxi}.

Another mechanism to achieve a supply of social and affordable housing is the adoption nationally of mandatory inclusionary zoning⁷. The planning reform agenda from National Cabinet has urged states and territories to ‘consider the phased introduction of inclusionary zoning and planning to support permanent affordable, social and specialist housing in ways that do not add to construction costs’. We believe that the Commonwealth could play a stronger, more assertive role by leading the development of a national inclusionary zoning framework^{xxii}, including prioritising inclusionary zoning in the National Housing Accord.

Furthermore, the National Housing and Homelessness Plan and National Housing and Homelessness Agreement could be the vehicle to progress the targets and actions to delivery the increase in social and affordable housing.

⁷ This is when a certain percentage of social and affordable housing must be included within all new housing projects. This can be expressed in terms of land, dwellings or payment of an equivalent levy allocated to such housing. The social or affordable homes built as a result of MIZ are owned and managed by not-for-profit community housing providers.

Recommendations

National Shelter recommends:

- That the Australian government commit and fund to delivering social and affordable housing to meet the target of social and affordable housing comprising 10% of total housing stock, utilising the National Housing and Homelessness Plan and National Housing and Homelessness Agreement setting targets and actions for jurisdictions.
- That the Australian government lead the development of a national policy framework for the development and delivery of inclusionary zoning to increase the supply of social and affordable housing, including prioritizing inclusionary zoning in the National Housing Accord.

5. Housing taxation reform to restore the balance

Australia's current tax treatment of housing adds inflationary pressure to the price of housing. Capital gains tax concessions and negative gearing provide much greater benefits to existing owners and people who can afford to invest to the detriment of

The current tax settings allow for a 50% discount on capital gains tax (CGT) concessions for those who invest in rental housing, with the ability to deduct losses on rental housing against any income source through negative gearing.

According to the Parliamentary Budget Office (PBO) negative gearing costs are set to double as interest rates rise, with the potential to triple over the next decade, depending on interest rate rises. The total of the negative gearing tax concessions and CGT discount in 2023/24 will be \$12.5billion, with it projected to increase to \$20billion in 2032/33. Total tax revenue forgone for the decade will be \$157billion.

Tax revenue foregone, projected 2023-24 to 2032-33 (\$ million) - assuming 2.85% cash rate

	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	10 yr total
Negative gearing deductions	7570.0	7656.0	8128.0	8570.0	9099.0	9720.0	10392.0	11103.0	11850.0	12674.0	96762.0
Capital gain tax discount	4783.4	4921.1	5170.8	5451.6	5751.1	6084.4	6446.9	6837.5	7233.7	7660.1	60340.6
Total	12353.4	12577.1	13298.8	14021.6	14850.1	15804.4	16838.9	17940.5	19083.7	20334.1	157102.6

Source: <https://greens.org.au/news/media-release/cost-negative-gearing-and-capital-gains-tax-discounts-blow-out-157-billion-over>

Negative gearing and CGT discounts disproportionately benefit higher income households, with \$11.4billion of the combined \$20.4billion flowing to households earning more than \$189,000pa. Thirty-nine percent of negative gearing concessions flow to the top 10% of income earners, and 65% to the top 30% of income earners.

The OECD have recommended that tax settings such as negative gearing and CGT exemptions and discounts should be capped or balanced by recurrent taxes, such as land tax. The report by the OECD also noted that older, wealthier households are the beneficiaries of such discounts to detriment of younger, lower, and moderate-income households^{xxiii}.

Overall, our current taxation measures detract from revenue which could be more purposefully applied to social and affordable housing, including attracting at scale private institutional investment into affordable and social housing. These tax settings continue the commodification of housing as a wealth generation tool instead of a housing as a primary place of residence and home. They also contribute

to the disparity of wealth between households, with implications that stretch over the life course into retirement wealth^{xxiv xxv}.

Should negative gearing remain, it could be utilised more effectively to achieve better housing outcomes, including those for people with disability. There is an urgent need to intervene in the housing market to make it accessible to people living with disability (see Section 7). The adoption of the Livable Housing Design Standard (silver) in the National Construction Code 2022 (NCC) guarantees a basic level of accessibility in housing construction in most jurisdictions⁸. It will take several decades for the housing market to become saturated with stock that is designed and built with these features, and in the meantime premises available for sale or rent will need to be modified. Negative gearing could be targeted as an incentive for this purpose to drive a positive change in the design of housing.

Finally, property owners who are involved in short-term letting can take advantage of negative gearing and CGT discounts. Short term lettings have a significant impact on the quantum of stock in the private rental market^{xxvi}, and taxation treatment of these properties should disincentivise the loss of stock from the long-term rental market. We draw the committee attention to the work undertaken by Shelter Tasmania on the impact of short-term letting on the Tasmanian housing market⁹, particularly the progress report that shows that about two-thirds (67%) of current short-stay properties in Launceston have previously been long-term rentals, and that almost half of the (47%) of the whole home short-term rental properties in Greater Hobart had a rental history from the long-term rental market. The Baseline Report showed that Hobart has 6.8 times more short-term rentals (as a proportion of its total private long-term rental market) than Sydney, and 4.5 times more than Melbourne.

Recommendation

National Shelter recommends:

- Undertaking a large scale review of taxation in Australia, with a view to reducing inefficiencies and inequity in the housing market, and the creation of an intentionally designed housing system. This includes:
 - Reducing the CGT discount for individuals and trust to 25%
 - Limiting negative gearing and quarantine passive investment losses so they can only be written off against other investment income
 - Removing negative gearing and CGT discount on properties that are used for short term rental
 - Redirecting of revenue savings towards social and affordable housing.

6. Providing meaningful relief for low-income renters

6.1 Commonwealth Rent Assistance is not working

Commonwealth Rent Assistance (CRA) provides assistance to low-income renters in private rentals and community housing and prevents even more widespread housing stress and housing affordability issues among this group. However, CRA has not kept pace with increasing rents and household costs.

The most recent Report on Government Services (ROGS) states that the Australian government expenditure on Commonwealth Rent Assistance was \$4.9billion in 2021-22^{xxvii}. It is the most common form of housing assistance received by households today.

⁸ With the exception of NSW and WA.

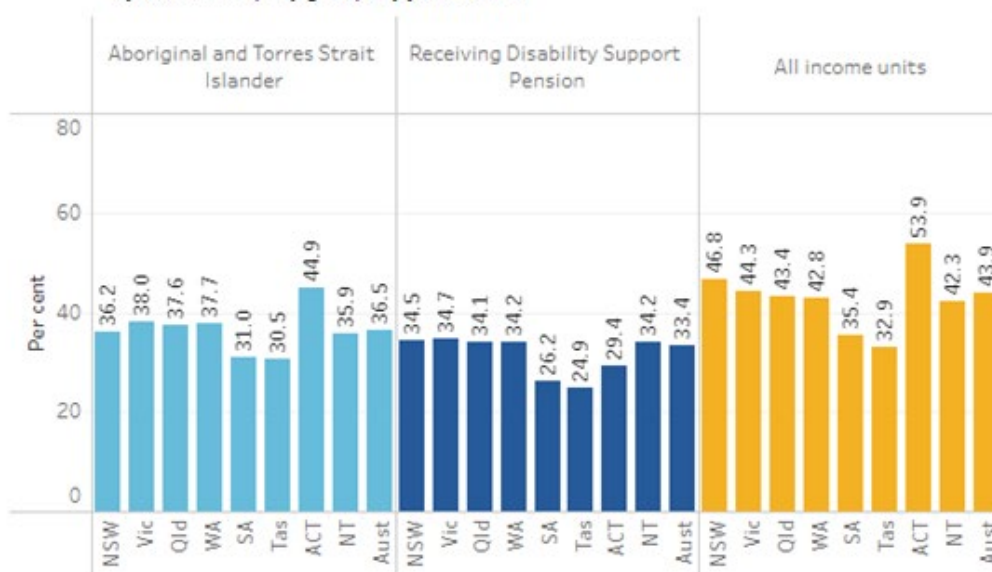
⁹ See https://shelbertas.org.au/wp-content/uploads/2022/01/STR-Baseline-Report-June-2022_FINAL-combined-files.pdf and https://shelbertas.org.au/wp-content/uploads/2022/12/STR-Progress-Report-1_Dec-2022.pdf

Low-income earners are particularly susceptible to housing instability as market factors lead to higher private rental prices. In 2019, just over 50% of lower income households renting in the private sector were paying more than 30% of their gross household income on housing costs.

The latest data from the ABS shows that across Australia, nearly 20% of low-income private renters were paying rents equating to more than half of their household income, and 58% of all low-income private tenants are paying more than 30% of their income on rent^{xxviii}.

The most recent ROGS illustrates that of low-income households that received CRA, almost 72% would have experienced rental stress without CRA. Significantly, almost 44% still experienced rental stress with CRA. This means the value of CRA is not keeping pace with rental increases.

Figure G.2 Proportion of income units receiving CRA at end June, 2022, paying more than 30 per cent of income on rent by selected equity group, by jurisdiction



Source: table GA.13

Data tables are referenced above by a 'GA' prefix and all data (footnotes and data sources) are available for download above (in Excel and CSV format).

- Aboriginal and Torres Strait Islander
- Receiving Disability Support Pension
- All income units

Source: <https://www.pc.gov.au/ongoing/report-on-government-services/2023/housing-and-homelessness>

There are a number of other identified issues with CRA including the rate of CRA indexed to overall inflation not the increases in rents, low-income households not eligible for CRA because they are not in receipt of income support payments, and a lack of regional variation in payment rates^{xxix}.

With this in mind, National Shelter recommends a review of CRA to ensure that is better targeted towards households in need, responds to regional variations, and is better able to respond to increased housing costs. This is a review that could be undertaken via the National Housing Supply and Affordability Council or the Economic Inclusion Advisory Committee, and input into the National Housing and Homelessness Plan.

While increasing CRA does not facilitate the supply of social and affordable housing, it can provide relief to low-income households if designed and increased appropriately.

Recommendation

National Shelter recommends:

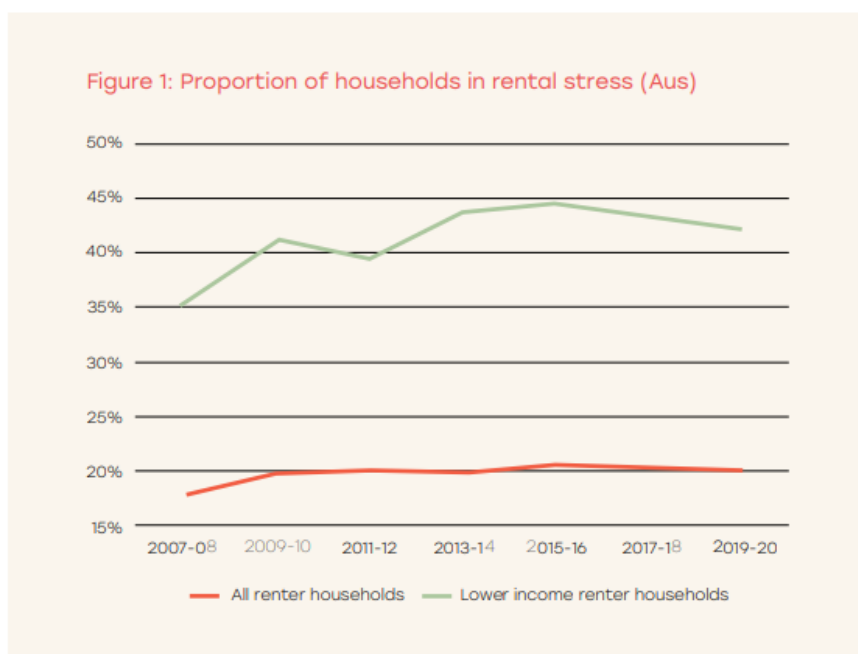
- That the Australian government, through the National Housing Supply and Affordability Council or the Economic Inclusion Advisory Committee, undertake an inquiry to examine reform of CRA to optimise value and impact for low-income rental households
- And in the meantime, the Australian Government increase the maximum rate of CRA by at least 50%, and that this amount be indexed to the rental component of CPI from 2024 onwards
- That eligibility for CRA be extended to all people who meet income tests requirements, irrespective of their source of income.

9.2 Income support is insufficient

National Shelter and SGSEP produce the annual [Rental Affordability Index](#). The index is an indicator of rental affordability relative to household incomes. The report has been produced since 2015. The index provides insights into how rental affordability impacts different places and household types.

The report highlights that poor rental affordability for lower income households including single people on JobSeeker payments, single pensioners, pensioner couples, single parents working part time, single income couples, single full time working parents, and students share housing.

In 2019-20, 42 per cent of all low-income households were in rental stress (paying more than 30 per cent of income on housing costs), compared to 35 per cent in 2008. This rises to 58 per cent when considering only the private rental market.



Source: https://www.sgsep.com.au/assets/main/Rental-Affordability-Index_Nov_2022_low-resolution.pdf

The time series of the Rental Affordability Index demonstrates the positive impact of temporarily raising the rate of JobSeeker had on rental affordability for a single person in capital city areas and regional areas. Once the supplement ceased, almost all areas reverted to their prior level of

unaffordability. It is a clear indicator of how increasing income support can ensure that households are able to meet housing costs and have available income to be able to meet their needs and costs.

COMPARE RAI HOUSEHOLD PROFILES OVER TIME BY REGION OF AUSTRALIA

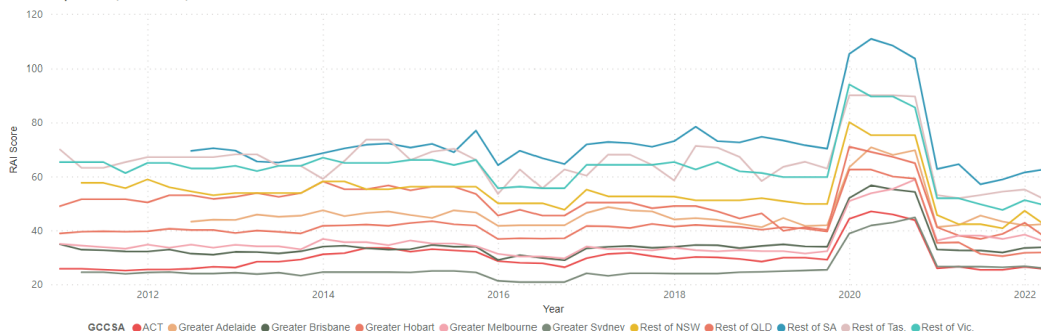
Use the filters below to view the RAI score for each household profile over time for the selected Region of Australia.

No bedroom size data is available for Greater Perth and Rest of WA.

Region of Australia: Household Profile:

Relative unaffordability	Share of income spent on rent	Index Score
Data not available		0
Very affordable rents	15% or less	>200
Affordable rents	20-25%	151-200
Acceptable rents	25-30%	121-150
Moderately unaffordable rents	30-38%	101-120
Unaffordable rents	38-60%	81-100
Severely unaffordable rents	60% or more	51-80
Extremely unaffordable rents		<50

RAI Comparison (2011 -2022)



Source: <https://www.sgsep.com.au/projects/rental-affordability-index>

Any meaningful impact to reducing after housing poverty and alleviating housing stress for lower income households must also include the permanent boost to income support.

National Shelter supports the campaign of Raise the Rate to permanently increase the working age payments to least \$73 per day. This would have a meaningful impact on the ability of low-income households to meet housing costs and other non-discretionary items.

Recommendation

National Shelter recommends:

- The Australian Government permanently increase JobSeeker, Youth Allowance, Austudy, Abstudy, Special Benefit and Parenting Payments to at least \$73 per day.

7. The private rental market for people with disability

We would like to bring to the Committee’s attention the experience of people with disability in the rental market. Our submission to the 2023-24 Budget and joint submission to the Inquiry into the Capability and Culture of the National Disability Insurance Agency (NDIA) with Rights and Inclusion Australia (RIA) have highlighted systemic barriers to housing for people with disability, particularly those who rent in the private market.

The [Opening the Door project](#)¹⁰ has identified a number of barriers that people are facing currently, none of which are surprising, but the **impact** of which are significant on people with disability whose housing options are becoming more and not less limited than they have been in the past. These include:

¹⁰ This is an ILC funded project with Rights and Inclusion Australia and Enliven Community to support people with disability to achieve choice and control with their housing options.

- **affordability:** rental affordability is a major barrier to anyone on income support being able to live in private rental anywhere in Australia, and given the poor rates of disability employment this is exacerbated, and worthy of consideration for “gap” payments through the NDIS to participants to enable rental;
- **tenancy rights for people with disability:** the lack of consistency of tenancy rights legislation and regulation across jurisdictions means that people with disability face a postcode lottery when it comes to security of tenure, the keeping of companion animals, and minor modifications. The availability of home modifications to people renting privately is, to a large extent, in the hands of landlords, who in most jurisdictions are allowed to refuse requests for these essential improvements to be made, even if they are to be paid for by the tenant or, more often, a government subsidy program (including the NDIS). Tenancy reform in this area is seeking to shift the responsibility to the landlord to provide good reason why a request for modifications should be denied.
- **lack of rights for participants in shared housing, particularly group homes:** the gains that were made under the Commonwealth Disability Services Act 1986, in increasing the rights of people living in group homes, by requiring a genuine separation between housing provider and service provider has been lost since the inception of the NDIS. Currently the NDIA seems to regard this area as beyond its jurisdiction, and again has failed to do anything at the systemic level to influence tenancy rights regulation and legislation to protect and enhance the rights of its participants.

Recommendation.

National Shelter recommends:

- The Australian Government’s leadership on housing include an explicit focus on the tenancy rights of people with disability that are currently being ignored or sidelined, and that it pushes for reforms that protect these rights across all jurisdictions.

8. Appendices

Appendix One: Joint Statement National Association of Renters' Organisations and National Shelter

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- ⁱ See See Stone, W., Burke, T., Hulse, K. and Ralston, L. (2013) Long term private rental in a changing Australian private rental sector, AHURI Final Report No.209. Melbourne: Australian Housing and Urban Research Institute
- ⁱⁱ See https://sqmresearch.com.au/uploads/15_08_23_National_Vacancy_Rate_July_2023_Final.pdf
- ⁱⁱⁱ See <https://www.domain.com.au/research/vacancy-rates-july-2023-1227367/>
- ^{iv} See <https://www.domain.com.au/research/rental-report/june-2023/>
- ^v See <https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/latest-release#main-contributors-to-change>
- ^{vi} See <https://www.afr.com/property/residential/why-rents-are-set-to-keep-rising-20230628-p5dk9j>
- ^{vii} <https://www.sgsep.com.au/projects/rental-affordability-index>
- ^{viii} <https://www.launchhousing.org.au/ending-homelessness/research-hub/australian-homelessness-monitor-2022>
- ^{ix} https://www.dss.gov.au/sites/default/files/documents/11_2022/september-2022-nras-quarterly-performance-report.pdf
- ^x <https://www.communityhousing.com.au/chia-media-release-housing-stress-could-envelope-one-million-households-by-2041/>
- ^{xi} <https://www.pc.gov.au/research/completed/renters/private-renters.pdf>
- ^{xii} See <https://www.aihw.gov.au/reports/housing-assistance/indigenous-people-focus-housing-homelessness/contents/at-a-glance>
- ^{xiii} See <https://www.aihw.gov.au/reports/australias-welfare/indigenous-housing>
- ^{xiv} <https://immi.homeaffairs.gov.au/what-we-do/migration-program-planning-levels>
- ^{xv} <https://www.rba.gov.au/monetary-policy/rba-board-minutes/2022/2022-12-06.html>
- ^{xvi} <https://www.theguardian.com/business/grogonomics/2022/oct/27/why-is-the-cost-of-living-going-crazy-even-as-the-reserve-bank-raises-rates>
- ^{xvii} Martin, C., Hulse, K., Ghasri, M., Ralston, L., Crommelin, L., Goodall, Z., Parkinson, S. and O'Brien Webb, E. (2022) Regulation of residential tenancies and impacts on investment, AHURI Final Report No. 391, Australian Housing and Urban Research Institute Limited, Melbourne, <https://www.ahuri.edu.au/research/finalreports/391>, doi: 10.18408/ahuri7124801.
- ^{xviii} Martin, C., Hulse, K., Ghasri, M., Ralston, L., Crommelin, L., Goodall, Z., Parkinson, S. and O'Brien Webb, E. (2022) Regulation of residential tenancies and impacts on investment, AHURI Final Report No. 391, Australian Housing and Urban Research Institute Limited, Melbourne, <https://www.ahuri.edu.au/research/finalreports/391>, doi: 10.18408/ahuri7124801.
- ^{xx} See <https://reiwa.com.au/news/no-grounds-to-stay-in-wa-despite-national-cabinet-renting-guidelines/>
- ^{xx} See <https://blogs.unsw.edu.au/cityfutures/blog/2021/01/social-housing-production-continues-to-languish-while-demand-is-soaring/>
- ^{xxi} <https://formerministers.dss.gov.au/11367/social-housing-initiative-creates-jobs-is-value-for-money/>
- ^{xxii} See National Shelter Pre-Budget Submission 2023-24 for further information <https://shelter.org.au/prebudgetsubmission23/>
- ^{xxiii} <https://www.oecd.org/ctp/housing-taxation-in-oecd-countries-03dfe007-en.htm>
- ^{xxiv} https://www.ahuri.edu.au/sites/default/files/migration/documents/AHURI_Final_Report_No250_The_relationship_between_intergenerational_transfers_housing_and_economic_outcomes.pdf
- ^{xxv} <https://www.pc.gov.au/research/completed/wealth-transfers/wealth-transfers.pdf>
- ^{xxvi} https://shelertas.org.au/wp-content/uploads/2022/01/STR-Baseline-Report-June-2022_FINAL-combined-files.pdf?fbclid=IwAR386MznIGCz3-vhtzY-wNQS4bJS-24FbQPlex7dGN6wW79dMAI9oy4gILxY
- ^{xxvii} <https://www.pc.gov.au/ongoing/report-on-government-services/2023/housing-and-homelessness>
- ^{xxviii} https://cms.launchhousing.org.au/app/uploads/2022/12/AustralianHomelessnessMonitor_2022.pdf
- ^{xxix} Ong, R., Pawson, H., Singh, R., and Martin, C. (2020) *Demand-side assistance in Australia's rental housing market: exploring reform options*, AHURI Final Report No. 342, Australian Housing and Urban Research Institute Limited, Melbourne, <https://www.ahuri.edu.au/research/final-reports/342>, doi:10.18408/ahuri8120801.