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ROOMING HOUSE STRATEGY 2019



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I Definitions — what is a rooming house?

A rooming house is defined in the *Public Health and Wellbeing Regulations 2009* as ‘a building in which there is one or more rooms available for occupancy on payment of rent in which the total number of people who may occupy that room or those rooms is not less than four (4)’.

A rooming house resident is a person who rents a room in a rooming house as their only or main residence and shares common facilities, such as bathrooms, kitchens and laundries with other residents.

Similarly, under the provisions of the *Residential Tenancies Act 1997*, a rooming house is ‘a building in which there is one or more rooms available for occupancy on payment of rent in which the total number of people who may occupy those rooms is not less than four (4)’.

The Minister for Housing can also declare a property as a rooming house.

People living in rooming houses are counted as homeless by the Australian Bureau of Statistics (ABS).

2 Executive summary

Rooming houses offer accommodation for many low income and disadvantaged members of the community, particularly for those who cannot access, afford or sustain a tenancy in the private rental market.

The number of rooming houses operating in Glen Eira has almost doubled in the past five years. Currently there are 49 rooming houses registered with Council that accommodate approximately 500 vulnerable residents. The demand for local rooming house accommodation continues to increase due to a range of influences including: a shortage of affordable housing, a shortage of emergency accommodation, an increasing cost of rental accommodation and Glen Eira's proximity to public transport and major entertainment precincts.

This *Strategy* addresses four major issues associated with rooming houses:

1. Multiplicity of agencies, legislation and regulations involved in rooming houses

Council's role in relation to rooming houses is to regulate and enforce planning, building and health requirements outlined in State Government legislation. Consumer Affairs Victoria monitors compliance with the rooming house minimum standards, with tenancy laws and with the rooming house operator licensing scheme. Victoria Police plays a role in addressing any criminal behaviour issues that may arise at local rooming house premises. It is difficult for residents and members of the public to understand which agency can deal with their concerns. This multiplicity of agencies makes it confusing for rooming house operators, residents and the broader community to understand the legislation and regulations.

2. Insufficient minimum standards

The current minimum standards for rooming houses are insufficient and should be raised to protect and improve the health and wellbeing of rooming house residents and to allow residents to live in dignified and respectful circumstances.

3. Safety and security of rooming houses

Many rooming house residents express concerns about their safety. The vulnerability of many rooming house residents means they can be easily exploited and intimidated as they generally do not have any alternative housing options. There are increasing concerns from neighbours, the community and authorised officers regarding the safety of rooming houses.

4. Greater need for social and affordable housing

All those consulted in relation to this strategy noted that the issue of rooming houses needs to be seen in the broader context of social and affordable housing and homelessness. While social and affordable housing is beyond the scope of this strategy, Council is developing a social and affordable housing strategy and actively considering ways to increase the level of social and affordable housing within the municipality. While rooming houses are not considered social housing (the ABS defines rooming house residents as homeless) ultimately an increase in the supply of social housing is required to provide those who may use rooming houses with safe and affordable housing.

The *Action Plan* contained in the *Rooming House Strategy* addresses the key issues raised above and outlines a number of actions for Council to undertake.

3 Background

3.1 Housing affordability in Glen Eira

In recent years, there has been a decline in housing affordability in Glen Eira, adding further pressure on people to find alternative forms of accommodation, particularly those with low or single incomes.

In 2006, the median house price was only 5.3 times the median income. In 2016, the median house price in Glen Eira was 11.8 times the median house income¹. Median weekly rental rates in Glen Eira have increased from \$190 in 2000 to \$420 in 2016, an increase of 121 per cent (121%).

Figure one shows the house to price income ratio across Melbourne Local Governments.

Figure one: LGA price of housing to income ratio in 2016.

House price to income ratio in Melbourne LGAs					
LGA	1996	2001	2006	2011	2016
Stonnington	6.8	9.6	12.0	14.1	15.9
Melbourne	4.6	7.0	9.3	10.3	14.7
Boroondara	5.6	8.3	10.0	12.8	14.2
Port Phillip	7.5	9.9	11.0	11.4	13.3
Glen Eira	5.3	8.0	10.0	11.5	11.8
Bayside	6.0	9.2	10.9	12.4	11.6
Monash	3.6	5.6	7.5	9.9	11.3
Manningham	3.9	5.9	7.7	9.7	11.1

The Victorian Department of Health and Human Services produces a regular *Rental Report*², the latest data for the quarter to March 2018, shows that in Glen Eira:

- there were 570 one-bedroom rentals available; and
- the median weekly rent for a one-bedroom flat is \$300³.

The *Rental Report* also calculates ‘affordable lettings’, rental properties that are accessible (do not consume more than 30 per cent of gross income) to those receiving a low income (Newstart).

As at early September 2018⁴, the Newstart Allowance is currently set at a maximum fortnightly payment of \$545.80 for singles. As at March 2018⁵, information provided by the Australian Department of Social Services shows there to be 1,847 recipients of Newstart in Glen Eira.

The *Rental Report* finds that in the quarter to March 2018, there were just three one-bedroom flats affordable to a person receiving Newstart (0.5 per cent of total one-bedroom flats)⁶.

The lack of affordable rental properties in the municipality that are available to those residents on Newstart Allowance is pushing many low income households out of the private rental market and into other forms of accommodation. Over the past five years, Glen Eira has grown by 9,860⁷ residents and 3,552⁸ new dwellings. It is projected that the Glen Eira population will grow from 148,385 in 2016 to 170,412 by 2031 — an increase of 14.8 per cent⁹.

1. www.greaterdandenong.com/document/27592/statistics-housing-costs-1996-2011

2. dhhs.vic.gov.au/publications/rental-report

3. dhhs.vic.gov.au/sites/default/files/documents/201805/Quarterly%20median%20rents%20by%20local%20government%20area%20-%20March%20quarter%202018.xlsx

4. www.humanservices.gov.au/individuals/services/centrelink/newstart-allowance/how-much-you-can-get

5. data.gov.au/dataset/dss-payment-demographic-data/resource/c9bcd6ed-b6bd-423b-abc5-86b54bd7a591

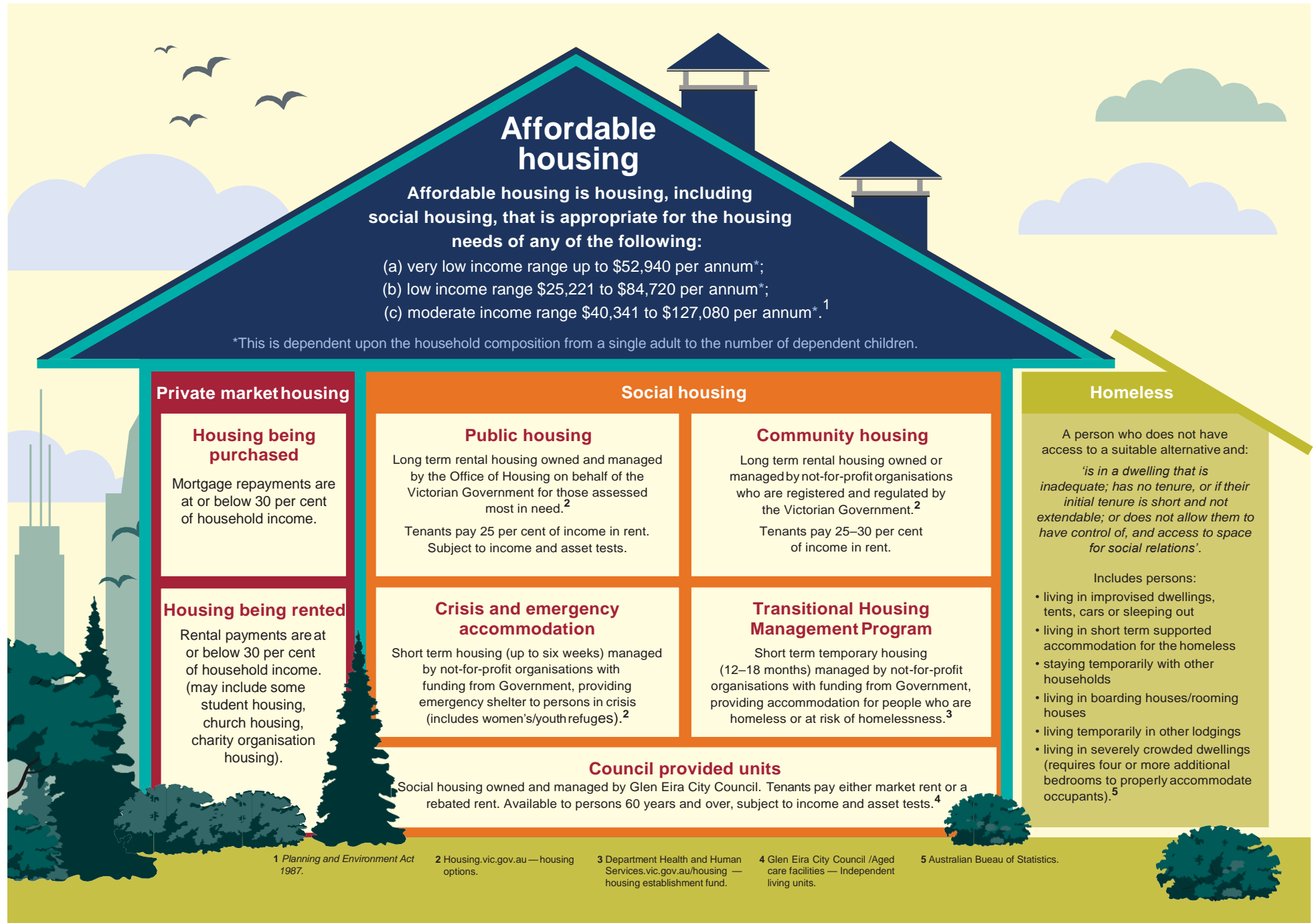
6. dhhs.vic.gov.au/sites/default/files/documents/201805/Affordable%20lettings%20by%20local%20government%20area%20-%20March%20quarter%202018.xlsx

7. As counted in the Census Place of Usual Residence dataset

8. profile.id.com.au/glen-eira/dwellings?EndYear=2006&DataType=EN

9. Department of Environment, Land, Water and Planning, State Government of Victoria 2016, *Victoria in the Future 2016*, www.planning.vic.gov.au/land-use-and-population-research/victoria-in-future-2016/victoria-in-future-data-tables

Figure two: illustrates Glen Eira City Council's definition of Affordable housing.



¹ Planning and Environment Act 1987.

² Housing.vic.gov.au — housing options.

³ Department Health and Human Services.vic.gov.au/housing — housing establishment fund.

⁴ Glen Eira City Council /Aged care facilities — Independent living units.

⁵ Australian Bureau of Statistics.

3.2 Social housing and homelessness in Glen Eira

Social housing includes both public housing provided by the Office of Housing and housing provided by the not-for-profit community housing sector. Glen Eira has one of the lowest percentages of social housing as a percentage total of dwellings across surrounding councils with 1.3 per cent, compared to 3.4 per cent for the Southern Metropolitan Region and 3.9 per cent for Victoria (refer to Figure three). This figure ranks Glen Eira as number 70 of 79 Local Government authorities in Victoria.

Figure three: social housing as a percentage of total housing stock.

Social housing as a percentage of total dwellings	
Bayside	3.5%
Glen Eira	1.3%
Kingston	2.4%
Port Phillip	7.5%
Stonnington	3.9%
Southern Metropolitan Region	3.4%
Victoria	3.9%

The Australian Bureau of Statistics (ABS) defines homelessness broadly, including within the concept those persons who do not have suitable accommodation alternatives and whose living arrangement:

- is a dwelling that is inadequate;
- has no tenure or whose tenure is short and not extendable; or
- does not allow them to have control of and access to space for social relations¹⁰.

The ABS classifies those who live in rooming houses as homeless; this is because the accommodation is inadequate, short tenure and does not allow residents to have control of and access to space for social activities.

Following the *2016 Census*, the ABS identified a total of 497 homeless people in Glen Eira, equating to 2.4 per cent of the total number of homeless persons across the 31 Greater Melbourne Local Government areas¹¹. The number of homeless persons in Glen Eira has increased from 382 in 2011, an increase of 40 per cent in five years.

Pressures in the housing system push many low income households out of the private rental housing market and into other forms of accommodation such as rooming houses. As a result, the number of rooming houses in Glen Eira has more than doubled since 2013.

Without an adequate housing mix in the City, residents including families with low incomes, students and vulnerable people may not have sufficient income to cover vital needs such as food, utilities or health related expenses. It is important that an adequate supply of appropriate social and affordable housing is provided to meet the future wellbeing and health needs of local residents.

10. www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4922.0Main+Features12012?OpenDocument

11. www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/2049.02016?OpenDocument

4 Rooming houses in Glen Eira

The number of rooming houses operating in Glen Eira has almost doubled in the past five years. Currently there are 49 rooming houses registered with Council that accommodate approximately 500 residents.

Of these 49 registered rooming houses, 15 rooming houses are registered in Caulfield North, eight in Caulfield South, three in St Kilda East, five in Caulfield, five in Caulfield East, four in Carnegie, three in Bentleigh, two in Ormond, two in Glen Huntly, one in Murrumbeena and one in Elsternwick.

Forty-eight rooming houses in Glen Eira operate based on a for-profit business model and only one operates as a not-for-profit. The majority of rooming houses in Glen Eira are not purpose-built and have been established by converting suburban houses to accommodate larger numbers of people.

A number of rooming houses in the northern area of the municipality target backpackers for cheap accommodation. Glen Eira location is very popular with overseas travellers due to the close proximity to major entertainment precincts located in St Kilda and Prahran.

Rooming house operators determine occupant accommodation costs and on average a single occupant is charged approximately \$170 to \$250 per week which is not affordable for people on Centrelink incomes or low income work.

Rooming houses offer accommodation for many low income and disadvantaged members of the community, particularly for those who have experienced homelessness or who cannot sustain a tenancy in the private rental market, including people exiting prison, hospitals and other institutions. Rooming houses are used as short-term emergency accommodation which often becomes long-term due to a lack of other low income housing options.

The ABS classifies those who live in rooming houses as homeless; this is because the accommodation is inadequate, short tenure and does not allow residents to have control of and access to space for social activities.

The resident profile of rooming house residents indicates high levels of vulnerability with a strong reliance on health, welfare and community services. Residents have few alternative accommodation options and are often reluctant to pursue their tenancy rights.

5 Rooming house standards, regulation and compliance

The regulations, standards and guidelines relating to the operation of rooming houses are very complex. The responsibility for the enforcement of rooming house standards also falls to a number of different agencies.

The complex nature of the rooming regulatory framework makes it difficult for rooming house operators to gain a sound understanding of the requirements to run an effective and safe rooming house. It is also very difficult for rooming house residents and members of the public to understand which agency can deal with their concerns.

CONSUMER AFFAIRS VICTORIA

Rooming house operators must comply with minimum standards set out in the *Residential Tenancies Act 1997* and *Residential Tenancies (Rooming House Standards) Regulations 2012*. These standards relate to privacy, security, safety and amenity in rooming houses. The minimum standards apply to a rooming house and its rooms, irrespective of whether the resident is on a rooming house agreement or individual tenancy agreement.

In September 2018, the Victorian Parliament passed the *Residential Tenancies Amendment (Long-term Tenancy Agreements) Act 2018* which will introduce a suite of reforms to the residential tenancies laws including reforms specific to rooming houses. Implementation of these new reforms came into effect on 1 February 2019 and are required to be implemented by 1 July 2020.

Consumer Affairs Victoria (CAV) administers laws about all residential tenancies in Victoria, including rooming houses. They give information and advice about disputes between owners and residents including rental bonds, rent increases, rights and obligations of residents and operators, notice periods and goods left behind.

CAV also administers the rooming house operators licensing scheme, established under the *Rooming House Operators Act 2016*, which require all rooming houses operators to be licensed. Licenses are issued by the Business Licensing Authority within the Department of Justice and Community Safety.

CAV also hosts a public register of licensed rooming house operators across Victoria which is accessible through the CAV website. This registry allows people to search for registered rooming houses by address or business that operates the property. This register allows the community to check to see if a rooming house is listed and enable them to contact Council if they suspect an illegal rooming house has opened in their area. Agencies such as Peninsula Community Legal Centre, Tenants Victoria and Star Health have a significant reliance on the loading and maintenance of registrations to identify registered rooming houses in each LGA for purposes of resident outreach services.

CAV investigators check compliance with the *Rooming House Minimum Standards* and registration and licensing requirements. Investigators pay particular focus to safety issues such as having current gas and electrical safety certificates and compliant door and window locks. In addition, CAV investigators investigate breaches of consumer law and other legislative requirements in support of each industry program.

The CAV can fine or pursue a rooming house operator through court action in relation to breaches of the minimum standards and licensing laws. The CAV can also investigate lodgement of tenancy bonds, unfair eviction and other tenancy matters outlined in the *Residential Tenancies Act 1997*.

The CAV have advised that in 2017–2018 there were 1,256 rooming houses registered in Victoria and CAV officers conducted 738 rooming house inspections.

	Number of registered rooming houses in Victoria	Number of CAV rooming house inspections across Victoria
FY2014	1,127	1,377
FY2015	1,129	679
FY2016	1,157	1,252
FY2017–2018	1,256	738

COUNCIL

Local Government is primarily responsible for enforcing the public health, building and town planning legislative requirements for rooming houses under various Acts of Parliament.

Between 2014 and 2017 Council has received 336 of complaints from members of the community or rooming house residents regarding rooming house standards. Primarily these complaints relate to rooming houses operating unregistered, rubbish and late night noise complaints.

Year	Operating unregistered	Rubbish	Noise	Other	Total
2014	39	10	7	12	68
2015	33	21	13	22	89
2016	44	17	10	21	92
2017	42	16	9	20	87

Council's public health and building officers have conducted 862 compliance visits of rooming houses over the past five years. In that time Council has issued 83 orders to rooming houses and has taken legal action against six operators.

• Planning

Under the *Planning and Environment Act 1987* and through the implementation of the *Glen Eira Planning Scheme*, a planning permit may be required for a rooming house. Previously a rooming house was broadly captured under the planning definition of 'shared housing' if it has more than 10 habitable rooms.

However, recent changes to planning provisions across Victoria have led to a specific provision for rooming houses, whose purpose is: To facilitate the establishment of domestic-scale rooming houses.

The State-wide planning provision changes include a new land use term for rooming houses together with a permit exemption for use and development of land for a rooming house where specified requirements are met. The exemptions include a threshold of nine (9) bedrooms, 12 persons, and a total floor area of 300 square metres. A rooming house which exceeds these thresholds or does not meet the requirements set out below will need a planning permit.

- o Bedrooms can only be accessed from within the building.
- o If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.
- o Shared entry facilities and common areas, including a kitchen and living area, are provided.

Council's urban planning officers have the power to require properties to have a valid planning permit before the commencement of any building works. Urban Planning issues permits to ensure the use of the building complies with Council requirements and meets all relevant conditions imposed. Urban Planning also has the authority to require that any breaches of the planning permit or associated conditions are rectified by the owners.

• Public health

Under the provisions of the *Public Health and Wellbeing Act 2008*, a rooming house must be registered with Council where there are four or more occupants. Council become aware of illegal rooming houses through monitoring the local area, complaints from neighbours, specialist homelessness services or by the CAV.

Rooming houses can often be confused with share house accommodation by local residents. Rooming houses can be distinguished from a share house by the leasing arrangement of the rented premises. Residents of a share house have exclusive possession of the rented premises and do not require registration. Whereas, residents of a rooming house only have exclusive possession to their room with shared access to communal facilities, such as kitchens, bathrooms, laundries and living areas.

The *Public Health and Wellbeing Regulations 2009* outline the requirements that rooming houses must meet including bedroom size, toilet and bathing facilities, maintenance, cleanliness, water supply, discharge of sewerage and refuse receptacles and disposal. These regulations are exclusively designed to protect the health and wellbeing of the occupants.

The *Public Health and Wellbeing Regulations 2009* state that the number of people that can be accommodated in a rooming house is determined by the floor area of the rooms where people are sleeping and also takes into consideration the number of toilets and bathing facilities. The number of people accommodated also varies depending on the length of stay. Under these regulations each bedroom must have a minimum floor space of 7.5 square metres to prevent overcrowding.

Council’s environmental health officers monitor registered rooming houses by an annual inspection and enforce these regulations to prevent overcrowding, ensure a reasonable standard of hygiene and sanitation and to minimise the risk of communicable diseases.

Local councils are the only authority who are able to deregister a rooming house. In instances where operators fail to rectify issues within the required time frames Council has the authority to issue penalty infringement notices and initiate legal proceedings.

- **Building**

The *Building Act 1993*, *Building Regulations 2018* and *National Construction Code* have provisions that apply to rooming houses. This legislation contains technical provisions for the design and construction of rooming houses.

These *Acts* and *Codes* also include requirements for fire safety including smoke alarms and sprinklers, building structure, access and egress, services and equipment and amenity. These requirements are designed to protect the residents of the rooming houses in the event of an emergency. The Metropolitan Fire Brigade is also able to conduct assessments of building fire safety.

In the case of a serious breach where it is determined that there is danger to life or property, Council may issue an Emergency Order for evacuation of the premises (either immediately or within 24–48 hours dependent on the nature of the breach). Legal proceedings may also be instigated against the owner.

Rooming houses with a floor area of no more than 300 square meters, and no more than 12 residents are classified as a Class 1b building as per the *National Construction Code*. When an owner/occupier changes the use of a dwelling from a Class 1a (a single dwelling) to Class 1b (rooming house), they must obtain a building permit for the new use and ensure that essential safety measures are installed and maintained.

- **Council officers and compliance**

The table below summarises of the role of each Council officer in relation to registering a rooming house and enforcing compliance.

Building inspector	Environmental health officer	Planning officers
General state of repair fire hazards Display of fire safety measures Fire prevention systems Emergency lighting Noise complaints Any other risk to life, safety or health	Registration of rooming house — four or more people rent rooms with shared communal facilities Register of residents Number of bathrooms General hygiene Room size Rubbish collection Pest control Supply of hot and cold water Overcrowding issues	Planning permits for new rooming houses — 10 or more bedrooms)* Enforcement of any planning conditions placed against the property as part of the approved planning permit
<i>Building Regulations 2018</i> Council Local Laws	<i>Public Health and Wellbeing Act 2008</i> <i>Public Health and Wellbeing Regulations 2009</i>	<i>Glen Eira Planning Scheme</i> <i>Planning and Environment Act 1987</i>

*Clause 52.23 of the *Glen Eira Planning Scheme* sets out permit exemptions.

Prospective rooming house operators or developers are advised to speak to Council about their proposal. This is important given the complex interplay of building, public health and planning legislation.

VICTORIA POLICE

Rooming houses are often associated with antisocial behaviour, excessive noise, the consumption of alcohol and drug use, which can affect neighbouring residents and the wider community. Victoria Police is primarily responsible for the immediate response to these matters and ensuring community safety. The profile of people living in rooming houses indicates a higher level of vulnerability including residents with alcohol and drug related issues, mental health issues and criminal records.

6 Major issues in rooming house operation

Council has identified a number of key issues in relation to rooming houses and has set out recommended actions it will take to address these issues. These key issues will be addressed in the four priority areas listed in the *Rooming House Strategy Action Plan* (page 15).

Multiplicity of legislation, regulation and agencies involved

It is not surprising that the multiplicity of legislative and regulatory frameworks as outlined above has led to widespread confusion around the roles and responsibilities of various agencies regarding the regulation of rooming houses. For example, local councils are responsible for registering dwellings as a rooming house. Consumer Affairs Victoria is responsible for regulating the relationship between the operator and residents, enforcing minimum standards for rooming houses and licensing. The Department of Health and Human Services is responsible for managing welfare of residents in the case of a rooming house closure and imminent homelessness. Victoria Police deal with many of the crime and antisocial related issues often associated with rooming houses.

The issues in terms of calls to police by members of the public may be as a result of a lack of a proactive, responsible property and people management approach by the manager/head tenant.

There is also lack of timely, accurate and easy to understand information (material aid, health and government services) for residents who occupy rooming houses.

The definitions of a rooming house and how it operates differs across legislation. For example, the definition of a rooming house in the *Public Health and Wellbeing Act 2008* has been aligned to the definition in the *Residential Tenancies Act 1997*, and only until recently, there was no definition for a rooming house or any guidance on its design, location and size in the *Planning and Environment Act 1987* or the *Victoria Planning Provisions*.

Important inconsistencies exist in the legislation, for example: building inspectors have limited powers of entry to inspect a rooming house, and must only enter the property during reasonable daylight hours with the consent of the owner/operator or with a search warrant. This makes it difficult for building inspectors to undertake their role in a timely manner. However, environmental health officers do have the right of entry under the *Public Health and Wellbeing Act 2008*. Furthermore when a rooming house meets the threshold for a planning permit Council is able to impose conditions on the operation of the rooming house. However, with smaller rooming houses Council has no legislative method to impose conditions since they are exempt from requiring planning permission under certain circumstances.

Actions	
Advocacy	Advocate for the establishment of an agency with legislative mandate to enforce a single set of standards for rooming houses in Victoria.
	Advocate to increase the powers of entry of authorised officers so that the condition of the property can be inspected and conditions reviewed.
Council action	Council to implement an operational procedure to ensure residents have a single point of contact so that Council can, with regard to their own legislative responsibilities, regulate rooming houses in a coordinated and consistent way.
	Review the current conditions contained on planning permits and investigate the feasibility to have standard conditions listed on permits to limit the negative impacts on surrounding properties and residents.
	Educate rooming house operators on their roles and responsibilities and promote the <i>Running A Better Rooming House: A Best Practice Handbook for Operators (RAAV, 2011)</i> to rooming house operators.
	Improve communication to assist the community to understand roles and responsibilities of the various agencies involved in the regulation of rooming houses.
	Establish a Glen Eira Rooming House Working Group consisting of Council's planning, building and health departments, Consumer Affairs Victoria, Department of Health and Human Services, local agencies that support rooming house residents, local agencies that support rooming house operators and local rooming house operators.
	Hold an annual forum for rooming house operators for Council to explain its role and responsibilities and outline the best practice requirements for operators.

Current minimum standards are too low

Minimum standards for rooming houses are outlined in a number of pieces of legislation and regulations. For example: *Residential Tenancies (Rooming House Standards) Regulations 2012* minimum standards relate to privacy, security, safety and amenity in rooming houses.

Whereas the *Public Health and Wellbeing Regulations 2009* outline the requirements that rooming houses must meet including bedroom size, toilet and bathing facilities, maintenance, cleanliness, water supply, discharge of sewerage and refuse receptacles and disposal. These regulations are exclusively designed to protect the health and wellbeing of the occupants. However, the current standards do not require operators to provide common living areas and only one toilet and one bathroom is required for every 10 residents. Rooming house outreach workers advise that sharing of toilet, bathroom and kitchen facilities can be a major source of conflict for rooming house residents.

The current minimum standards create a number of issues, the lack of provision for common living areas results in residents congregating in front and rear yards of properties where they sometimes engage in antisocial behaviour. Furthermore, there are no minimum standards for security and outdoor space.

The conversion of existing dwellings to rooming houses has resulted in many of these properties having inadequate shared communal facilities, rather than more modern standards such as self-contained accommodation rooms or units.

Actions	
Advocacy	Advocate to increase the current minimum standards for rooming houses to better protect and improve the health and wellbeing of rooming house residents. Including: <ul style="list-style-type: none"> • a minimum of one toilet for every five residents; and • a requirement to provide an indoor social space.
Council action	Review Council's annual registration fee for rooming houses to ensure that it is reflective of the ongoing inspections, complaint investigations and enforcement activity that these premises require.
	Investigate the introduction of incentives for rooming house operators to provide higher quality rooming houses. This may include how the fee structures of registration can be used to encourage registration and compliance, which should be done sensitively to ensure that this does not negatively impact on residents.

Safety and security

Many rooming house residents express concerns about their safety and report that the level of privacy and safety is inadequate. The vulnerability of many rooming house residents means that they can be easily exploited and intimidated as they generally do not have any alternative housing options. There is reported exploitation from some rooming house operators in relation to emergency funding provided to residents.

There are increasing concerns from neighbours, the community and staff who are required to enter rooming houses regarding their safety. The community is concerned about antisocial behaviour, drug use and criminal activities occurring within rooming houses.

Operators are not required to take into consideration the mix of residents who reside in a rooming house and there are no standards in this area. There are also no standards for medical waste and safe disposal of syringes.

There are real safety concerns for authorised officers and social, legal and health workers when visiting rooming houses. On occasions this level of safety means that residents do not receive the services to which they are entitled as support workers are reluctant to enter properties for legitimate safety reasons.

Actions	
Advocacy	Advocate for minimum safety and security standards in rooming houses, including the provision of secure key locks on all doors and visitor control.
	Advocate for standards and controls for medical waste disposal facilities that are available in rooming houses for residents to use safely and minimise harm to other residents.
	Advocate for increased safe access provisions for authorised officers and support workers to ensure that rooming houses are inspected appropriately and that the residents receive access to required social, legal and health support.
	Advocate for a review of the existing emergency funding requirements and the introduction of tighter controls to reduce the exploitation of residents and funding by rooming house operators.
Council action	Review Council's operational procedures to ensure that officer safety is considered when attending rooming houses.
	Publish a fact sheet for residents, neighbours and rooming house operators that provides an overview of regulations, best practice and how to deal with neighbourhood concerns.
	Review and update Council's publications to include best practice recommendations regarding safety and security.

Greater need for social and affordable housing

Rooming houses are often considered to be social housing as they house vulnerable members of our community. However, they meet neither the ABS definition of social housing nor definitions of social housing from the *Planning and Environment Act 1987*. Rooming house rentals are not based on income and are generally well in excess of 30 per cent of resident's income. For example: the Newstart Allowance is approximately \$270 per week and rental for rooming houses in Glen Eira are in the range of \$170 to \$250 per week. Furthermore residents seldom have secure tenure, nor do they have control of or access to space for social relations.

Rooming houses are not an appropriate form of accommodation for many vulnerable groups in our community, including families with young children, women escaping domestic violence, people with chronic health or mental health issues and the elderly. These groups need secure social or affordable housing and as outlined in the introduction to this strategy Glen Eira has one of the lowest levels of affordable housing of any municipality (rated 70th out of 79).

Actions	
Advocacy	Continue to advocate to State and Federal Governments to increase the supply and funding for social and affordable housing in our community.
Council action	Develop a <i>Social and Affordable Housing Strategy</i> which develops initiatives for more appropriate models of social and affordable housing within Glen Eira to support vulnerable members of the community.

7 Implementation, monitoring and review

The implementation of the objectives and policy directions of this *Rooming House Strategy* will be overseen through the establishment of a Glen Eira Rooming House Working Group.

This group will consist of representatives from Council's planning, building and health departments, Consumer Affairs Victoria, Department of Health and Human Services, local agencies that support rooming house residents, local agencies that support rooming house operators and local rooming house operators.

The *Rooming House Strategy* will need to be monitored and reviewed over time to ensure that it keeps pace with the issues, concerns, challenges and opportunities for rooming houses within the City of Glen Eira.

The action plan below contains the key priorities for Council that will be implemented by the working group. Short, medium and long-term timelines have been set. Some of the work to be undertaken by the working group will be ongoing.

- Short-term — to be achieved within 18 months of the *Rooming House Strategy* being finalised.
- Medium-term — to be achieved within 18 months to three years of the *Rooming House Strategy* being finalised.
- Long-term — to be achieved within three to five years of the *Rooming House Strategy* being finalised.
- Ongoing — where there is no identified time frame, or where multiple opportunities may arise to fulfill the action.

Monitoring and review

The *Rooming House Strategy* will be formally reviewed every two years to ensure that the issues, concerns, challenges and opportunities identified within the strategy remain current and up to date.

Members of the Rooming House Working Group will also be used as an informal reference group to provide ongoing assistance and advice to Council on matters relating to rooming houses.

8 Rooming House Strategy — Action Plan

Key issue	Actions	Timeframe
Multiplicity of legislation, regulation and agencies involved	Advocate for the establishment of an agency with legislative mandate to enforce a single set of standards for rooming houses in Victoria.	Medium-term
	Advocate to increase the powers of entry of authorised officers so that the condition of the property can be inspected and conditions reviewed.	Medium-term
	Council to implement an operational procedure to ensure residents have a single point of contact so that Council can, with regard to their own legislative responsibilities, regulate rooming houses in a co-ordinated and consistent way.	Short-term
	Review the current conditions contained on planning permits and investigate the feasibility to have standard conditions listed on permits to limit the negative impacts on surrounding properties and residents.	Short-term
	Educate rooming house operators on their roles and responsibilities and promote the <i>Running A Better Rooming House: A Best Practice Handbook for Operators (RAAV, 2011)</i> to rooming house operators.	Short-term
	Improve communication to assist the community to understand roles and responsibilities of the various agencies involved in the regulation of rooming houses.	Short-term
	Establish a Glen Eira Rooming House Working Group consisting of Council's planning, building and health departments, Consumer Affairs Victoria, Department of Health and Human Services, local agencies that support rooming house residents, local agencies that support rooming house operators and local rooming house operators.	Short-term
	Hold an annual forum for rooming house operators for Council to explain their role and responsibilities and outline the best practice requirements for operators.	Short-term
Current minimum standards are too low	Advocate to increase the current minimum standards for rooming houses to better protect and improve the health and wellbeing of rooming house residents. Including: <ul style="list-style-type: none"> • a minimum of one toilet for every five residents; and • a requirement to provide an indoor social space. 	Medium-term
	Review Council's annual registration fee for rooming houses to ensure that it is reflective of the ongoing inspections, complaint investigations and enforcement activity that these premises require.	Short-term
	Investigate the introduction of incentives for rooming house operators to provide higher quality rooming houses. This may include how the fee structures of registration can be used to encourage registration and compliance, which should be done sensitively to ensure that this does not negatively impact on residents.	Long-term

Key issue	Actions	Timeframe
Safety and security of residents, the community, staff and health and agency workers	Advocate for minimum safety and security standards in rooming houses, including the provision of secure key locks on doors and visitor control.	Medium-term
	Advocate for standards and controls for medical waste disposal facilities that are available in rooming houses for residents to use safely and minimise harm to other residents.	Medium-term
	Advocate for increased safe access provisions for authorised officers and support workers to ensure that rooming houses are inspected appropriately and that the residents receive access to required social, legal and health support.	Medium-term
	Advocate for a review of the existing emergency funding requirements and the introduction of tighter controls to reduce the exploitation of residents and funding by rooming house operators.	Long-term
	Review Council's operational procedures to ensure that officer safety is considered when attending rooming houses.	Short-term
	Publish a fact sheet for residents, neighbours and rooming house operators that provides an overview of regulations, best practice and how to deal with neighbourhood concerns.	Short-term
	Review and update Council's publications to include best practice recommendations regarding safety and security.	Short-term
Greater need for social and affordable housing	Continue to advocate to State and Federal Governments to increase the supply and funding for social and affordable housing in our community.	Long-term
	Develop a <i>Social and Affordable Housing Strategy</i> which develops initiatives for more appropriate models of social and affordable housing within Glen Eira to support vulnerable members of the community.	Long-term

APPENDIX A

AGENCIES AND RESOURCES THAT PROVIDE SUPPORT FOR ROOMING HOUSE OPERATORS AND RESIDENTS

Rooming Houses — A Guide for Residents and Operators

The *Rooming Houses — a Guide for Residents and Operators (2018)* brochure was published by the Victorian Government and is available from the Consumer Affairs Victoria website. The guide sets out the minimum standards for rooming houses in Victoria. Rooming House Operators must give a copy of this guide to every new resident.

This guide also explains what residents and operators must do to follow Victoria's rooming house laws.

The guide also contains useful information about rents, bonds, rights of access to rooms, repairs, maintenance and how to resolve disputes. The guide contains useful checklists for operators and residents. A summary of the information contained in this guide is contained in Appendix B.

Running a Better Rooming House Practice Handbook

The Registered Accommodation Association of Victoria Ltd (RAAV) is the peak body for rooming houses in Victoria. The RAAV provides a forum for privately owned and operated rooming houses in the registered accommodation sector and brings together owners and operators of registered accommodation to represent the views of the industry.

The RAAV has produced *Running a Better Rooming House — a Best Practice Handbook for Operators (2014)*. The handbook provides a useful guide to improve the image of the rooming house, developing a business plan, how to select rooming house managers and residents, how to manage a rooming house and information about how to settle disputes. A summary of the recommendations for rooming house operators about how to run an effective rooming house is outlined in Appendix C.

Tenants Victoria

Tenants Victoria provides free legal advice and assistance for residents and can help negotiate with rooming house owners and government departments. The Tenants Union of Victoria does not assist with disputes between residents.

Dispute Settlement Centre of Victoria

The Dispute Settlement Centre of Victoria can help resolve a wide range of issues, without the parties involved having to report to legal action. The Dispute Settlement Centre of Victoria also has a free telephone service that will work with residents or rooming house operators to try to resolve a dispute.

Department of Health and Human Services

The Department of Health and Human Services provides public housing, bond assistance and other accommodation support for Victorians most in need.

The Victorian Civil and Administrative Appeals Tribunal

The Victorian Civil and Administrative Tribunal hear disputes between residents and owners. The list can make orders forcing the owner or tenant to do something, such as to make repairs or pay some money, or to stop doing something, such as causing a nuisance. The list can make orders about bonds or compensation.

Peninsula Community Legal Centre

Peninsula Community Legal Centre offers free legal services to people in the South East region. The *Tenancy Assistance and Advocacy Program* assists clients across a large catchment area. A rooming house outreach and support program is also offered for residents/tenants in the South East region.

APPENDIX B

ROOMING HOUSES — A GUIDE FOR RESIDENTS AND OPERATORS SUMMARY

- Rooming house licensing and registration requirements.
- Definition of a rooming house and guidance about establishing a rooming house.
- The minimum standards in rooming houses — residents' rooms, bathrooms, kitchens, dining facilities, common areas, shared laundries, general rooming standards.
- Gas and electrical safety checks.
- Building and fire safety standards, lighting, health and hygiene standards.
- What should happen when a resident moves in including, providing the guide to each resident, written statements about house rules and resident rights and duties.
- Notices about rights to room use and costs of any extra services .
- Rent and charging bonds including administration of bonds through the Residential Tenancies Bond Authority and conditions relating to receipts for rent, rental amounts and rental assessments.
- Condition reports of rooms to be signed by operators and residents.
- Maintenance and repairs including urgent and non-urgent maintenance items and who is responsible for repairs.
- Entry rights of operators to tenant rooms respecting privacy and security of tenant's goods.
- What should happen when a tenant leaves a rooming house including issuing notices to vacate, repaying bonds, and how to deal with goods left behind.
- Information to assist with resolving disputes including using the Dispute Settlement Centre and the Victorian Civil and Administrative Tribunal.

APPENDIX C

RUNNING A BETTER ROOMING HOUSE PRACTICE HANDBOOK

The publication suggests that rooming house operators:

- Consider employing a manager or lead tenant.
- Ban excessive noise, littering and loitering.
- Manage visitors by establishing visiting hours and providing a sign-in register.
- Include neighbours in the operation of a rooming house (eg. provide a copy of house rules, contact number of operator/manager, show notices that may be issued to residents, explain laws).
- Identify complex issues of residents (eg. alcohol usage, mental health issues, etc.) and prepare an action plan if problems arise or a case worker is required.
- Develop relationships with police, fire stations, ambulance, medical services and other services to identify procedures for emergency response.
- Manage and monitor common areas.
- Consider installing security cameras in common areas to monitor issues such as theft and unauthorised entry to the rooming house.
- Develop relationships with agencies that refer clients to rooming houses for accommodation.
- Interview prospective residents to get the right mix of people who have common interests and to screen residents to check whether they would be suited to rooming house living.
- Provide sufficient toilet and bathroom facilities for residents.
- Maintain a good external appearance of the rooming house.



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National Relay Service

If you are deaf, hearing-impaired, or speech-impaired, we ask that you call us via the National Relay Service and then ask for (03) 9524 3333.

Online: <https://internet-relay.nrscall.gov.au>

Teletypewriter (TTY): 13 36 77

Speak and Listen: 1300 555 727

Social media

Glen Eira City Council:

www.facebook.com/GlenEiraCityCouncil

Glen Eira arts, gallery and events:

www.facebook.com/gleneiraarts

Glen Eira Libraries and Learning Centres:

www.facebook.com/GlenEiraLibraries

Glen Eira Maternal and Child Health:

www.facebook.com/GlenEiraMaternalandChildHealth

Glen Eira Sports and Aquatic Centre:

www.facebook.com/GESAConline

www.twitter.com/GESAConline

Glen Eira Youth Services:

www.facebook.com/GlenEiraYouthServices

www.instagram.com/gleneirayouthservices

Glen Eira sustainable living:

www.facebook.com/sustainablelivinggleneira

