

CoMHWA



Consumers of Mental Health WA (Inc)

**Feedback to the
Community Affairs References Committee
*Inquiry: Worsening Rental Crisis in Australia***

28 July 2023

Consumers of Mental Health WA

Street Address: 12/275 Belmont Ave, Cloverdale 6105

P: (08) 9258 8911 W: www.comhwa.org.au E: admin@comhwa.org.au

1. Preliminaries

About the Respondents

Consumers of Mental Health WA (CoMHWA) is Western Australia's peak body for and by mental health consumers (people with a past or present lived experience of mental health issues, psychological or emotional distress). We are a not-for-profit, systemic advocacy group independent from mental health services that exists to listen to, understand and act upon the voices of consumers. We work collaboratively with other user-led organisations and a diversity of stakeholders to advance our rights, equality, recovery and wellbeing.

Request for Feedback

CoMHWA works to uphold the dignity and human rights of consumers, through providing advocacy in leading change with and for consumers. We appreciate notification of the outcomes of our submission to this consultation in order to understand and communicate the difference made through our work.

Please provide feedback via the contact details on this submission's cover page.

Language

CoMHWA uses the term mental health consumer throughout this submission. Mental health consumers refer to people who identify as having a past or present lived experience of psychological or emotional distress, irrespective of whether they have received a diagnosis of mental illness or accessed services. Other ways people may choose to describe themselves include "peer", "survivor", "person with a lived experience" and "expert by experience".

This definition is based on consumers' call for respect, dignity and choice in how we choose to individually identify. As individuals we choose different ways to name and describe our experiences that may confirm or trouble ideas about 'mental illness'.

About the Inquiry: 'Worsening rental crisis in Australia'

Reproduced from Website

On 22 June 2023 the Senate referred an inquiry into the worsening rental crisis in Australia to the Community Affairs References Committee for inquiry and report, with an interim report to be presented by 23 September 2023 to aid in the deliberations of the National Cabinet on renters' rights, and a final report to be presented by 28 November 2023.

Terms of reference include:

- a) the experience of renters and people seeking rental housing;
- b) rising rents and rental affordability;
- c) actions that can be taken by governments to reduce rents or limit rent rises;
- d) improvements to renters' rights, including rent stabilisation, length of leases and no grounds evictions;
- e) factors impacting supply and demand of affordable rentals;
- f) international experience of policies that effectively support renters;
- g) the impact of government programs on the rental sector; and
- h) any other related matters.

Close Date: 28 July 2023

Submissions to:

community.affairs.sen@aph.gov.au

2. Introduction

CoMHWAA welcomes the opportunity to make a submission to reflect the impact of the rental crisis on mental health consumers. Housing is a key social determinant of mental health – research shows that when people have access to secure housing and support to maintain that housing, their mental health outcomes are improved.¹ Conversely, people who are homeless, have insecure housing or do not have sufficient support to maintain their housing experience increased mental health challenges.² This relationship operates both ways; not only does insecure housing lead to or exacerbate mental health distress, but people with existing mental health issues are more likely to find it difficult to secure stable housing.³

While there has been a large amount of prior discussion about helping consumers with housing challenges, there is comparatively little focus on the specific issue of consumers facing obstacles in the private rental market. Private rentals are the most common form of accommodation for consumers, making up over 60% of the accommodation for people who have been diagnosed with a moderate to severe mental health issue.⁴ The private rental market, however, is replete with discrimination against people living with mental health challenges, with reports revealing that up to 90% of surveyed consumers felt like they had faced discrimination in the private rental market due to their mental illness.⁵

The current rental crisis in Australia, in addition to pre-existing inequities of the housing system more broadly, contributes to pressure and distress that can worsen mental health conditions: Consumers who find themselves without accommodation are more likely to struggle in their recovery journey, and risk falling into a vicious cycle whereby the loss of accommodation causes a deterioration in their mental wellbeing, which in turn makes regaining accommodation more difficult.⁶ Additionally, reports such as *Trajectories* discuss

¹ Padgett, Deborah K. 2020. 'Homelessness, housing instability and mental health: making the connections' British Journal of Psychiatry Bulletin 44, pp. 197-201

² Brackertz, N., Wilkinson, A., Davison, J. 2018. *Housing, homelessness and mental health: towards systems change*. Australian Housing and Urban Research Institute. Melbourne. p. 13

<https://www.mentalhealthcommission.gov.au/getmedia/e1395547-292e-4236-be86-eaff9a4f1e92/Housing-homelessness-and-mental-health-towards-systems-change>

³ Johnson, G. and Chamberlain, C. 2011. 'Are the homeless mentally ill?'. Australian Journal of Social Issues. vol. 46, no. 1 pp. 29–48.

⁴ Brackertz, N., Wilkinson, A., Davison, J. 2018. *Housing, homelessness and mental health: towards systems change*. Australian Housing and Urban Research Institute. Melbourne. p. 13

<https://www.mentalhealthcommission.gov.au/getmedia/e1395547-292e-4236-be86-eaff9a4f1e92/Housing-homelessness-and-mental-health-towards-systems-change>

⁵ SANE Research. 2008. 'SANE Research Bulletin 7: housing and mental illness.' SANE Australia.

https://www.sane.org/images/PDFs/0807_info_rb7_housing.pdf

⁶ Bleasdale, Michael. 2007. *Supporting the housing of people with complex needs*. Australian Housing and Urban Research Institute. Melbourne.

https://www.ahuri.edu.au/sites/default/files/migration/documents/AHURI_Final_Report_No104_Supporting_the_housing_of_people_with_complex_needs.pdf

how the forced mobility involved with renting—the need to move if leases are not renewed or through eviction—entails an additional degree of both financial and social pressure that is especially difficult to manage for people experiencing mental illness.⁷ In light of the above research, CoMHWA's recommendations are shaped by the profound impact that private rental accommodation can have on people with a lived experience of mental illness. While this inquiry is not focused upon mental health, there is a clear connection between the crisis in rental accommodation and the growing challenges facing people with lived experience of mental health issues.

We base our submission on:

- A joint focus group conducted on the 27th of February 2023 with Shelter WA consulting CoMHWA members on experiences renting as a person with psychosocial disability and/or mental health challenges.
- Regular reporting from CoMHWA services Peer Pathways – a peer run phone line to assist consumers with service navigation; and Individual Advocacy which collect trends in issues that consumers are experiencing.
- Ongoing consultation with consumers in Western Australia on joint priorities to reduce mental health stigma and discrimination and to protect human rights of mental health consumers.
- Consumer representation in relevant settings, including but not limited to: Primary Health networks (WAPHA), WA regional equivalents of the Local Health Networks (regional mental health services under the WA Health Board structure), the Mental Health Commission and the health complaints agency, and the Health and Disability Services Complaints Office (HaDSCO).

Discussion and Recommendations

⁷ Brackertz, N., Borrowman, L., Roggenbuck, C. Pollock, S. and Davis, E. 2020. *Trajectories: the interplay between mental health and housing pathways*. Final research report, Australian Housing and Urban Research Institute Limited and Mind Australia, Melbourne, <https://www.ahuri.edu.au/research/trajectories>. p. 67

The experience of renters and people seeking rental housing (term of reference ‘a’)

Stable housing is a key priority included in The National Mental Health Commission’s Vision2030, connected with the outcome that **‘people with mental ill-health have meaningful citizenship. They are engaged in a contributing life, achieving goals that are meaningful to them’**⁸. The Commission states this can be measurable by an **‘increase in housing stability for those with mental ill-health’**⁹. CoMHWAs members regularly report experiencing discrimination in the private rental market due to their mental health challenges. CoMHWAs and Shelter WA held a focus group in February 2023 on the issue of renting. Some of the questions asked were regarding time spent renting; rental experiences; lack of government and legal support for tenant rights; and the low level of support in the private rental market. Here we will summarise the findings from consumers.

Consumers described experiences where their requests for reasonable adjustments or accommodations to their rental agreements (such as asking for extra time to prepare for a rent inspection) were met with misunderstanding, dismissiveness and judgement from landlords or property managers. As a result, there is a fear of self-advocating because this might lead to discrimination or retaliation from services or from real estate agents, property managers or landlords.

Tenants’ concerns are dismissed when they raise issues with a property, bad neighbours, noise, or violence in neighbourhood because of stigma about mental health issues or other intersecting identities. This can result in lack of support from police and from real estate agents or landlords, and sometimes results in people having to pay for property damage they have not caused or to live in unsuitable conditions.

In SANE Australia’s National Stigma Report Card, 78% of respondents (n=73) to the Our Turn to Speak survey agreed that they had been treated unfairly when trying to access or maintain private rental housing, citing stigma and discrimination against their mental health issues as a cause¹⁰. Stigma and discrimination in housing have an iterative impact, meaning that a person will begin anticipating stigma and discrimination in certain contexts where they have had a previous negative experience: 84.8% of respondents to the Our Turn to Speak

⁸ The National Mental Health Commission. 2020. *Vision2030*. <https://www.mentalhealthcommission.gov.au/getmedia/ad54b39b-ea46-458d-a1e6-71623f53accd/Vision-2030>

⁹ *ibid*.

¹⁰ Blanchard, M., Groot, C., Rehm, I., Andrews, C., Hobern, B. et al. 2023. *National Stigma Report Card*. Sane Australia. <https://nationalstigmareportcard.com.au/data/housing>

survey agreed that they expect to be treated unfairly when trying to access private rental housing.

“I’m in a situation where I can’t meet those standards, but what choice do I have, it’s that or homelessness.”

Vacancy rates in Perth, Western Australia, are among the lowest in the country at 0.7%¹¹, indicating a critical lack of supply –REIWA argues that a balanced market is indicated by a 2.5-3% vacancy rate. This lack of supply means that people with mental health challenges or psychosocial disability have little choice in where they live, and may end up living in spaces that have significant further impact on their mental health. CoMHWA members have described experiences where living in unsuitable or inaccessible housing has contributed to or worsened their mental health challenges because of factors including noise, bad neighbours or neighbourhood violence. For example, a property might have excessive noise and light, which is difficult when a person experiences sensory issues associated with neurodiversity, experiences of trauma and other mental health challenges. Shared and non-soundproofed walls with neighbours presents noise and privacy issues. Lack of privacy can mean that people do not feel comfortable about having support providers come to home, and even taking phone calls.

“If you’re hearing other people’s noises, it’s stressful.”

Some properties are unsuitable because of poor location. CoMHWA members have often expressed the importance of having their home located closer to their key supports including services or hospitals, friends and family and other supports, as well as needing to be close to suitable transport options.

Mental health consumers may also have specific needs around emotional and psychological support as well as practical support for maintaining their rentals including engaging with dispute processes. Participants of the focus group outlined a need for communication support and advocacy, and further identified that existing services for tenant advocacy were unsatisfactory, inaccessible or had prohibitive waiting lists.

¹¹ REIWA. 2023. Rental Vacancy Rates. <https://reiwa.com.au/the-wa-market/rental-vacancy-rates/>

Improvements to renters' rights, including rent stabilisation, length of leases and no grounds evictions (term of reference 'g')

Length of leases was not discussed in the group, but a couple of participants reported experiencing homelessness on and off throughout the years. The majority had rented for over ten years. Participants reported renting for as little as six or as many as 43 years. One said they have rented long-term with periods of renting on and off. One participant reported that rent was unaffordable and so they were supported by family. Another participant reported that they had previously been able to purchase a Homeswest house they were offered but were no longer able to live there because of divorce. A couple of participants described a very long-term rental history spanning decades. A participant described that the rental market had worsened significantly over the span of their life. Some participants were in community housing.

"It's so bad out there that it's a waste of time."

When discussing tenant rights participants expressed the lack of government and legal support experienced. Participants broadly agreed that rental contracts seem designed to look after the landlord's property and did not support or protect tenants. Participants also discussed their view that the government does not enforce laws to protect tenants and that current legislation is unclear and unsupportive. Other issues regarding landlords include: landlords have increased ability to ignore the law without consequence because it is not enforced against them as readily as it is against tenants; and landlords can be controlling or conduct informal inspections at will even though tenants need to be given notice.

"In the old days it was not so bad, I have lived in lovely homes, As I've gotten older, it feels almost desperate sometimes, so that's how it becomes."

When discussing limited support in the private rental market consumers stated that the majority of people with mental health issues are in the private market where there is less support. They stated that maintaining standards stipulated in a rental agreement can be difficult when experiencing mental health challenges. Participants suggested that the government should fund services for people with mental health issues to help them maintain tenancy in the private market. Participants were unfamiliar with the supportive landlord framework, an approach undertaken in community housing where the service providers of supported accommodation have a responsibility to support tenancy through advocacy, psycho-social support, collaborative decision-making and capacity building¹². In discussion of the supportive landlord model, many participants expressed desire for a similar approach to

¹² Brankovich, J., Penter, C., and McKinney, C. 2020. Review of the Personalised Support Linked To Housing. Western Australian Association for Mental Health. <https://www.mhc.wa.gov.au/media/3101/mhc-735-ilp-report.pdf>

be applied in the private rental market so that property managers, for example, adopt a strengths-based lens towards their tenants, working with tenants' strengths to support the tenancy.

“We are the biggest state with the smallest population, we should have a better rental market.”

Concluding remarks and recommendations

CoMHWA strongly endorses the reforms proposed by the Make Renting Fair Alliance that outline vital protections to renters' rights which would inordinately impact mental health consumers¹³. Make Renting Fair WA is a broad and passionate coalition of renters, landlords and community groups, established in 2019 and working together for secure, affordable and healthy homes for more than 700,000 West Australian renters. The Alliance calls for ten changes that include ending unfair evictions and 'no-fault' evictions, creating minimum standards in rental properties, giving tenancy rights to boarders and lodgers, and giving tenants more privacy by reducing frequency of rent inspections.

While changes to legislation on renting are sorely needed and would contribute to ensuring fair and just access to the private rental market, our members have also voiced the need for community-based supports for accessing and maintaining their tenancies including increased access to advocacy, including capacity building around the ability to self-advocate, home help to prepare for rent inspections and better access to relevant information in accessible formats such as plain English or easy read. CoMHWA members also expressed the need for support to navigate the system to ensure that consumers can identify property managers, landlords and real estate agents who work for social outcomes and can support mental health. Developing and providing education programs (co-designed by people with Lived Experience of mental health challenges) for private rental sector property managers, landlords and other agents could provide a deeper understanding of mental health and build their capacity to better support tenants who are mental health consumers.

¹³ Make Renting Fair WA. 2022. *The Tenancy Ten*. <https://img1.wsimg.com/blobby/go/7fca8fe6-3a3c-4535-8c88-604da2938434/downloads/MRF-FactSheets-Tenancy10-23.01.20.pdf?ver=1689815320226>