

HOUSING — KUNUNURRA AND WYNDHAM

Grievance

MS J. FARRER (Kimberley) [9.14 am]: My grievance this morning is to the Minister for Housing. I was going to attack the government on an apparent housing policy that involved giving mass eviction notices to tenants in Kununurra and Wyndham. To date this policy has resulted in more than 180 tenants seeking assistance from the Kimberley Community Legal Service prior to court appearances brought against them by the Department of Housing to force them into unreasonable payment arrangements, which would inevitably end in a court-determined eviction. After making a number of representations to the minister's department, I am pleased to tell the house that the government has ceased all actions against these tenants. This eviction action reached crisis point because of the Department of Housing's ineffective and discriminatory policies. Unfortunately, I still find myself having to report to the minister and the house about the following concerns and issues.

A few years ago the government forced the people of Oombulgurri to leave their homes, with a promise to supply them with appropriate housing in Wyndham and in the East Kimberley surrounds. If the minister visited Wyndham today, he would see many, many exiled people still waiting for a roof over their heads. I am talking about old people and families with children who continue to camp out under trees. This is happening while lots of vacant properties—I can show them to the minister—are available to provide a roof over these people's heads. Sure, some are rough and need work, but these people would jump at an opportunity to have a roof over their heads. There is no choice between mangroves and parks and overcrowded homes.

This situation is not limited to East Kimberley; it exists across the Kimberley in Halls Creek, Fitzroy Crossing, Derby and Broome. Why are so many people homeless? I reckon I can safely say that if the same level of homelessness was experienced in Dunsborough or Bunbury, it would not be tolerated. It is not drawing a long bow to claim that it is nothing more than institutionalised discrimination. Almost without exception, those who are homeless in the Kimberley are Aboriginal. The simple fact is that the government is happy to have our traditional owners open their buildings and welcome them to country and onto their land, but these people have the simple right and deserve the dignity to have a roof over their heads. This is 2013. The government would sooner dig up the waterfront just down the road to build parks, buildings and shops than prioritise housing for my constituents.

I beg the minister to argue in cabinet for housing, any housing, for the hundreds of people in my electorate forced to sleep rough in overcrowded homes, parks and mangroves. I ask the minister to travel to my electorate to meet the people from my community so that he can understand firsthand how bad the situation is and to see the number of houses that are sitting vacant. I have spoken to some constituents in the East Kimberley area and have asked them to formalise a meeting date on which they could invite the minister to talk to them.

MR W.R. MARMION (Nedlands — Minister for Housing) [9.18 am]: I thank the member for Kimberley for her grievance. I acknowledge her concerns and the fact that there has been a change in attitude since she intervened in the situation. I must confess that I have not been to Wyndham for some time; I will make sure that I put a visit to Wyndham on my program so that I can catch up with what is going on there.

The Department of Housing has recently come under attack. Much of that criticism has been unwarranted. In the last few days the opposition has paraded fragile people before the cameras and used them to score cheap points. On Sunday it highlighted a family that is seeking housing. It failed to mention that that family had been offered accommodation by the state and had turned it down. Further, it failed to mention that the family had lost its house because of failing to pay the rent. Of course, they were blacklisted by the Real Estate Institute of Western Australia for that behaviour. Yesterday, a mother was presented to the media claiming that the Department of Housing was slow in repairing and renovating her house. What was not said was that department officers had been to the house multiple times—that is, over 18 times—to make more than \$17 000 worth of repairs. It was not said that on multiple occasions my department attended to do work, but the tenant had cancelled the appointments.

Mr F.M. Logan: That's rubbish!

Mr W.R. MARMION: The member does not know.

We recently had negative media coverage of a tenant in a wheelchair being evicted.

Mr F.M. Logan interjected.

The ACTING SPEAKER: Member!

Mr W.R. MARMION: What can we do about this? The answer is simple. On a number of occasions, the guests of this tenant had defecated on communal property, a neighbour had been attacked and a neighbour's property

had been damaged. What was not said was that the tenant was offered a range of support to change the behaviour —

Ms R. Saffioti interjected.

The ACTING SPEAKER: Member!

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The ACTING SPEAKER: Member for West Swan! These grievances are meant to be heard in silence. If you have a grievance or a question to be put, you can do it outside this house with the minister. There are places for you to do it. I do not want interjections in the middle of grievances. If I have interjections in the middle of grievances, I will call you. Grievances should be met in silence, whether you agree with them or not, but we must be able to hear.

Mr W.R. MARMION: What was not said was that the case had gone to a magistrate, an independent arbitrator, and the magistrate had independently decided that the level of behaviour was unacceptable. Although I acknowledge that the member has suggested that the department is not actually evicting the tenants, there are three principles I want to make today. If someone is a public housing tenant, we want him or her to respect their neighbours, to look after the property and to pay the rent. We will not resile from that position. In fact, members opposite two weeks ago were complaining that, given some of the activity going on in houses in their electorates, we were not evicting tenants! I will just say very simply: look after the property, get on with neighbours and pay the rent.

Getting back to the tenancy agreement—namely, what we are doing statewide—members know that there is a high demand for houses. People are on the waiting list, and we expect people to observe those three principles. Under the terms of the tenancy agreement, tenants are required to pay the rent, usually in advance of one period, which is usually about two weeks. They must also pay the water account by the due date and any tenant liability charges, which is no different from what people do in the private rental market. Public housing rents are very fair. No tenant is expected to pay more than 25 per cent of their household assessable income in rent. The department needs to collect this rent to keep the public housing model viable and to ensure that public housing is available to those who most need it.

To make it easy for tenants to pay their rent, tenants on statutory incomes have the option to have their rent automatically deducted from their Centrelink payments. Therefore, there is no reason for tenants to fall into rental arrears. Tenants can accrue debt in a number of ways—for example, rental arrears, tenant liability for damages caused to the property and water consumption debts. If a tenant falls into debt, the department manages the situation in accordance with the Residential Tenancies Act. If a tenant falls into debt, the tenant must work with the department and enter into a plan to repay the debt and maintain payments until the debt is cleared. The department actively manages the tenancy to ensure that arrangements to repay a debtor are made to prevent the accumulation of a large debt. The aim is to get the tenant to repay the debt, not to move straight to eviction.

As members will see when I talk through the steps, the department does all it can to work with the tenant to repay debt. The department will discuss the debt and determine any mitigating factors, such as domestic violence, water leaks and illness. Officers also ensure appropriate referrals are made, and financial counsellors or support agencies et cetera are put in place, and a negotiated arrangement is made with the tenant to address the debt. This may be in the form of a one-off payment for small amounts or regular additional payments over a number of weeks. When establishing a payment arrangement, the following factors are taken into account. The arrangement must be sustainable and it must be sufficient to clear the debt in a timely manner. This is particularly important for water consumption accounts as we want the debt cleared before the next water bill comes in.

Under our policy, a maximum of 30 per cent of assessable household income can be taken for rent and repayment of debt. For example, if the total assessable income for all householders is \$1 200 a fortnight, the maximum arrangement the department can require the tenant to pay, including rent, is \$360 a fortnight. That is fairly reasonable. Of course, the tenant may choose to pay more than that. As soon as a tenant defaults on the payment arrangements, department officers visit the tenant to try to find out why. There might have been a loss of income—for instance, due to Centrelink payment cancellation, loss of employment or a cancellation of maintenance payments. Tenants are reminded of financial counselling and support services they can take up to address the situation.

Any tenant failing to maintain an agreement of the proposal to repay a debt will be issued with a form 21; namely, a breach of notice for non-payment of rent under the Residential Tenancies Act, and is given 14 days in which to comply or provide a satisfactory response. Once a breach notice is issued, the department can negotiate

with the tenant to set up an acceptable repayment arrangement. If an arrangement is made and honoured, legal action can be lapsed at any stage prior to a court hearing. Even if a magistrate supports the department with an eviction, the department will stop the eviction if the tenant decides to repay before the bailiff comes in. Therefore, if the tenant makes an arrangement to pay the debt of their rent, they will not be evicted.