**NLAF Housing Law Working Group**

**Report to NLAF – March 2013**

1. **Meeting of the housing law working group**

The following organisations are represented on the working group.

* CLCs (Elizabeth Evatt Community Legal Centre, Kingsford Legal Centre)
* LawAccess NSW
* Legal Aid NSW
* Tenants Union
* Public Interest Advocacy Centre including the Homeless Persons Legal Service
* Public Interest Law Clearing House
* Mental Health Coordinating Council

The working group met on 18 February 2013 at the offices of the Public Interest Advocacy Centre (PIAC).

**2. Activities / outcomes**

The objectives of the working group are set out in its Terms of Reference. This report outlines the progress of the group towards achieving these objectives:

The working group acknowledged that there are a significant number of objectives set out in the Terms of Reference for the group.

The working group has prioritised the objectives relating to engagement with Housing NSW and data collection about tenant experiences.

**2.1 *Engage with Housing NSW***

*Engage with Housing NSW to develop a constructive working relationship in which to address the housing related legal issues of tenants living in social housing.*

*Engage with Housing NSW to facilitate access to assistance (both legal and non legal) for tenants at risk of losing their tenancy.*

The working group is undertaking a detailed examination of the ways in which Housing NSW currently engages with organisations supporting tenants in social housing:

* The Tenants Union developed a background briefing paper on social housing in NSW. The paper outlined:
* a brief history of policies and funding arrangements in the social housing sector;
* a description of the components of the social housing sector today;
* a summary of current legal issues facing social housing tenants; and
* opportunities for engagement with Housing NSW.
* The Mental Health Coordinating Council developed a briefing paper outlining the various committees in which they participate that relate to housing and homelessness.
* At the meeting of the working group, the Tenants Union delivered a presentation to the group about current policy frameworks, consultative structures and opportunities for engagement with Housing NSW. The Homeless Persons Legal Service also delivered a presentation to the group about the ways in which StreetCare and the Homeless Persons Legal Service currently engage with Housing NSW and the Premier's Council on Homelessness.

The working group identified that Housing NSW meets with a range of government and non-government agencies via numerous committees, reference groups and forums. The working group is considering strategies to effectively engage with Housing NSW given the complex structures that are currently in place for engagement and communicating with Housing NSW.

**2.2 Housing and Mental Health Agreement**

*Investigate the progress that has been made towards implementing the Housing and Mental Health Agreement.*

*Engage with Housing NSW and Health NSW in relation to the implementation of the agreement. For example, participation in Housing and Mental Health District Implementation and Coordinating Committees (DIACCs) and the development of their workplans.*

The working group is investigating developments in relation to implementation of the Mental Health Agreement through the Mental Health Coordinating Council.

**2.3 Collect data about tenant experiences and map express legal need**

*Develop a data base of case studies that illustrate:*

* *the difficulties / barriers / challenges to sustaining a tenancy (including case studies involving CTTT decisions that impact adversely on the continuation of social housing tenancies); and*
* *successful maintenance of a tenancy,for vulnerable people at risk of homelessness living in social housing (and renting in the private rental market, if it is reasonably practical to collect this data).*

The working group has agreed that member organisations will collect case studies relating to:

* repairs
* back dating rent subsidies; and
* termination of tenancies where the procedures and processes for terminating tenancies as mandated by Housing NSW, have not been followed.

**3. Next meeting**

The working group is scheduled to meet again on Monday 8 April 2013.

Ed Santow

**Chair, NLAF Housing Law Working Group**

**CEO PIAC**

**Mach 2013**