



# Report of Outcomes of the Recommendations of Accommodating Everyone:

The inquiry into whether persons from culturally and linguistically diverse backgrounds and Aboriginal people are being discriminated against on the basis of their race either directly or indirectly in the private housing rental market

March 2011



 *Equal Opportunity Commission*



Government of **Western Australia**  
Office of **Multicultural Interests**



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## Abbreviations

Abbreviation	Word / phrase in full
ATSI	Aboriginal and Torres Strait Islander (First Nation peoples)
ABS	Australian Bureau of Statistics
AEWG	Accommodating Everyone Working Group
AHURI	Australian Housing and Urban Research Institute
CaLD	Culturally and Linguistically Diverse
CP	Consumer Protection Division, Dept of Commerce (WA)
CRA	Commonwealth Rent Assistance
COAG	Council of Australian Governments
CSHA	Commonwealth State Housing Agreement
DH	Department of Housing Western Australia (State)
DIAC	Department of Immigration and Citizenship (Cth)
DOC	Department of Commerce (WA)
DOCEP	Department of Consumer and Employment Protection (State) -now Commerce
EOA	<i>Equal Opportunity Act 1984</i> (WA)
EOC	Equal Opportunity Commission Western Australia
FaHCSIA	Department of Families, Housing, Community Services and Indigenous Affairs (Cth)
HCCCaLD	Housing Crisis Committee for Culturally and Linguistically Diverse Communities
IHSS	Integrated Humanitarian Settlement Strategy
LAS	Landlords Advisory Service
MCCA	Ministerial Council on Consumer Affairs Australia
MMRC	Multicultural Migrant Resource Centre
MSCWA	Multicultural Services Centre of Western Australia
NRAS	National Rental Affordability Scheme
NTD	National Tenancy Database
OMI	Office of Multicultural Interests (State)
REBA	Real Estate and Business Agents" Supervisory Board
REIA	Real Estate Institute of Australia
REIWA	Real Estate Institute of Western Australia
RTA	<i>Residential Tenancies Act 1987</i> (WA),
RTD	Residential Tenancy Database
SCAG	Standing Committee of Attorneys General (Australia)
SGP	Special Grants Program
TAS	Tenants Advisory Service (WA)
TICA	Tenancy Information Centre Australasia

## Statement of the Commissioner for Equal Opportunity & the Executive Director, Office of Multicultural Interests

The Equal Opportunity Commission (EOC) launched a report in June 2009 entitled "Accommodating Everyone" following its inquiry into whether persons from culturally and linguistically diverse backgrounds and Aboriginal people were being discriminated against on the basis of their race either directly or indirectly in the private rental housing market. The Report made 15 recommendations proposing further actions and initiatives for the Commonwealth and State Governments as well as the real estate industry in order to address the identified issues.

Following the launch of the report the EOC invited the Office of Multicultural Interests (OMI) to work together in progressing the recommendations. OMI in response to the request established a working group comprising the relevant agencies to oversee the systematic implementation of the recommendations and report back on the achievements. Initial membership of the "Accommodating Everyone Working Group" (AEWG) included OMI, EOC, the Consumer Protection division of the Department of Commerce (CP), Department of Indigenous Affairs (DIA), Department of Housing (Housing), Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA), Department of Immigration and Citizenship (DIAC) and Centrelink. The Executive Director of OMI chaired the meetings with OMI providing executive support to the group while DIA alternated with OMI in the hosting of the meetings.

As per the discussion at the initial meetings of the AEWG, the Real Estate Institute of Western Australia (REIWA), the Tenants Advisory Service of Western Australia (TAS) and the Housing Crisis Committee for CaLD people (HCCCaLD) were also invited to be members on the working group to provide an opportunity for the Government agencies to work closely with the non-government and community sector as well as the real estate industry peak body.

Issues relating to CaLD and Aboriginal clients were discussed in a meeting between OMI's Executive Director and the CEO of REIWA in January 2010, following which REIWA accepted the invitation to join the working group.

Through the work of individual agencies, progress was able to be achieved on a number of the recommendations. This report summarises what has been achieved in the scope of each recommendation and also outlines the further work which may need to be undertaken which is particularly important given the increasing housing shortage.



Yvonne Henderson  
**COMMISSIONER  
FOR EQUAL OPPORTUNITY**



Maria Osman  
**EXECUTIVE DIRECTOR  
OFFICE OF MULTICULTURAL INTERESTS**

## Acknowledgments

The Equal Opportunity Commission (EOC) and the Office of Multicultural Interests (OMI) would like to thank the following groups who gave their assistance to facilitating the progression of the recommendations of the Accommodating Everyone

- ❖ Housing Crisis Committee for Culturally and Linguistically Diverse Communities (HCCCaLD)
- ❖ Tenants Advice Service of Western Australia (TAS)
- ❖ Real Estate Institute of Western Australia (REIWA)
- ❖ Department of Indigenous Affairs
- ❖ Department of Consumer Protection
- ❖ Department of Housing
- ❖ Department of Family and Community Services
- ❖ Department of Immigration and Citizenship

## Terminology

The term CaLD is defined on the website of the Western Australian Office of Multicultural Interests (OMI) in the following way:

*Culturally and linguistically diverse refers to the wide range of cultural groups and individuals that make up the Australian population. It includes groups and individuals who differ according to religion, race, language and ethnicity except those whose ancestry is Anglo-Saxon, Anglo Celtic, Aboriginal or Torres Strait Islander. For ease, CaLD is commonly used as an abbreviation for culturally and linguistically diverse. (OMI 2009)*

This broad term was adopted for the Inquiry in consideration of the HCCCaLD group which had approached the Commission with their concerns about issues for their client group, however it should be noted that the case studies and submissions received by this Inquiry regarding CaLD people referred almost exclusively to recent refugees and humanitarian entrants from different parts of Africa. Throughout this report there are alternate references such as 'people from non-English speaking backgrounds', 'ethnic minority groups' and 'migrants' as the report is sourced from a range of research and external references which may use an alternate phrase. The report however has endeavoured to ensure that although the terminology may be different, the reference is to the same category of people intended to be covered by the Terms of Reference.

The EOC as a matter of practice uses the terms 'Aboriginal people' and 'Aborigine' to refer to those who identify with the traditional owners of the land. For the purposes of this investigation, the term 'Aboriginal' includes those of Torres Strait Islander descent. When referring to external references such as the Australian Bureau of Statistics, the term 'Indigenous' however is used.

## Overview of the Inquiry

### Background

The Inquiry into the experiences of Aboriginal and Culturally and Linguistically Diverse (CaLD) people in the private housing rental market was prompted by concerns that these groups were being unfairly treated, due to their racial characteristics, when they attempted to secure and maintain accommodation. The concern about less favourable treatment was highlighted over the five years preceding the Inquiry because of the economic boom experienced in Western Australia which has prompted a rapid influx of workers and their families to the State. This influx put significant pressure on the available housing for rent, as well as for purchase.

Very few formal complaints of race discrimination in the private housing rental market have been received by the EOC or other similar jurisdictions in Australia. Anecdotally the feedback was that primarily there is concern about retribution and thus jeopardizing current and future tenancies. Further the complaints processes available are not readily accessible for many of the affected groups.

In response to the concerns raised and because the complaint system did not seem to be providing the general recourse for allegations of discrimination, the Commissioner for Equal Opportunity determined that it was appropriate she use her powers under section 80 of the *Equal Opportunity Act 1984* to initiate the Inquiry.

### Terms of Reference

At the commencement of the Inquiry the Equal Opportunity Commission established Terms of Reference via a process of consultation with the stakeholders in the housing sector

The terms of reference were finalised as being:

1. Whether persons from Culturally and Linguistically Diverse Backgrounds (CaLD) and Aboriginal people are discriminated against on the basis of their race either directly or indirectly in the private housing rental market;
2. The experiences of people from CaLD backgrounds and Aboriginal people who believe they have suffered less favourable treatment in the private housing rental market based on their race;
3. The possible causes and appropriate remedies for addressing race based discrimination in the private housing rental industry.

### Methodology

The EOC ran a program of metropolitan and regional sessions for both community organisations and real estate agents (separate sessions in all areas) to provide an overview of the Inquiry and the suggested format for submissions.

Submissions were then invited from both affected individuals and community groups, and housing advocates who provide assistance to low income people seeking to find and maintain private housing rental accommodation. Submissions and comments were

also invited from real estate representatives and the Real Estate Institute of Western Australia, but no written response was received.

The EOC commissioned a literature review of all relevant research into the issue of race discrimination in the area of accommodation and also had the benefit of an intern investigate the operation of residential tenancy databases.

### **The Report**

An overview of the housing rental market in Western Australia showed a relative decline in funding for public housing, which traditionally catered for low income and special needs groups, and this consequently increased the market share of the private housing rental sector over the last ten years. Reference was made to the concurrent review of the *Residential Tenancies Act 1987* which regulates the rights and responsibilities of tenants and landlords in Western Australia.

The legal definitions of both direct and indirect discrimination on the grounds of race and the difficulties of proving a case of either form of discrimination in the area of accommodation were described, as well as the relevant case law. The Inquiry was made aware that Aboriginal and CaLD people are also reluctant to use other statutory forms of remedy for housing rental issues, such as the Magistrates Court for residential tenancy matters, and the reasons for this were explored.

A summary of the submissions provided to the Inquiry formed a chapter of the Report and they were categorized into the barriers in accessing a tenancy, the problems whilst in a tenancy and the overview of advocacy groups or organisations.

The Inquiry concluded that there was substantial evidence of racial discrimination in the private housing rental market. The possible causes of race based discrimination were identified, together with proposed remedies to ameliorate the numerous examples of unfair treatment which were described.

## List of Recommendations

### Recommendation 1

That training in equal opportunity law be a compulsory component of licensing requirements for those operating in the private rental housing market; with equal opportunity law also being incorporated as a compulsory module in training for property managers.

### Recommendation 2

That the Equal Opportunity Commission work with the Department of Commerce (formerly DOCEP) to develop equal opportunity law guidelines for owners who operate in the residential tenancy market.

### Recommendation 3

That residential tenancy databases in WA be regulated to achieve consistency with the Queensland legislation which requires only appropriate and timely entries to be made on the databases.

### Recommendation 4

That the Western Australian Government promote the need for nationally consistent legislation governing tenancy databases and ensure that the legislation addresses the anti discrimination concerns identified in this Report.

### Recommendation 5

That the Western Australian and Australian Governments provide increased funding for community groups to support CaLD and Aboriginal people to access and maintain a tenancy.

### Recommendation 6

That the Western Australian and Australian Governments provide funding to community groups for interpreters to assist those without good English skills to fully understand tenancy contracts and property condition reports.

### Recommendation 7

That REIWA be encouraged to invite representatives of community groups which assist prospective tenants, to meet with their members and facilitate the exchange of information and views, to the benefit of both groups.

### Recommendation 8

That the Australian Government be encouraged to provide the option of accommodation similar to migrant hostels for a minimum period of twelve months from the date of arrival so that recent humanitarian arrivals are able to acquire a better understanding of their new country.

### Recommendation 9

That the Department of Commerce (formerly DOCEP) investigate ways to improve the handling of tenants' complaints.

### Recommendation 10

That the Western Australian Government investigates an alternative dispute resolution mechanism for tenancy disputes which is focussed on finding ways to maintain a tenancy; and consider redirecting part of the funding from the interest on tenants' bond to assist in maintaining such an organisation.

### Recommendation 11

That the *Equal Opportunity Act 1984* be amended as recommended in the 2007 Review of the Equal Opportunity Act 1984 to develop a simpler complaint system which could accommodate complaints being made orally and transcribed by EOC staff, where complainants need assistance, as permitted in the NSW *Anti-Discrimination Act 1977*.

### Recommendation 12

As recommended in the 2007 Review of the *Equal Opportunity Act 1984*, the proportionality test contained within the definition of indirect discrimination should be removed and the respondent should be the party required to prove that the condition or requirement which is the subject of the complaint, is reasonable.

### Recommendation 13

That the Western Australian Government amend the *Residential Tenancies Act 1987* to address the power imbalance between tenants and owners, in particular:

- ❖ Prohibiting the contracting out of minimum standards in tenancy agreements;
- ❖ Prohibiting the charging of option fees by agents;
- ❖ Property condition reports to be on prescribed forms;
- ❖ Addressing the incidence of excessive rent increases;
- ❖ Implementing time limits for the carrying out of repairs; and
- ❖ An owner's right of entry to be reviewed, particularly with reference to a tenant's right to quiet enjoyment of a property.

### Recommendation 14

That the Department of Housing ensure that the policy of not requiring Aboriginal people to attempt access to the private housing rental market prior to receiving priority assistance is applied in all metropolitan and regional offices.

### Recommendation 15

That the Western Australian and Australian Governments investigate the need to provide more public housing suitable for larger families.

## Outcome of Each Recommendation

### **RECOMMENDATION 1**

*That training in equal opportunity law be a compulsory component of licensing requirements for those operating in the private rental housing market; with equal opportunity law also being incorporated as a compulsory module in training for property managers.*

### **Basis of Recommendation**

The Report found that Agents acting on behalf of owners are often aware they should not discriminate but may also not be fully aware of the legislation and its application. The research suggested that some Agents may adopt strategies to prevent CaLD and Aboriginal people from accessing a property in a way which does not explicitly contravene the legislation.

As a majority of applications for rentals are dealt with by licensed agents (approximately 60%), there is a greater need to ensure they are acting within the law. As a means to achieve this, formal training in equal opportunity law for agents who operate in the private housing rental market ought to be a requirement of a real estate licence.

### **Outcome**

Following the launch of the Report, the Commissioner for Equal Opportunity forwarded a copy to the Chair of the Real Estate and Business Agents' Supervisory Board (REBA) highlighting this recommendation. Staff of REBA met with officers of the EOC to clarify REBA's process for determining mandatory and elective training and the timing of this for 2011.

The Commissioner then met with REBA in May 2010 to discuss the findings of *Accommodating Everyone* and advocated for the adoption of the recommendation. REBA decided to deem the Equal Opportunity training a full mandatory unit for property managers for 2011 and that there also be greater focus on anti-discrimination issues within the mandatory units for licensees and sales representatives.

The training organisation with the REBA contract to develop course materials for the mandatory units liaised with the EOC regarding the content for the property managers unit. They also contacted a range of community support workers who work tenants in the private rental sector. The EOC also participated in the session where the course developers handed over the training package to the designated providers.

During this intervening period the EOC's Community Education Section prepared a three hour course for property managers, which was run for a large chain of agents who specifically requested this training.

The Council of Australian Governments (COAG) has also been working on reforms in relation to licensing requirements for those operating in the private rental housing

market for Equal Opportunity legislation to be included as a compulsory element as part of their training and professional development.

### **Further/Future Need**

Representatives of the real estate industry have indicated there is a relatively high turnover of staff in property manager positions therefore the knowledge acquired through the mandatory training in 2011 may not be retained in the industry. It is hoped that licensees will understand the need to keep their staff aware of these issues and actively encourage them to attend such training on an ongoing basis.

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### **RECOMMENDATION 2**

*That the Equal Opportunity Commission work with the Department of Commerce (formerly DOCEP) to develop equal opportunity law guidelines for owners who operate in the residential tenancy market.*

### **Basis of Recommendation**

In the research reviewed for the Inquiry it was found in Western Australia and elsewhere that property owners are often unaware that discrimination on the basis of a personal characteristic such as race is unlawful. A requirement for owners to be educated about such matters was therefore deemed an appropriate remedy.

### **Outcome**

The EOC liaised with officers of the Consumer Protection Division (CP) of the Department of Commerce (DOC) regarding a number of the recommendations. It was agreed to prepare a simple pamphlet on the requirements of both the *Equal Opportunity Act 1984* (EOA) and the anti-discrimination provisions of the *Residential Tenancies Act 1987* (RTA) relating to children. It was also determined appropriate that a similar brochure be produced for tenants.

Both these brochures can be found in Appendix 1.

The EOC, DOC, OMI and TAS have placed these flyers on their websites (TAS – renters only). The EOC also forwarded copies, along with the full report, to the various private owners' associations.

CP also conducted two information sessions on the 29<sup>th</sup> and 30<sup>th</sup> June 2010 targeting private landlords. During a one hour presentation areas such as Bond Administration, the RTA and the role of CP were covered. CP has also made available online detailed information in relation to renting out a property:

## Further/Future Need

The limitation of the brochure publications is the information is only very general and there have not been sufficient resources to have these, particularly the one for renters, published in languages other than English. Also the limitation of resources has restricted the number of physical copies being available for distribution to housing advocacy groups.

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### RECOMMENDATION 3

*That residential tenancy databases in WA be regulated to achieve consistency with the Queensland legislation which requires only appropriate and timely entries to be made on the databases.*

### RECOMMENDATION 4

*That the Western Australian Government promotes the need for nationally consistent legislation governing tenancy databases and ensure that the legislation addresses the anti discrimination concerns identified in this Report.*

## Basis of Recommendations

A full chapter of the Report was dedicated to the issue of residential tenancy databases (RTDs) – this was based on the research of Murdoch University student Katherine Byrant.

The Report recorded that where RTDs are operated properly they can be a useful tool for owners and agents to use in their assessment of applicants for a tenancy. However the findings of the Federal Privacy Commissioner in response to a complaint about one such database confirmed there are numerous ways in which unfair and discriminatory practices had been used by database operators.

The significant issues found in the research were that where RTDs are unregulated, tenants may be listed unjustly, unaware that they are listed on a database and may remain on the list for an unspecified period of time. The research found that listings could often be for trivial matters and/or retribution for making a complaint. A listing on a RTD has a significant impact on a person's access to the private rental market.

At the time of the Inquiry, Queensland and New South Wales had implemented legislation which requires only appropriate and timely entries to be made on the databases. The Report found that it was important for Western Australia to actively pursue the issue of regulation of these instruments which are widely consulted in the private housing rental market.

## Outcome

Over the period 2006- 2009 the Ministerial Council on Consumer Affairs (MCCA) had been working on national standards for the regulation of RTDs. A discussion paper on model provisions was released in November 2009 and submissions were invited. The Minister for Commerce (WA) held consultations with key stakeholders on the on the

proposed model provisions. There were 10 submissions made from WA including from EOC and OMI which relayed the issues identified in the inquiry.

The national consultation concluded in January 2010. The feedback from stakeholders was reviewed by the national working group and a report about the model provisions was provided to MCCA for consideration. The submissions from WA organisations were also sent to the State Minister for consideration as each State needs to accept the national standards and make their own legislative changes to implement them.

The MCCA, hosted by WA, met on 28-29 April 2010. The Council recommended the revision of the model to be completed by the end of June 2010. The recommendations were then considered out of session by the Ministerial Council and the final report with recommended regulations was released in November 2010.

The State Minister for Commerce announced in early December 2010 that Western Australia would give serious consideration to adopting the proposed regulations.

Many of the issues identified in the Report would be addressed by the proposed standards. This includes the listings on RTDs could only be made:

- where there were was money owed beyond the amount of the bond;
- where there was a court order (thus circumventing retributive listings);
- for a defined period;
- when the tenant has been advised of the listing.

The model provisions also contain the right to appeal a listing.

### **Future/Further Need**

The Report found that in unregulated RTD systems, the principal detrimental issues were essentially ones of unfairness. The unfairness can be amplified for Aboriginal people or people or people from ethnic minority groups as they will have a stronger likelihood to be in social or economic positions which will negatively affect their tenancy. Due to these circumstances they are also less likely to assert their rights. The overall effect could lead to indirect discrimination.

The emphasis in the new standards of RTDs has been on ensuring they provide a fair mechanism of regulation. While this should deal with the potential for direct and indirect discrimination the proposed standards have do not specifically contain anti-discrimination provisions. It is therefore suggested that any draft legislation to regulate RTDs be scrutinized to ensure there are not any provisions or omissions which may still give rise to direct or indirect discrimination.

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## **RECOMMENDATION 5**

*That the Western Australian and Australian Governments provide increased funding for community groups to support CaLD and Aboriginal people to access and maintain a tenancy.*

### **Basis of Recommendation**

The Report found indirect race discrimination can occur where members of minority ethnic groups do not have rental histories or references, and such documentation is required by real estate agents. It can also occur where there is a refusal to offer rental accommodation to members of minority ethnic group because they may have a large family.

To address the barrier of needing a prior history in order to access the private housing rental market, it was recommended that greater assistance is needed for ethnic minority groups to access a tenancy with the support of community housing organisations.

These organisations can provide an assurance to real estate agents that there is minimal risk in a tenancy application which may otherwise be judged as providing insufficient information.

The Report referred to the 2008 Australian Housing and Urban Research Institute (AHURI) study on the difficulties facing low-income earners seeking a private rental property. The study supported this form of assistance to enable tenants to establish a good record in the rental market.

### **Outcome**

It was clarified at an early meeting of the Implementation Committee that the reference to community group should really have been to “relevant non-government service providers” as these are the bodies which receive Commonwealth and State funding.

At the Implementation Committee it was discovered that a range of services do operate to assist the CaLD community with tenancy issues. These include the following:

#### *Commonwealth*

The Department of Immigration and Citizenship’s (DIAC) provides funding for the Integrated Humanitarian Settlement Strategy (IHSS) however this focuses only on humanitarian entrants and does not cover the wider group of migrants. Centrecare and MMRC (both NGOs) are funded in WA for the delivery of the IHSS program.

Settlement Grants Programs (SGP) deliver advice and referral services on maintaining a tenancy. While all of the generalist grants will provide information sessions on accommodation, some have specific accommodation components included. Mercy Community Services and Centrecare have a focus on intensive accommodation training while Gowrie, Fremantle Multicultural Centre and the Multicultural Services Centre of Western Australia all have a substantial component which deals with the issues of accommodation. Details of these programs are in Appendix 2.

### *WA Government and State Funded Organisations*

IN AEWG, the Department of Indigenous Affairs (DIA) pointed out that there were significant differences between accommodation related issues faced by Aboriginal clients and CaLD clients, which were highlighted in the Report. A consolidation of smaller agencies working on housing issues has occurred and financial schemes are provided to support Aboriginal people to access tenancy / accommodation.

*Department of Commerce, Consumer Protection Division:* Funding is provided from the Rental Accommodation Account to 16 community based organisations (eight metropolitan and eight regional service providers) to provide tenant education and advocacy services. Grants are provided through a series of tenders and preferred service provider contracts and are currently in year three of a five year cycle. \$2.1 million is provided annually under these contracts. An additional \$500,000 per annum is provided to financial counselling services in response to the State Homelessness Taskforce report. These contracts are not specifically targeted to CaLD and Aboriginal communities, however a significant proportion of the work of these organisations is focused on these client groups. A list of agencies funded under each of these programs is in Attachment A.

*Department of Housing (DH):* Supported Housing Assistance Program (SHAP) is a free service to departmental tenants who are having problems maintaining their tenancy. Independently run external service providers are engaged to help tenants develop their knowledge and skills to meet their tenancy agreement obligations.

DH also offers bond assistance and two weeks' rent in advance as an interest-free loan to help people obtain accommodation in the private rental market. This assistance is subject to income and asset limits and is to be repaid at the rate of \$25.00 per fortnight.

*Department for Child Protection (DCP):* The Western Australian Homelessness National Partnership Agreement Implementation Plan is a collaboration between the Commonwealth Government and a range of State Government agencies which provide housing and support services, commenced in 2009. It greatly expands services provided by non-government agencies that aim to address homelessness by intervening early, breaking the cycle of homelessness and working towards a better integrated service system.

### *NGO Sector*

Tenants' Advice Service (TAS) currently has a tenancy education program for CaLD tenants and has a comprehensive training calendar that provides training courses on various laws relating to tenancy and advocacy skills. The TAS Training Calendar is aimed at community workers who assist the most vulnerable and disadvantaged tenants. In 2010, TAS increased the amount of multicultural workers attending the courses from 2% to 30%. This suggests that currently there should be more workers assisting CaLD clients, with more accurate knowledge and skills. Over 20 training

courses were conducted by TAS with the participation of more than 200 community workers.

TAS obtained funding from OMI's Community Grants Program in 2010 to provide CaLD communities with information to support settlement integration and citizenship through an innovative education resource which was exhibited through expos, festivals and cultural events to CaLD groups. Valuable messages about tenancy were provided in a non-threatening and relaxed manner. Six service provider organisations were involved through the project reference group, deciding upon key messages, information, pictures and a poster series.

Community Housing Associations (CHAs) are community managed not for profit organisations which have, as their primary focus, the provision of professionally managed rental housing. They offer a range of housing forms within a defined region to people on low to moderate incomes. Funds for Community Housing Associations are provided jointly by the Australian and Western Australian Governments through the Commonwealth/State Housing Agreement. Access Housing and the Foundation Housing are the key providers in the south and north metropolitan areas respectively.

### **Further/Future Action**

Whilst there is a vast array of services available to support tenancies, there is not a comprehensive directory consolidating them. The HCCCaLD Executive identified this gap in information and is seeking to produce such a directory with the assistance of the EOC. The Executive have convened a Housing Forum to be held in March 2011 where service bodies will be able to inform advocacy groups of what accommodation support services they provide.

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### **RECOMMENDATION 6**

*That the Western Australian and Australian Governments provide funding to community groups for interpreters to assist those without good English skills to fully understand tenancy contracts and property condition reports.*

#### **Basis of Recommendation:**

Many people belonging to ethnic minority groups also have a need for interpreters to assist those without good English skills with understanding tenancy contracts and property condition reports. This Report notes that almost 80% of humanitarian entrants to Western Australia since 2002-03 have lacked proficiency in English.

Many Aboriginal and CaLD people have difficulty maintaining and exiting their leases due to:

- ❖ a lack of English language skills which may affect some Aboriginal and CaLD people and hampers their ability to understand their tenancy contracts and property condition reports;
- ❖ a lack of understanding of their rights and responsibilities as a tenant;

- ❖ a lack of support in maintaining a positive relationship with their agent and/or landlord.

## **Outcome**

DIAC had piloted an extension of free immediate telephone interpreting services to selected real estate agents around Australia through its Translating and Interpreting Services (TIS National) between October 2009 and July 2010. An evaluation was to be conducted to assess the effectiveness of the pilot project and recommend whether or not to continue the program.

REIWA and TAS were only advised of this project at the AEWG meeting in April 2010 and it was requested by the Committee that they contact DIAC for further information. It was proposed that DIAC be requested to consider extending the pilot beyond July 2010 in order to obtain better feedback after raising awareness among real estate agents on the availability of this interpreting facility. OMI highlighted this need in the outcomes report of the Inter-agency Settlement Group, which was established to coordinate and share information on the delivery of settlement services between and among the State and Commonwealth Government agencies.

At the time of this Report, contact had been made with DIAC to ascertain the future of the program, however a definitive answer is yet to be received.

In July 2010 the Commissioner for Equal Opportunity released a report "Indigenous Interpreting Services – Is There a Need?" This report identified the number of Aboriginal people for whom their first and second languages are one of the many Aboriginal languages which exist in Western Australia. The focus of the report was on the absence of accredited interpreter services for these languages and the significant impact this has on the effective delivery of essential services such as justice and health. Whilst these areas may have the highest need for interpreters, the need is also significant in the provision of housing, whether it be private or public, in order for tenants to adequately understand their rights and responsibilities.

DIA during this period have also been finalizing the Aboriginal Language Services Policy which deals with the issue of language preservation as well as the provision of interpreting services.

## **Future/Further Need**

Should DIAC determine that the interpreting service is not to continue or be refunded, then the appropriate form of action may be joint lobbying from advocacy organisations and representatives of the real estate industry.

As identified above there is also the clear need for the provision of accredited interpreter services for Aboriginal languages.

## **RECOMMENDATION 7**

*That REIWA be encouraged to invite representatives of community groups which assist prospective tenants, to meet with their members and facilitate the exchange of information and views, to the benefit of both groups.*

### **Basis of Recommendation**

There were submissions to the Inquiry from advocacy organisations which stated they had been able to establish good working relationships with local real estate agents and hence they had achieved a good success rate in housing clients and also dealing with issues when they arose within a tenancy. The recommendation was made on the basis that a cooperative relationship on a broader level would be able to achieve significantly greater level of understanding between tenants, advocates and agents and thus assist the elimination of real and perceived discrimination.

### **Outcome**

OMI's Executive Director had a useful meeting with the CEO of REIWA and one of its co-chairs of the Property Management Chapter in early 2010. Following the meeting, REIWA accepted the invitation to become a member of AEWG and work closely with member agencies to further promote awareness on the issues faced by CaLD communities and Aboriginal people among its members.

### **Future/Further Need**

The AEWG noted that there are many real estate agents who understand the issues of CaLD clients and are willing to extend support, but these agents need to be recognised and promoted by the sector. The need to identify a constructive engagement strategy was noted.

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## **RECOMMENDATION 8**

*That the Australian Government be encouraged to provide the option of accommodation similar to migrant hostels for a minimum period of twelve months from the date of arrival so that recent humanitarian arrivals are able to acquire a better understanding of their new country.*

### **Basis of Recommendation:**

In submissions to the Inquiry, many community groups suggested that the Federal Government's immigration policies do not take sufficient account of the need to support recent arrivals. These groups supported the provision of communal accommodation, similar to the migrant hostels which were previously provided by the Federal Government, for humanitarian entrants who are currently housed in the wider community as soon as they arrive in Perth. It was emphasised that this be an accommodation option and not a mandatory provision.

## Outcome

Although cluster accommodation has been recommended by the Report and some service providers and agencies, DIAC advised at the IHSS review consultations in 2009 in Perth that many humanitarian entrant clients do not like the idea of being provided with cluster accommodation / migrant hostel. One possible reason could be their previous experiences in refugee camps and not wishing to return such a structure again. However DIAC is looking at the issue as part of its review of the IHSS and considering possible options.

AEWG pointed out that cluster accommodation would be useful to at least those who preferred such accommodation. Clients need not be forced into cluster accommodation but it may be provided on a voluntary basis. OMI supported this recommendation as part of its written submission to the IHSS review conducted in August 2009.

DIAC noted that, as there are no structures existing now that can be used for cluster accommodation, funding will be required to construct or purchase new buildings.

WA raised the need to provide cluster accommodation as an agenda item at the Standing Committee on Immigration and Multicultural Affairs (SCIMA) meeting held on 17 February 2010. It was resolved that DIAC would take appropriate steps as part of the new IHSS contracts. SCIMA noted the advantages of cluster accommodation.

The new tender for DIAC's Humanitarian Settlement Strategy (HSS), which will replace the IHSS, has proposed cluster accommodation as a preferred short term accommodation option.

DIAC's new tender request for HSS makes the following references to cluster accommodation:

DIAC favours the use of group housing arrangements on a short-term basis and encourages Tenderers in Sydney, Melbourne, Brisbane, Adelaide and Perth to put forward group housing solutions to meet the on-arrival accommodation needs of some Clients in those cities. Tenderers outside these cities are also invited to present group housing accommodation solutions. Group housing arrangements could comprise a block of apartments or flats, a cluster of closely located houses, or a boarding hostel.

Group housing arrangements could be effective for vulnerable or high needs Clients (such as Woman at Risk visa holders, and young people vulnerable to social isolation), or those for whom affordable housing can be difficult to find (such as Singles).

Group housing will allow Service Providers to deliver structured orientation and more intensive Case Management to Clients during the first few weeks after arrival. Group settings have the added potential benefit of providing a living environment where people in similar circumstances can share their early settlement experiences, connect and support each other.

DIAC acknowledges group housing arrangements will not suit all Clients and encourages Service Providers to place Clients without high needs directly into Long-Term Accommodation.

The available accommodation models will be known after the finalisation of the tender process.

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## **RECOMMENDATION 9**

*That the Department of Commerce (formerly DOCEP) investigates ways to improve the handling of tenants' complaints.*

### **Basis of Recommendation:**

Submissions to the Inquiry suggested that it is difficult to get assistance from the State Government and DoC which handles complaints about the private housing rental market or the professional and regulatory bodies established under state legislation: the Real Estate Institute of Western Australia (REIWA) and the Real Estate and Business Agents Supervisory Board (REBA).

### **Outcomes:**

DoC noted that many of the complaints made by tenants involved alleged breaches of the RTA by private landlords. The Consumer Protection division has commenced a series of seminars for private landlords to ensure they understand their rights and obligations arising from the Act.

As compliance by private landlords improves, this will have a positive impact for all tenants. Two information sessions were conducted on 29 and 30 June 2010 for private landlords. Detailed online information in relation to renting out a property is available on DoC's website.

The Consumer Protection division will continue to work with the tenancy network, other community organisations and the EOC to continue to improve delivery of services to the CaLD and Aboriginal communities.

### **Future/Further Need**

DOC have also identified that in the 2011/2012 year they will analyze the complaint handling service through a Substantive Equality Needs and Impact Assessment. This is the process to ensure that government services do not contain barriers which may amount to systemic racism.

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## **RECOMMENDATION 10**

*That the Western Australian Government investigate an alternative dispute resolution mechanism for tenancy disputes which is focused on finding ways to maintain a tenancy; and consider redirecting part of the funding from the interest on tenants' bond to assist in maintaining such an organisation.*

### **Basis of Recommendations:**

The Report noted that Aboriginal and CaLD people may lack the skills and confidence to access existing tenancy complaint resolution mechanisms for fear of losing their accommodation. There was evidence that both tenants and prospective tenants from minority ethnic backgrounds rarely lodge complaints in government instrumentalities or

seek to enforce their rights in the Magistrates Court due to concerns about their level of English language skills, their pre-occupation with the difficult task of finding and retaining accommodation, and fear of being blacklisted on residential tenancy databases.

It appears to be inequitable that residential tenancy matters are dealt with in the Magistrates Courts, a formal jurisdiction which is used overwhelmingly by owners and their property managers and avoided by tenants; and yet the funding for dealing with those matters comes from the interest on tenants' bond money. The establishment of an alternate dispute resolution facility with a focus on the maintenance of a tenancy is therefore recommended as an appropriate remedy. The Residential Tenancy Authority in Queensland conducts most conciliations by telephone which means that regional people are not disadvantaged in their access to a service.

## **Outcome**

CP is working with CaLD and Aboriginal service providers to educate tenants on the available mechanisms for dispute resolution.

The AEWG agreed that an alternative mechanism needs to be identified for the resolution of complaints regarding tenancies.

CP initially advised that it will address the issues through a proposal for alternative dispute resolution mechanisms. The State Administrative Tribunal (SAT) currently entertains dispute resolution complaints in general.

The Legislative Council Standing Committee on Legislation recommended in its May 2009 report entitled "Inquiry into the jurisdiction and operation of the State Administrative Tribunal" that residential tenancy disputes be transferred to SAT. The Government's draft response to the inquiry advised that this recommendation was under active consideration. Consumer Protection is working with the Department of the Attorney General to progress this proposal.

The recommendation from the above review of SAT also proposed that the SAT should become easily accessible to clients both physically and financially. Mediation through SAT can be considered an alternative for tenancy complaints.

OMI noted that there had been anecdotal evidence that clients had been refused interpreters when they approached SAT. A detailed guide on equality including language services to be followed by the judicial system applicable to SAT developed by the Department of the Attorney General was made available to OMI and the summary of the guidelines was tabled at the AEWG meeting.

OMI launched brochures on Language Services Policy guidelines on 8 June 2010 and these are being distributed to agencies including SAT.

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**RECOMMENDATION 11**

*That the Equal Opportunity Act 1984 be amended as recommended in the 2007 Review of the Equal Opportunity Act 1984 to develop a simpler complaint system which could accommodate complaints being made orally and transcribed by EOC staff, where complainants need assistance, as permitted in the NSW Anti-Discrimination Act 1977.*

**RECOMMENDATION 12**

*As recommended in the 2007 Review of the Equal Opportunity Act 1984, the proportionality test contained within the definition of indirect discrimination should be removed and the respondent should be the party required to prove that the condition or requirement which is the subject of the complaint, is reasonable.*

**Basis of Recommendations:**

It was also clear that Aboriginal and CaLD people are reluctant to lodge a complaint in the EOC about the private housing rental market as direct evidence of racial discrimination is difficult to provide. The Report found they are reluctant to invest the time and energy required to pursue a complaint which may not be of practical use in securing them a home. For people under stress due to their accommodation situation, the thought of lodging an EOC complaint is 'overwhelming' according to community advocacy groups.

**Outcome**

At this stage there appears to be no contemplation of amending the EOA by Government for either recommendation. The EOC however as part of its commitment to the Policy Framework for Substantive Equality has identified its complaint handling process as the service area for analysis to ascertain what barriers there are for Aboriginal people and people from CaLD backgrounds. Identified administrative and procedural barriers can be changed to facilitate better access to complaints.

**Future/Further Need**

Community/advocacy groups may need to consider whether they have the capacity to lobby for the suggested amendments to the EOA in relation to the proportionality test required for complaints of indirect discrimination.

### **RECOMMENDATION 13**

*That the Western Australian Government amend the Residential Tenancies Act 1987 to address the power imbalance between tenants and owners, in particular:*

- ❖ Prohibiting the contracting out of minimum standards in tenancy agreements;
- ❖ Prohibiting the charging of option fees by agents;
- ❖ Property condition reports to be on prescribed forms;
- ❖ Addressing the incidence of excessive rent increases;
- ❖ Implementing time limits for the carrying out of repairs; and
- ❖ An owner's right of entry to be reviewed, particularly with reference to a tenant's right to quiet enjoyment of a property.

#### **Basis of Recommendation:**

The Report noted the DOCEP Review of the *Residential Tenancies Act 1987* (WA): Policy Paper (January 2008) identification of a power imbalance between tenants and owners/agents and how this imbalance enhances the disadvantaged position of CaLD and Aboriginal people in their experience of the private housing rental market. The Report's recommendations to regulate residential tenancy databases and introduce an alternative dispute resolution system for housing tenancy matters aimed to promote a fairer balance of power between tenants and owners/agents and reduce the likelihood of discriminatory practices. It was also suggested that the power imbalance would be addressed if the Western Australian Government acts to implement other recommendations of the DOCEP Policy Paper referred to in Recommendation 13.

Property owners and their representatives under the RTA are able to modify tenancy agreements and present property condition reports in ways which are beneficial to them, to the detriment of a tenant. Many prospective tenants, and particularly those who do not have good language and literacy skills, may not be aware that the agreements or reports they are presented with by a property manager are negotiable and may have been unfairly constructed. Prospective tenants are currently able to be charged option fees in order to view a property which is advertised for rent, a practice that is not permitted in any other state in Australia, and one which particularly impacts on low income earners. As described in Chapter 6 of the Report, Aboriginal and CaLD people have given many examples of owners who will not carry out their responsibility to provide necessary maintenance repairs or respect a tenant's right to privacy and such tenants feel too much is at risk of eviction to seek to enforce their rights. The following recommendation therefore sought to address all these issues which reflect the current unfair balance of power between owners and tenants.

#### **Outcome**

The Department of Commerce has been working on draft legislation for the amendment of the RTA for some time. At the State Tenancy Conference in December 2010 the

Commissioner for Consumer Protection reported that the Department was up to draft 12 of the Bill with an anticipated introduction in Parliament in 2011.

Some of the major changes expected to be included are:

1. Prescribed lease agreements to be written in plain English.
2. Additional items can be included in schedules, however these are only formally part of agreement if signed by the tenant.
3. No contracting out of mandatory lease conditions.
4. Compulsory Property Reports
  - a. Specified times which property inspections can be undertaken and maximum of four times per year;
  - b. Right of tenant to comment within seven days;
  - c. Tenant able to be present at time of final inspection.
5. Centralised Bond Administration (including Dept of Housing).
6. More prescription about urgent repairs and tenant's right to get these done and to be reimbursed.
7. Utility Charges only to be made when there is a separate meter or written agreement.

### **Future/Further Need**

The proposed changes deal with many of the identified issues in the recommendation other than option fees and a mechanism to guard against excessive rent increases. These are issues which impact on access to the private rental market and lobbying for such changes will need to continue.

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### **RECOMMENDATION 14**

*That the Department of Housing ensures that the policy of not requiring Aboriginal people to attempt access to the private housing rental market prior to receiving priority assistance is applied in all metropolitan and regional offices.*

### **Basis of Recommendation**

A previous EOC Section 80 report into the provision of public housing entitled *Finding a Place* recommended that

*53. In view of the frequency with which Aboriginal people report race based discrimination in accessing the private housing rental market, the DHW to cease the practice of requiring that Aboriginal prospective tenants make multiple attempts to access the private rental market before the DHW will list these tenants for priority housing. (Finding a Place. An inquiry into discrimination against Aboriginal people in public housing, 2004)*

It was evident from the submissions to this Inquiry that while the Department of Housing (formerly DHW) has agreed to no longer continue the requirement for Aboriginal people to show evidence of attempts to access the private housing rental market, not all of the Department's offices are aware of this policy change.

The Department of Housing have also expressed that while their policy no longer requires Aboriginal people to show attempts to rent in the private sector in order to be able to be placed on the waiting list, they may be recommended to do so due to the extended waiting times for public housing.

### **Future/Further Need**

The EOC has an ongoing liaison role with the Department of Housing regarding the implementation of the recommendations of Finding A Place (and consequently this particular recommendation).

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## **RECOMMENDATION 15**

*That the Western Australian and Australian Governments investigate the need to provide more public housing suitable for larger families.*

### **Basis of Recommendation**

As noted in the Report, the most common form of housing stock in Australia is a three bedroom house. Houses with four or more bedrooms comprise just 11% of the public housing stock in this state, however many CaLD and Aboriginal people have responsibility for large families. DIAC confirmed that over 50% of humanitarian entrants belonged to a family group of at least five people; 14% of the entrants belonged to a family group of eight or more (DIAC 2007, p.32).

### **Outcome**

The Department of Housing's 2010-11 Budget Papers noted that the continuation of the State and Commonwealth Stimulus Australian Governments programs should have resulted in 1,926 dwellings being constructed in 2010-. It is planned that a proportion of these dwellings will be transferred to the community housing sector to enhance the sector's capacity to deliver social housing. The Social Housing Task Force report released in October 2009 has also made recommendations in relation to large families. A Cabinet decision in the form of the Affordable Housing Strategy will be made on what the Government will do in this regard. A number of large housing units have been either constructed or spot purchased in 2008-09 and 2009-10 by the Department of Housing for social housing.

### **Further/Future Need**

Review of the State Government's Affordable Housing Strategy will be required to examine to what extent it provides for this recommendation and indeed many of the above recommendations.

## **Conclusion**

Through the Report and the work of the AEWG, agencies and organisations which have a role in the private rental market have been able to assess the barriers faced by Aboriginal people and people from CaLD communities in accessing affordable rental housing. More importantly, through the full and partial achievement of the recommendations and other initiatives, some of the barriers identified in the original Report will gradually be removed.

The enhancement of dialogue between the real estate industry and advocacy groups is a further means to creating a better understanding amongst renters, owners and agents of their respective positions.

The further and future needs outlined in this Report however need to be pursued to ensure the gains made are continued particularly as the private rental market is again tightening.

# Appendix 1 – EOC and Department of Commerce Rental Brochures

**SOME CASE EXAMPLES:**

- A woman alleged that when her real estate company was informed her family included a disabled child, she was no longer acceptable as a potential tenant of a rental property. The company denied this allegation stating there were many variables taken into account when offering tenancy and the fact the family had a disabled child was not one of them. The company then listed a recent history of dispute with the family. Following a conciliation conference, the woman accepted the company's explanation and the matter was resolved.
- An Aboriginal woman believed her family was evicted because her landlord treated her differently from a non-Aboriginal family. She felt the eviction was caused by her deceased husband's past anti-social conduct, and current complaints about her son. She felt a non-Aboriginal family would not have been treated so harshly. Following a conciliation conference at the Commission with the landlord, accommodation was provided to the woman and her family.

**The Commissioner for Equal Opportunity provides information about the Act, investigates and conciliates complaints, conducts community education and training and develops programs to promote equal opportunity.**

**CONTACT THE DEPARTMENT OF COMMERCE:**

**BY TELEPHONE**

Administration and Corporate feedback line: 1300 136 237  
 Building Construction - 1300 48 90 99  
 Consumer Protection - 1300 30 40 54  
 National Relay Service: 13 36 77 (for the hearing impaired)  
 Energy Safety - 9422 5200  
 Labour Relations - 1300 65 52 66  
 Science and Innovation - 9282 0777  
 WorkSafe - 1300 30 78 77

**CONTACT THE EQUAL OPPORTUNITY COMMISSION:**

**BY TELEPHONE**

General enquiries 08 9216 3900  
 Training courses 08 9216 3927  
 Facsimile 08 9216 3960  
 Country callers 1800 198 149  
 TTY 08 9216 3936

**EMAIL:** [eooc@doc.wa.gov.au](mailto:eooc@doc.wa.gov.au) **WEBSITE:** [eooc.wa.gov.au](http://eooc.wa.gov.au)

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or agent**



Government of Western Australia  
 Department of Commerce  
**Consumer Protection  
 Equal Opportunity Commission**

IT IS UNLAWFUL UNDER THE EQUAL OPPORTUNITY ACT 1984 FOR AN OWNER OR AGENT TO DISCRIMINATE AGAINST SOMEONE SEEKING PRIVATE RENTAL ACCOMMODATION BECAUSE OF THEIR:

- RACE
- RELIGIOUS OR POLITICAL CONVICTION
- IMPAIRMENT
- AGE
- SEX
- PREGNANCY
- MARITAL STATUS
- GENDER HISTORY
- SEXUAL ORIENTATION

### Agents and owners of property:

- It is unlawful for an owner or agent to discriminate against someone seeking, or renting, private rental accommodation because of the race, sexual orientation, disability, or age, of a relative or associate of that person.
- It is unlawful for an owner or agent to sexually or racially harass someone seeking or renting private rental accommodation.
- It is also unlawful under the *Residential Tenancies Act 1987* to refuse to let a property to person/s because they have a child or children who will live at the property.
- As an owner, or agent, of a rental property you have a range of rights and responsibilities in terms of who you rent your property to, and the conditions you rent it under.

You need to be aware that it is unlawful for a person, whether as owner or agent, to discriminate against another person on any of the grounds listed:

- (a) by refusing the other person's application for accommodation;
- (b) in the terms or conditions on which accommodation is offered to the other person (e.g. charging a higher rent);
- (c) by deferring the other person's application for accommodation or according to the other person a lower order of precedence in any list of applicants for that accommodation;
- (d) by denying the other person access, or limiting the other person's access, to any benefit associated with accommodation occupied by the other person (e.g. not allowing them to use the pool);
- (e) by evicting the other person from accommodation occupied by the other person; or
- (f) by subjecting the other person to any other detriment in relation to accommodation occupied by the other person.

**CASE EXAMPLES**

- A woman alleged that when her real estate company was informed her family included a disabled child, she was no longer acceptable as a potential tenant of a rental property. The company denied this allegation stating there were many variables taken into account when offering tenancy and the fact the family had a disabled child was not one of them. The company then listed a recent history of dispute with the family. Following a conciliation conference, the woman accepted the company's explanation and the matter was resolved.

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Department of Commerce  
Consumer Protection

*Equal Opportunity Commission*

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**RACE**

**RELIGIOUS OR POLITICAL CONVICTION**

**IMPAIRMENT**

**AGE**

**SEX**

**PREGNANCY**

**MARITAL STATUS**

**GENDER HISTORY**

**SEXUAL ORIENTATION**

#### **FOR TENANTS AND RENTERS:**

- It is unlawful for an owner or agent to discriminate against someone seeking, or renting, private rental accommodation because of the race, sexual orientation, disability, or age, of a relative or associate of that person.
- It is unlawful for an owner or agent to sexually or racially harass someone seeking or renting private rental accommodation.
- It is also unlawful under the *Residential Tenancies Act 1987* to refuse to let a property to person/s because they have a child or children who will live at the property.
- As an applicant, or tenant, in the private rental market you have a range of rights in terms of your application for a property and the terms which you can rent the property.

**AN OWNER OR AGENT IS UNABLE TO DISCRIMINATE AGAINST YOU ON ANY OF THE LISTED GROUNDS IN ANY OF THE FOLLOWING WAYS:**

- (a) BY REFUSING YOUR APPLICATION FOR ACCOMMODATION;
- (b) IN THE TERMS OR CONDITIONS ON WHICH ACCOMMODATION IS OFFERED TO YOU (E.G. CHARGING A HIGHER RENT);
- (c) BY DEFERRING YOUR APPLICATION FOR ACCOMMODATION OR ACCORDING TO YOU A LOWER ORDER OF PRECEDENCE IN ANY LIST OF APPLICANTS FOR THAT ACCOMMODATION;
- (d) BY DENYING YOUR ACCESS, OR LIMITING YOUR ACCESS, TO ANY BENEFIT ASSOCIATED WITH THE ACCOMMODATION (E.G. NOT ALLOWING YOU TO USE THE POOL);
- (e) BY EVICTING YOU FROM THE ACCOMMODATION YOU RENT JUST BECAUSE OF YOUR RACE, IMPAIRMENT, ETC; OR
- (f) BY SUBJECTING YOU TO ANY OTHER DETRIMENT IN RELATION TO ACCOMMODATION.

## Appendix 2 – Detail of NGO Accommodation Programs

**Centrecare Incorporated:** \$120 000 for 2010-11: Orientation to Australia and Integration, Inclusion and Participation services to all eligible SGP clients in South East Metropolitan SSD. The project aims to assist clients to successfully integrate, settle and develop relationships that will maximise participation in the broader community and access mainstream services. This will be achieved through casework, referrals, advocacy and information sessions. Topics covered will include health, housing and employment.

**Mercy Community Services Incorporated:** \$140 800 for 2010-11: Orientation to Australia and Integration - Inclusion and Participation services to all eligible SGP clients in Perth SD. The project aims to improve access to mainstream services and provide intensive accommodation training and advocacy services for all eligible SGP clients. This will be achieved through casework, referral services and group information sessions. Information sessions will address topics including accommodation, employment, life skills, social participation, education, training and family and relationships.

**Fremantle Multicultural Centre:** \$135 722 for 2010-11: Integration, Inclusion and Participation services to all eligible SGP clients in the South West Metropolitan SSD. The project aims to address the needs of eligible clients and provide specific assistance to new and emerging communities in order to facilitate successful settlement and integration into the broader community for clients. This will be achieved through casework, referral and group information (five sessions). Advocacy to mainstream services will assist clients to integrate into the broader community. Information sessions will include a number of topics such as youth accommodation, accessing mainstream health, employment and housing services.

**Multicultural Services Centre of WA Inc:** \$205 722 for 2010-11, \$209 836 for 2011-12 and \$215 000 for 2012-13: Integration, Inclusion and Participation services to all eligible SGP clients in Central, North, and South East Metropolitan SSDs. The project aims to address identified needs of eligible SGP clients and assist clients to become self reliant and to successfully integrate into the broader community. This will be achieved through provision of casework, information sessions, referrals and advocacy. SGP clients will be referred to mainstream service providers while information will be provided on a variety of topics such as housing, employment, family, relationships and parenting practices in Australia.

**The Gowrie (WA) Inc:** \$106 000 in 2010-11 and \$108 000 in 2011-12: Integration, Inclusion and Participation services to all eligible SGP clients in the South East Metropolitan SSD. The project aims to assist clients to become self reliant, participate equitably in Australian society, enhance social networks and successfully access mainstream services. This will be achieved through the provision of casework, referrals, group information sessions and community development initiatives. Group information sessions will focus on general life skills required to successfully settle and will include topics such as Family and Relationships, Transport, Employment, Education, Accommodation, and Health.

**FaHCSIA** has 2,400 properties in urban and regional towns in WA managed by the Department of Housing but these are not specifically targeting CaLD clients. Its housing assistance package includes a range of services including maintenance of houses and life skills necessary to maintain a tenancy. DIA noted that this package was a well constructed one but there were concerns that only some groups of clients benefited, sometimes causing frictions between Indigenous communities. Whether FaHCSIA will build more houses was still a question due to limited resources. Information provided by the Department of Housing on the number of Community Housing dwellings in Western Australia is attached to this matrix.