

PROOF VERSION ONLY

LEGISLATIVE ASSEMBLY ENVIRONMENT AND PLANNING COMMITTEE

Inquiry into the Supply of Homes in Regional Victoria

Ballarat – Thursday 8 May 2025

MEMBERS

Juliana Addison – Chair

Martin Cameron – Deputy Chair

Jordan Crugnale

Daniela De Martino

Wayne Farnham

Martha Haylett

David Hodgett

**Necessary corrections to be notified to
executive officer of committee**

WITNESSES

Damian Stock, Chief Executive Officer, and

Dr Rebecca Edwards, Director, Legal Services, ARC Justice.

The CHAIR: Welcome to the public hearing. I will just run through some important formalities before we begin.

All evidence taken today will be recorded by Hansard and is protected by parliamentary privilege. This means that you can speak freely without fear of legal action in relation to the evidence you give. However, it is important to remember that parliamentary privilege does not apply to comments made outside the hearing, even if you are restating what was said during the hearing.

You will receive a draft transcript of your evidence in the next week or so for you to check and approve. Corrected transcripts are published on the committee's website and may be quoted from in our final report. Thank you for making the time to meet with the committee today.

My name is Juliana Addison. I am the Chair of the Environment and Planning Committee, and I am the Member for Wendouree, representing central Ballarat.

Martin CAMERON: Martin Cameron. I am the Deputy Chair. I am the Member for Morwell, down in the Latrobe Valley in Gippsland.

Jordan CRUGNALE: Jordan Crugnale, Member for Bass, over on the Western Port and Bass Coast shire side of the state.

Wayne FARNHAM: Wayne Farnham, Member for Narracan. I represent the West Gippsland region.

Martha HAYLETT: Martha Haylett, the Member for Ripon, representing the outskirts of Ballarat, Maryborough, Loddon shire and over to St Arnaud and lots of other places in between.

The CHAIR: And online.

Daniela DE MARTINO: Daniela De Martino, Member for Monbulk, covering the Dandenong Ranges and foothills.

The CHAIR: Terrific. Thank you so much for coming in today, Damian, and coming across from Bendigo. It is fantastic to have you here. Rebecca, thank you for coming as well, because I know how thinly you are spread in terms of the important work that you are doing. We are really pleased to be able to have you appear before us today to learn more about the struggle of tenants and the issues that you are facing. Because we have got such limited time, we are going to launch straight into questions, and I am going to give Daniela a look to see if she would like the first opportunity to launch in.

Daniela DE MARTINO: Thank you, Chair. That is very kind of you. Thank you so much for both coming in. Probably to kick things off, the question I really would like to ask is: what are the most common issues faced by tenants using your services?

Damian STOCK: Firstly, thank you to the committee for inviting us here today. We are really grateful for the experience. We are from ARC Justice, which was formerly the Advocacy and Rights Centre. We operate two community legal centres across central and northern Victoria, the Loddon Campaspe Community Legal Centre in Bendigo and the Goulburn Valley Community Legal Centre in Shepparton. We started in the mid-90s as a housing and renter advocacy organisation, so we have been doing this for nearly 30 years. I am the CEO at ARC Justice, and Rebecca Edwards is the director of legal practice. I have been in the renter space and housing space for the past 20 years, trying to improve housing rights and housing service design for renters, at Tenants Victoria, Victoria Legal Aid, Launch Housing and a couple of other community legal centres before ARC Justice.

The main issues that we see for renters, which I think probably will not surprise you, are the changes that occurred during the pandemic in relation to affordability of rent and availability of alternative properties and the impact that that has had on renters' ability to exercise their rights and their fear of retribution or eviction and the impact that can have on them and their families.

There is data, which I am sure you have seen, from the residential tenancies commissioner's recent renting snapshot report, which was only launched by Minister Staikos last week. On page 10 there is a wonderful graph that talks about housing affordability over the past 10 years. You will see the lines of metro Melbourne and regional rental affordability track favourably to the regions until about 2020, and then it is highly favourable for metro because of the subsidies that were put in place during COVID, but then from that point on it gets worse for renters in regional Victoria – significantly – while metro has stabilised somewhat. The reason for that is rents have risen – not by as much as we see in metro Melbourne of course, but in terms of the income that we see in regional Victoria, it does not match what we see in metropolitan regions. I spoke at the launch last week, and one example I gave was that during the 2022–23 financial year rents in the Goulburn Valley region around Shepparton rose by 14 per cent, which is not unremarkable, given what we have seen across Victoria, but it is important to keep in mind that in the Goulburn Valley 64 per cent of the population are in the quartile that has the greatest economic disadvantage, compared to 25 per cent on a state average. So we have got pretty high rent increases, but the impacts that they have are disproportionate, based on the income of renters there.

I think the consequences of eviction for people in regional Victoria are arguably more extreme or significant because of the scarcity of other rental properties and the greater likelihood of dislocation from the communities in which they live and work and their children go to school in. I think for that reason renters are describing to us at higher rates that they really do not want to raise their head above the parapet for any reason, even when we tell them that they have got the lawful right to ask for repairs, require minimum standards, challenge rent increases. I think, really concerningly, we are hearing more and more that they just simply do not want to assert their rights out of fear of the market. So I would say it is rent increases, it is inadequate repairs, it is non-adherence to the standards that would be the biggest reasons that we see. We are also seeing a rise in notices to vacate because the owner is selling or because the owner wants to move back into the property.

The CHAIR: Deputy Chair.

Martin CAMERON: Just touching on that last little bit of information you gave about the owner wanting to either sell or move back into the property themselves, is that more common in regional Victoria than metropolitan Melbourne? Because I am assuming that, you know, a lot of renters may be living in high-rise buildings and so forth. Is it more to the point that in regional Victoria the landlords are having to sell off their properties? That is putting obviously stress on renting. But what are your thoughts of why they are wanting to sell their properties or move back in themselves?

Damian STOCK: I cannot answer that without any objective data as to the reasons why people would be selling or moving back in and the difference between regional and metropolitan Melbourne. We are concerned that there seems to be some understanding or narrative around owners selling because of an increase in renters rights over the past decade or so; there has been some low 200 number of reforms in the *Residential Tenancies Act*, whereas we would say that the data reflects that most people invest in rental properties for the tax benefits and the capital gains that they would receive and that tinkering with renters rights or modest improvements in renters rights is not the reason that people would be vacating the market; there are other forces at play there. I think one of the issues that we see in regional Victoria is the lack, as you have pointed out, of appropriately sized properties – that most dwelling sizes in regional Victoria are one or two people living on their own, particularly when they are disadvantaged in some way, yet most available rental properties are multiple-bedroom standalone housing. I do not know if that feeds into the reasons for sale – in fact I am sure it does not – but it speaks to the inappropriateness of the housing stock.

Martin CAMERON: Thank you.

The CHAIR: Jordan, do you have a question?

Jordan CRUGNALE: Yes, I do. What happens when your client is unable to retain their tenancy?

Rebecca EDWARDS: What happens when they cannot? Well, often they end up homeless, unfortunately. We certainly have people that we know of living on the banks of the river at the moment or camped in Crown land areas. It is not uncommon that there are no options sometimes for them – like, literally.

Damian STOCK: There is no crisis accommodation to speak of at all in central Bendigo or even in Shepparton, and certainly none between the big cities. There is no transitional housing that is operating in the way that it should. At least we do not hear any favourable stories that when our clients are evicted from the private market they are ending up in those security nets that are supposed to exist for them. There is no social housing that is quickly available – the same waiting list applies through the housing register. So what Rebecca is saying is entirely true, that there are people living with friends, living on couches or very much rough sleeping; that is a real consequence. We do see people camping on government land, which you would not see in metropolitan regions – in fact we have been involved in some litigation of people being removed from council-owned land that they were camping on and councils changing by-laws to prohibit the camping to try and move people on – and also people camping on land that they own that there are no other dwellings on and councils taking action to try and move people on from camping on land that they own because it is in breach of by-laws. I think that really demonstrates the consequences are that people are just trying to find anywhere and attempting to sleep, because there is not that crisis and transitional housing.

The CHAIR: Rebecca, could you just provide us any sort of face on the data? Who are these people? Where have they come from? They have gone from having a private rental to now camping. Who are the kinds of people? Because I think there are often stereotypes of who a homeless person is, but what I am hearing anecdotally is that the face of the homeless is really changing. Are you seeing that in Bendigo and Shepparton in your region?

Rebecca EDWARDS: We are for sure. Most of the housing work we do tends to be in the Loddon–Campaspe area because of the funding that we have, although we do a little bit in the Goulburn Valley region as well. I think it is quite variable. It can range from clients who are in their 60s to people perhaps living on a disability pension who are now living in their cars, who had not thought that they were going to end up in that situation.

Damian STOCK: I think the example of the person who was camping in Huntly is probably a good example. She was a person who had been working. I think she had been working for Centrelink at the time and lost her employment. There was no access to brokerage to cover the rent for a short period of time. She fell into rent arrears and stayed with a friend for a while. There was a dispute. She had literally nowhere else to go, so she took her tent to the Huntly camping site. The council took action to try and remove her. We ended up having to I think threaten Supreme Court proceedings because we had a public authority not sufficiently respecting someone's charter right to a home, and we were arguing that that was the only home that she had. But it took that action for the council not to remove the person. It took us then six to eight months I think to connect that person through Haven Home Safe or to be prioritised through housing waiting lists. Eventually, I think, after about 12 months, they were offered a private rental. I do not think it was social housing; I would have to confirm that with you. It took us basically to hold that eviction from a campsite for 12 months so that we could try and find her an alternative. That was a more public example I think because we were in the media a little bit because it seemed a bit of an extreme example. If we were able to refer people to Haven who were going to be evicted and we knew that there would be an outcome for them, then it would make our jobs a bit easier. It would make the renters' lives less stressful, but the throughput does not exist.

I think, to Bec's first point, there is no one example. It is often, as the data would show you, older women who are in precarious housing at higher numbers than they used to be. But it can be any life event that causes you to miss one or two rent payments, and then you really are at the risk of homelessness – on-the-street-type homelessness – if you do not have any other supports around you.

We in earlier years had something around \$5000 or \$10,000 a year in flexible brokerage to help people with rental payments, and it has made an enormous difference. Last financial year we received about \$85,000 from DFFH for that purpose, and it made an amazing difference to scores of people. It changed what would otherwise have been a blip in their income, compounding into losing their home and all of those consequences, to recovering from four to six weeks and being able to pay that. Then they recover, they keep their house and they do not lose.

It is a zero-sum game, as you know, when you are evicted from a private rental property. Because there is no social housing available, they will be homeless effectively until they find another rental property at enormous cost to that individual, their family and the state. Really we try and focus our efforts on providing legal and related services increasingly and social work, and we really want to be connected more with financial counselling support. If you wrap those around a renter who is experiencing that disadvantage in whatever form it might be, then we are able to sustain them through that period of time until they get back on their feet. It is much better to do that than to try and build further housing for them, I think.

The CHAIR: We had the opportunity to meet with Trudi from Haven Safe Housing yesterday at Castlemaine, which was terrific.

Damian STOCK: Great.

The CHAIR: Martha, do you have a question?

Martha HAYLETT: You have touched, both of you, on it a little bit already. I know the amazing work that you do in the Central Goldfields shire and the Loddon shire, and I am very grateful for that. So thank you so much for all the work that you do for many of my own constituents as well. But I am just interested in some of the unique challenges that renters and people seeking housing are experiencing in rural and regional areas – and it is interesting for you, Damian, with your experience at Launch Housing and Tenants Victoria and organisations in Melbourne. How does that compare to the experiences that you touched on – lack of crisis accommodation and lack of transitional housing? What are some of the other unique challenges in our rural and regional areas for people?

Rebecca EDWARDS: I think lack of public transport. A move – a change of house – can really impact a person's ability to access work or school or child care or those sorts of support services, and I think that is very unique to regional areas.

Martha HAYLETT: Yes.

Damian STOCK: Thank you, Martha, first of all for your support locally, for your passion for housing and understanding of the importance of it to all aspects of economic and social life – individual actuation. I was raised in regional Victoria but spent most of the last 20 years working in Melbourne and then moved back here a few years ago. The difference has been surprising to me in the lack of, I think, digital literacy. It feels like the COVID transformation that occurred in Melbourne and the ability even to work from home or to just work the way that we became accustomed to in Melbourne did not seem to reach regional Victoria. I think the distance that Rebecca has spoken to – the combination of distance, isolation and lack of digital literacy – really means that people understand their rights far less than people in metropolitan Melbourne. The lack of multiple services that are available I think is another key difference. If you are living in Melbourne, it might be Justice Connect, it might be Tenants Victoria, it might be a local place-based generalist community legal centre or it might be any one of the homelessness entry points that can assist you, whereas up here it is either us keeping you housed across 13 local government areas through the work that we do or it is Haven, really, trying to find you a solution that does not really exist. So the options are very limited, and people's understanding of those options is far less.

Martha HAYLETT: How about – sorry to butt in – Tenancy Plus? You are providing that service. All of us are regional rural MPs on this panel, which is fantastic, and what we hear a lot about is the tyranny of distance and that if you are trying to stay in a public housing property and you live somewhere and your housing office is so far away in Bendigo or Ballarat or Mildura, that makes it very hard. How is that experience felt from your organisation? How do you actually effectively provide that Tenancy Plus support when people are so far away from you and they are not able to just walk into your office and have a chat?

Damian STOCK: One of the surprises for me joining ARC Justice nearly three years ago was that in my experience beforehand renter advocacy was legal advocacy – it was information, advice and representation at VCAT – and the team that I inherited here was a lot more practical and did more casework support. I arrived just a few weeks before the floods occurred in 2022, and what our team was doing was driving around to the Salvation Army with a ute picking out white goods for people who had been temporarily housed in empty apartments, finding things for their children and driving renters places. It took me a little bit as a lawyer to appreciate the value in that need for renters, because no-one else was really doing it at the time. I think we do

what we can to try and provide that more practical support in regional Victoria than you would see in metro Melbourne, because you cannot jump on public transport. But the distance is an ongoing challenge. We are in discussions at the moment with VCAT around in-person or remote attendance at hearings or the combination of both of those. Someone in our office did a quick look at what it would take for someone from Echuca to get to a 10 am hearing in Melbourne if they had to be there in person by public transport and said it would be a 7-hour round trip. You would be leaving at 4:30 in the morning – if you can get there at all; if you can make childcare arrangements and take the day off work and so on. I think that is a real issue both in terms of access to VCAT and its model currently but also in access to all of the other services.

Martha HAYLETT: Thank you.

The CHAIR: Wayne.

Wayne FARNHAM: Thank you for coming in today. I am curious: when we talk about rental shortages, especially in regional Victoria – and we all know there is a housing crisis; that is pretty well documented – I am wondering, in your opinion, what government could do to incentivise investors to actually stay in the market. You quoted earlier that you have got a lot of investors now selling up; they are either moving back in or they just want to sell the property. Especially in regional Victoria, where we know we have got worker accommodation shortages, are there any incentives or suggestions you would put to government to encourage investment into regional Victoria, particularly for the investor to hold that rental property and not kick the tenants out?

Damian STOCK: I do not know if the current government has looked at a scale of land tax that would be payable according to the length of tenure that you might provide to a renter. I think what we hear from investors is that the increasing taxes have caused them to consider their investment, but I think if there was some form of tax incentive or reward, if you were to provide longer term leases, I think that might be –

Wayne FARNHAM: So if you lease for two years, that land tax value comes down; three years, comes down; four years, comes down.

Damian STOCK: That is right. And whether it is a fixed-term lease that you provide or whether it is just the fact that the RTBA has not seen a turnover in bonds and it demonstrates you have had that one tenant for a longer period of time, maybe proportionally the tax that you pay on that land is reduced. It would encourage longer term leases and stability for renters, and investors would pay less. That is one option.

I heard previous witnesses talking about inclusionary zoning – that is building, of course, not encouraging investors. I think a number of the reforms in the *Residential Tenancies Act* that have allowed a renter to make the place their home have gone a long way in providing that longer term safety and security for renters. I do not think it has harmed investors in any way, but I think there is a perception that it has gone too far. I think we could educate investors a little bit that, you know, having someone treat the property as though it is their home actually benefits the investor as well.

The CHAIR: Absolutely.

Damian STOCK: Any other ideas, Bec, for how we can encourage investors to stay in the market?

Rebecca EDWARDS: [inaudible]

Damian STOCK: Of course.

Wayne FARNHAM: Look, it is a problem at the moment. You are right in what you said: investors are leaving the market, so I am keen to find out a way to keep them in the market, to keep rental availability in the market.

Damian STOCK: Sure. Yes, NRAS was a great federal subsidy that is ending now, and we are seeing the impact that that is having on renters. I know that is a federal scheme that took a fair degree of investment, but keeping rents at affordable rates, rather than market rates, through that scheme I think was a great incentive. We are concerned at the moment with the rents going up as people come off the NRAS scheme, but that is government investment or incentives in a direct injection into making the market more affordable. I mean, we would argue that there is a role for direct investment, whether it is through social housing or public housing,

whether it could be also through provision of other subsidies like the NRAS scheme or whether it is looking at those tax incentives that we mentioned.

I do think that investors invest for reasons of their own economic security and future, and so they should, and I do think they are really more focused on capital gains and more focused on tax offsets than they are on renters rights. But somehow the public narrative around renters rights I think has become a bit more powerful than it should have, perhaps. I was speaking with a previous housing minister a while ago from many years ago. It was her view that people were leaving the market because the *Residential Tenancies Act* was now favouring renters, and I worry about that narrative because I do not think it is true. But we know that cost-of-living pressures are everywhere, and if some people cannot afford their additional property and they need to sell, they will do so for their own economic reasons and not for care of the renter. I do not know what we can do about that.

Martha HAYLETT: I have got a question for Rebecca about your clients and sort of how the needs of your clients have changed over time. Even just, say, in the last five years, have you seen a noticeable shift or have you seen particular issues pop up much more than others? How has that changed over time in terms of the needs of your clients?

Rebecca EDWARDS: I have not been at ARC Justice for five years, so I cannot speak that far back. For us it is simply a resourcing thing. We can only help so many clients, and so therefore we are limiting the types of matters that we are taking on in the tenancy space to notice to vacate and, generally, urgent repairs, particularly where there were flood-impacted renters as well – that was a big area for us. But there is a whole lot of other issues that renters are having that we just cannot cope with, so we are sending them away, referring them to other services or online resources.

Martha HAYLETT: What is the number of people you can support in any given year? And how many employees do you have or, ideally, how many more would you like to have to be able to service your area?

Damian STOCK: It was 5500 people that we assisted last year, and our staff –

Rebecca EDWARDS: That is total, not just tenancy.

Damian STOCK: No, that is total. That is not just renters. We have 65 staff and we have around 25 lawyers within that 65 staff, supplemented by some housing advocates or caseworkers, social workers, social support and our paralegals – people like that.

Rebecca EDWARDS: I think the tenancy team has helped about 145 people with legal advice specifically – so that is not through the tenancy and TAAP programs – just this financial year, and the team has grown a bit in the last six months so it has got capacity to see more than that. But the tenancy and TAAP funding we have is only for the Loddon–Campaspe region. We do not have that funding for Goulburn Valley, although we do help some of the Goulburn Valley clients. As I said before, we do not have any lawyers who have tenancy expertise based in our Shepparton office at the moment.

Martha HAYLETT: And have you got a waitlist? Are you having to turn people away for particular things?

Rebecca EDWARDS: We tend to turn people away rather than put them on a waitlist, because we do not want it to just be three weeks down the road and we are saying the same thing as we said in the first place. But we do try to use – we have strong referral relationships. We try to give people options of where they can go. Also, it is in the planning phase but not set up yet; we are hoping to run a student-led clinic with Monash University to do some work on tenancy, perhaps on non-urgent repairs. That is something that we cannot actually currently do with our team. It is just not enough of a priority. But we do have Monash students coming to the Bendigo office once a week, and we are hoping to set that up as we can see it is a real need and would be people that we were not otherwise able to service.

Martha HAYLETT: Thank you.

The CHAIR: Did you want to answer that further, Damian?

Damian STOCK: Can I add just a couple of brief comments?

The CHAIR: Please do. Yes, I would love that.

Damian STOCK: Yes, Rebecca mentioned we have got the Tenancy Advocacy and Assistance Program funding and the Tenancy Plus funding in Bendigo. Both of those funding streams go to Beyond Housing in Shepparton, which provides both the housing and the support services. We supplement that across our region with two piloted programs, rental stress hub, which Tenants Victoria is leading with a range of regional organisations, and Tenancy Stress Victoria, which we are piloting with Westjustice in the west of Melbourne. The rental stress hub model is aimed at increasing digital tools centrally located in Melbourne so that we can prioritise the type of assistance that we can provide to renters wherever they are coming from. If a digital solution or some information will assist them, then that is where they should go. If they need a little bit more advice, then we can really target that and it really allows us to focus or prioritise our casework on preventing evictions and on those with the highest need. So that is more aimed at being a statewide intensity of service design, but that is still underway. It has only been around for a year, and we have got lots of work to do there. Tenancy Stress Victoria supplements that. It is intended to provide a social worker, a financial counsellor and a lawyer to wrap around those with the greatest need, so really low volume, but highest need and highest consequence if they were to be evicted. We do not currently have the financial counsellor at the moment. The funding still goes to Anglicare and they are meant to work with us, but because of their own pressures it does not work as well as it should.

We think there is a need, in order to meet the demand, to have that intensity of service structure across Victoria and also have the targeted multidisciplinary programs for people. Renting is like any other problem, in terms of, in our sector we get to about 10 per cent of the legal need that we know is there, and the number one challenge for our sector, and it has been for at least the past two decades, is that people do not know when they have got a legal issue. They do not identify that their life problem has in part a legal remedy to it. They just think it is a bad situation, or they think they are just stuck with whatever is going on. So if your landlord says, 'I'm not going to do the repairs,' they just think, 'Well, that's just my lot', or in the case of Rochester after the floods, if the local estate agent says all of your properties are uninhabitable, you just put faith in the agent and you leave without coming to us for an assessment on whether in fact that is true. So our number one focus across the community legal sector is: how do we help people understand that their life problem is in fact a legal problem, and how do we enable them to seek assistance for it? And renting is just an example of that.

The CHAIR: We have heard a lot about the lack of diversity in housing, whether it be in Horsham or Castlemaine, and that the majority of renters are seeking one or two bedrooms, but the majority of houses are three bedroom. Tell us: what impact is the lack of diversity having on renters in terms of rental stress, potentially, or moving into a house that is not of the quality that it should be? Is there anything that you can share with us about the suitability of housing and the lack of diversity of housing with your clients and the impact that that is having?

Damian STOCK: This will be quite anecdotal, I think.

The CHAIR: Sure.

Damian STOCK: But it would be, I think, almost as you have described, which is paying more rent than you can afford because you have only got a three-bedroom option and there is only one or two of you or it is overcrowding and it is moving into bedrooms with strangers in a rooming house situation. Both of those situations are occurring, but I do not have the data for you.

The CHAIR: Yes. But you are hearing about it anecdotally.

Damian STOCK: That is fair to say, yes, but I could not give you the numbers, so I do not want to –

The CHAIR: Sure. And in terms of the work that you do representing tenants who do have legal issues regarding their housing, are there any trends that you can see that the maintenance and quality of housing is in decline – like the suitability of houses? I know often when I look at 'For lease' signs, even in my local community, I sit there going, 'God, would you really want to lease that one?' But when you have got such a tight rental market in Ballarat you do not have the luxury of saying, 'That's not really suitable to my needs.' Have you got anything that you could add to that from your experience?

Damian STOCK: Only to say that that is absolutely a prevailing concern across our catchment as well and across I would say probably all of regional Victoria. You have to just take what you can get. There is nothing that is affordable. You do not have the buying options or the purchasing power to be negotiating for better standards; you just have to take what is there. There was some mystery shopping work done, I think through the residential tenancies commissioner's office recently, attending open for inspections and assessing whether they were meeting the minimum standards, and I think they reflected that many properties were not. It is great to have consumer affairs' renting taskforce doing their independent evaluation of standards, because we know renters will not be enforcing those standards themselves. The reality is you do not have any capacity to try and negotiate prior to taking a tenancy agreement for things to be fixed. You take it and then you run the risk of trying to enforce your rights – but typically people do not; they just put up with it. What that means is people come to us in winter with no heating and the kids are cold. We heard horrible stories of substandard accommodation after the 2022 floods – you know, children not getting out of beds to go to school because it was warm under the doona and the house was cold. It is heartbreaking stuff. And in summer of course it is overheating and air conditioning. The standards are great, and we commend the Victorian government on all the reforms that have been made over the past decade or so. The enforcement of them, though, is an entirely separate question.

Martin CAMERON: When people come through your doors, are you seeing that it is weighed to people that are day one of renting within the first 12 months? I think what I am trying to get to is: is there a point for a long-term renter – two or three years – where they are less likely to be coming for your help? Is it just the people that are going to a new rental property that are flooding your offices, or is it spread right across the board, whether you have been renting for 12 months or five or 10 years?

Rebecca EDWARDS: I think it is spread quite broadly. In fact, again, anecdotally – I have not actually looked at this – I would say it would be leaning towards longer term renters because of the fact that they have finally reached the end of their tether. Things have got so bad that they really want some help to get them fixed, whereas, like Damian was saying, at the beginning they moved in knowing it was not great, and they were sort of trying to put up with it for a while.

Damian STOCK: Yes, I would absolutely agree with that. I would say it is not so much the length of their tenure but more the precarity of their current situation and whether they are facing either eviction or circumstances that they can no longer tolerate, like lack of heating and that type of thing.

Martin CAMERON: Of the rental providers who are providing the houses, are there certain ones that have got multiple dwellings that they are doing where they might be providing 10 or 20 houses? Are you seeing that there are issues with their particular houses across the board? Or is it that it does not matter who is providing the rental house, there are issues which the tenants have with it?

Damian STOCK: I think our housing team knows of certain owners that are known not to comply with their obligations, so they have got some history to them. But as to the number of people with multiple properties, I do not think we can speak to that. I think we would say that most are the one or two mum-and-dad investors that you see everywhere else, but I would not have data beyond that.

Martin CAMERON: No worries. Thank you.

Rebecca EDWARDS: What we hear I think more in the office – the team talking to each other – is the real estate agents who are more difficult to deal with compared to other ones who are perhaps more willing to work with their own clients to achieve a good outcome.

Martha HAYLETT: Real estate agents in small country towns where everyone knows everyone – do you find that an issue for your renters, that they may actually potentially be not considered for a rental because they are known by the real estate agent in town? It is anecdotal probably, but how does that work?

Damian STOCK: I think that is a real concern in regional Victoria, and it has the same impact on people not enforcing their rights because they are fearful. Ultimately, you need a positive reference at the end of your lease, and there is nothing that currently stops agents speaking to one another. Even if a renter has done nothing wrong, even if they have just enforced their rights, that can be portrayed as making trouble, making it hard for the owner, and I think all renters know at the end of the day their bond is depended on the agent, but more importantly it is the reference.

We know there are proposed improvements to the professionalisation of the estate agent sector or industry. We really support that. That is the interface that most renters experience. Some are great, some are not. Anecdotally some tell us when we are involved, 'Oh, it's you guys again. You always just make trouble.' We do not know how they would be speaking to our clients if that is how they speak to us.

I know when I was previously at legal aid we made a submission at an earlier round of reform, I think in 2016, around standardising the application process for a new rental property to try and take away some of the subjective opinion that earlier agents provide, to try and say that a prospective renter should only have to demonstrate that they have paid their rent on time, they have got their bond back or, if not, that it is for an appropriate reason – and do not look beyond that. Do not ask the previous agent whether they had a pet that they are allowed to have or whether they enforced rights that they are entitled to enforce; try and take away the opportunity for that prejudice really to come through.

I gave that brief example earlier about the agent in Rochester following the 2022 floods. It was reported publicly at the time that they had something like 100 local properties on their books, which was a large proportion of the rental properties in Rochester, and when they communicated to the renters, 'It is a fact that your property is now uninhabitable and you need to leave,' all of those renters left. So the power that you have in local community like that, not to mention the references that can be provided to your colleagues, is really important.

Martha HAYLETT: I have got one more question unless Daniela has got one – or others.

The CHAIR: Please do.

Martha HAYLETT: We have got 2 minutes left, and this is a really big question. We have talked about a lot of the problems and the issues today, but what do you both see as the solutions in your sector?

Damian STOCK: The solution ultimately I think is providing more secure and affordable housing. We keep people housed in the private rental market predominately, and we do it in social housing as well, but we do not deliver more housing and we know that that is the solution. Rental housing, historically, as you well know, was meant to be a temporary tenure. Our system is designed that way. It is not designed like the European model, yet now we are going to see renters for life, and the current regulatory and legal system does not support renters to rent for life. So we would say, I think, investment in social housing – we know we have got the lowest in Victoria – and allowing the pipeline to shift through crisis transitional to social housing for the people who are most disadvantaged, the people who will never be able to afford to own their own home and will barely be able to afford the price of rent. There are improvements that probably need to be done on the rent increase assessment process. It is currently a market assessment, so if rents increase across the board, then consumer affairs has no power to say that that rent increase is excessive. I think that is probably more of an acute problem in regional areas, where you have pockets of rental prices that can all increase at the same time and there is no check on that. And I think encouraging renters to enforce their rights more by better educating them about what they have and also the lack of any consequences against them – maybe prohibiting rent increases if they have asserted their rights in any way for, say, six months: there are some reforms that can be done there.

The CHAIR: Terrific. Is there anything further that you would like us to know before you finish today – anything that we have missed?

Damian STOCK: Only to say that we really value your work. Housing is just fundamental to every aspect of life. We really need more of it. We do lots of work in the family violence space. We do lots of work in family law and child protection, and commonly housing is central to all of those issues. So we just commend you on your recommendations. We are overwhelmed with need. We cannot meet it. We will do what we can, but we will continue to work with the government to increase our resourcing as well.

Rebecca EDWARDS: And investment in housing will reduce the need for investment in so many other areas of the justice system that people get caught up in – health as well – because of the fact they do not have the secure housing.

The CHAIR: I think you said that housing impacts all aspects of life, and I think that is so true.

Rebecca EDWARDS: Absolutely.

The CHAIR: Thank you very much. I did not allow you to introduce yourself, so for Hansard, thank you to Damian Stock, Executive Officer of ARC Justice, and Rebecca Edwards, Director of Legal Practice, ARC Justice, for coming in here today and participating in our inquiry. If you would like to provide any additional information or further responses taken on notice, please let our secretariat know. Thank you so much. We look forward to sharing our report with you at the end of the year.

Witnesses withdrew.