



Community  
driven justice.

**FITZROY LEGAL SERVICE SUBMISSION TO INQUIRY  
INTO THE REDEVELOPMENT OF MELBOURNE'S PUBLIC  
HOUSING TOWERS**



## About Fitzroy Legal Service

Established in 1972, Fitzroy Legal Service ('FLS') is Victoria's longest standing community legal centre championing justice for members of our community facing economic, cultural or social oppression. With a deep commitment to community-driven change, we provide individuals and communities with access to justice when they need it most and boldly agitate for high-impact policy and legislative reforms.

Our community catchment areas of the cities of Yarra and Darebin contain 13 of the public housing towers set to be demolished. The residents of these towers are a priority cohort for our legal assistance services across multiple areas of law including tenancy, migration, criminal law, and family violence.

Since September 2024 we have been working closely with residents of Highett Street Richmond to assist them in navigating the relocation process and in advocating for their rights, needs, and desires. In addition to providing legal advice and casework appointments, we have convened several legal information sessions for residents of the public housing towers at 139 Highett Street Richmond and the Elizabeth Street walk ups. In 2025 we have also facilitated a weekly drop-in-service at the estate for residents seeking legal information and advice about the demolition plans.

## Introduction

FLS welcomes the Victorian Parliament establishing the inquiry into the redevelopment of Melbourne's 44 public housing towers. We do not seek to respond to each of the terms of reference individually, but rather to address them through the impacts we are seeing in our community.

We do not support the current proposed redevelopment plans due to the lack of consideration of the human rights, needs and wishes of residents; the likely resulting loss of rights for residents after the redevelopment; and the lack of clarity and transparency about what will happen to both the residents and the land after the proposed demolition of the towers.

We are grateful to our clients and community members for trusting us with their stories and we acknowledge the residents of the public housing towers that we work closely with, whose voices and experiences inform our advocacy. The case studies in this submission are drawn from our legal practice and community engagement work. All identifying details have been changed or omitted, including by not using their real names.

## The destruction of public housing estates is the destruction of communities

The proposed destruction of the public housing towers will have a significant impact on people's lives, with the destruction of over 10,000 public housing homes across the 44 towers inevitably resulting in the uprooting of many established communities. The majority of community members and clients we engage with tell us that they want to be able to stay in their community, and, if they felt they had a real choice, they would not want to relocate for the demolitions. Many are calling for the Government to stop the demolition of the public housing towers.

The provision of public housing plays a vital role within our communities. For decades public housing has been a way for members of our community most in need to access safe and stable housing, which is a necessary component to breaking cycles of disadvantage and trauma. Whether it is victim-survivors fleeing family violence, single mothers doing everything they can to provide for their kids, newly arrived refugees and migrants striving to rebuild their lives, or people who had been forced into homelessness – public housing has provided the stability, security and community they have needed.

Public housing estates are so much more than just the individual properties. They are the central piece of a rich tapestry of the built environment, services and communities that surround them. Over decades these communities and their supporters have surrounded the towers with local services, businesses, amenities and connections that make the area their home. From culturally appropriate places to eat and buy food, to places of worship, multicultural learning centers, playgrounds, basketball courts and sports clubs, and much more.

In this environment, large and diverse communities have grown. The Atherton Gardens estate in Fitzroy, for example, is bigger than many country towns with an estimated 2400 residents, and is the heartland of multiculturalism in the local area with residents representing an estimated 60 language groups.<sup>1</sup> Together these communities have formed lasting relationships of support. They have raised their children together, they have celebrated cultural holidays and life achievements together, and they have grieved for their loved ones together.

As a place-based community legal centre we see the strength and value of these local communities every day, and the many ways in which their lives are being impacted by the proposed demolitions and the resulting destruction of these communities through relocations.

The Atherton Gardens estate has always been an important and safe gathering place for Aboriginal people, for whom Fitzroy is an area of special significance as the centre of

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<sup>1</sup> 'Bid to make Fitzroy high rise housing estate a site of heritage significance', The Age, 24 June 2020.

political activism and resistance for Aboriginal communities in Victoria.<sup>2</sup> Many leading Aboriginal activists have lived in the estate over the years, including Uncle Archie Roach and Auntie Ruby Hunter,<sup>3</sup> and it has often been used for local Aboriginal communities to come together after political actions such as NAIDOC marches to catch up with family and friends who have travelled from across Victoria.<sup>4</sup> Yet the proposed destruction of the towers risks displacing many Aboriginal people who still live in the towers out of the local Fitzroy area, and turning the estate into private land that is not accessible to the broader local Aboriginal community. This could have huge impacts for the entire local Aboriginal community and the ways they connect, celebrate, resist, and protect their culture.

This kind of forced displacement and relocation always impacts low-income communities and those traditionally marginalized by society or facing structurally oppression the most, as they are less supported to cope with disruption of social and cultural bonds. Academic studies have found the impacts of this type of displacement to be comparable to that of grief, highlighting the serious ramification it can have on peoples' mental health and wellbeing.<sup>5</sup>

We know from our work that public housing residents rely on and are most likely to thrive when surrounded by social supports, community networks and public amenities that are culturally appropriate and designed to meet the needs of their communities. This is particularly true for residents who have significant cultural and historical connections to the location of the estates, especially local Aboriginal communities, or for people who face barriers in travelling to access work, study, healthcare or other support services – such as people with disabilities.

Demolishing the public housing towers, with no guarantee that communities will be preserved, that the land will remain public land, or that any new development on the sites will allow residents to return to their homes with the same rights, puts all these supports and networks at risk.

We regularly engage with residents who raise concerns that their views, human rights and needs, and connections to community, were not considered by decision makers who failed to engage in any proper consultation process with residents before announcing the demolition. They are particularly concerned that nobody from Homes Victoria or the government has given adequate reasons why alternatives to demolition which would have been less disruptive to community bonds were not pursued. On this point we note

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<sup>2</sup> 'Two Australian icons honoured with a permanent tribute in Yarra', City of Yarra, 2 December 2024.

<sup>3</sup> Ibid.

<sup>4</sup> 'Gathering at Atherton Gardens, Fitzroy, after the NAIDOC marches', Living Archive of Aboriginal Art: Online Exhibition. < <https://omeka.cloud.unimelb.edu.au/livingarchivenaidoc/exhibits/show/naidoc-blm/atherton-gardens> >

<sup>5</sup> Kelly, D and Porter L, (2019) 'Understanding the assumptions and impacts of the Victorian Public Housing Renewal Program', RMIT Centre for Urban Research.

that at least two retrofit organizations have found that completing a refurbishment of high-rise towers is a more cost-effective alternative to demolition.<sup>6</sup>

**Recommendation 1: The Victorian Government should not proceed with the planned redevelopment of Melbourne's public housing towers.**

**Recommendation 2: The Victorian Government should commission a thorough, transparent and independent investigation into the viability and cost of refurbishment and upgrades to the towers.**

**Recommendation 3: The Victorian Government should consult with residents before any towers are demolished to ensure their human rights, needs, and wishes are properly considered.**

## Public housing residents should not be forced into privately-run community housing

The proposed destruction of the public housing towers is part of a concerning trend we are seeing of the reduction in public housing stock in favor of privately-run community housing. Victoria already has the lowest proportion of public housing of any state or territory across Australia, and the government's proposed Big Housing Build has a major focus on the expansion of privately-run community housing.

To date the Government has refused to confirm whether any public housing will be rebuilt on the sites of the towers proposed for demolition or whether it will be replaced entirely with private rentals and privately-run community housing – as is the case for the North Melbourne and Flemington sites.<sup>7</sup>

FLS is deeply concerned by this prospect. Using the demolitions to essentially transfer residents from public housing properties to privately-run community housing stock erodes public housing in Victoria in a manner that negatively impacts tenants' rights and the housing security of people experiencing some of the highest degrees of vulnerability in our communities. This sentiment is echoed by the community members we work with, with 80% of the residents at the Highbury St tower in Richmond that we surveyed confirming that they are only willing to relocate to other public housing properties.

As a community legal centre we know firsthand from our work with clients that residents of privately-run community housing are often worse off than public housing residents due to an entirely different suite of renters' rights and protections that apply to the two groups.

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<sup>6</sup> Office and Beyond Affinity. 'Retain, Repair, Reinvest', Office. <[https://office.org.au/api/wp-content/uploads/2024/10/Retain-Repair-Reinvest-Flemington-Estate\\_OFFICE\\_Full-Report.pdf](https://office.org.au/api/wp-content/uploads/2024/10/Retain-Repair-Reinvest-Flemington-Estate_OFFICE_Full-Report.pdf)>

<sup>7</sup> 'Flemington and North Melbourne towers to be redeveloped with no public housing', The Age, 11 March 2025.

Residents of privately-run community housing pay more in rent, are at higher risk of eviction, don't automatically have the protections of the *Victorian Charter of Human Rights and Responsibilities Act 2006 (Vic)* ('the Charter'), and face greater barriers to repairs and having other issues they face properly resolved.

## Residents of privately-run community housing pay more in rent

Some estimates calculate that residents of privately-run community housing pay at least \$1680 more than public housing residents on an annual basis.<sup>8</sup> This is because while public housing rent is set at 25 per cent of income,<sup>9</sup> private community housing providers can charge up to 30 per cent of household income, in addition to any Commonwealth Rent Assistance.<sup>10</sup> Residents of privately-run community housing can also have to pay additional costs such as utility bills for gas, electricity, and water as well as 'service fees'.

There is also variation in rent setting practices within the privately-run community housing sector in how they calculate household income, resulting in confusion and some residents paying even more. For instance, some private community housing providers assess the income and payments for a dependent (such as Youth Allowance) as household income, while others apply a lower flat rate.

By way of example, the Social and Affordable Housing Regulation Review Final Report found that Unison Housing includes youth allowance as household income.<sup>11</sup> In contrast, Common Equity Housing Limited applies a 15% rate only to dependent youth allowance payments, but if the dependent has other income greater than the allowance, both the allowance and the other income is assessed at 25%. In this example, a family with a child receiving Youth Allowance who lives in Unison Housing would have more money deducted from their Youth Allowance than a family with a child at Common Equity Housing Limited who is also receiving Youth Allowance. The injustice of this inconsistency is made worse by the fact that residents are not able to choose between community housing providers.<sup>12</sup> They simply must pay the potentially higher rent of whatever private community housing providers runs their property.

The potentially devastating impact of these less stringent rent setting policies is illustrated by the story of Kim.

Kim's story - community housing provider's calculation of income causing prolonged distress and nearly resulting in eviction

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<sup>8</sup> Tenants Victoria, *Submission to Social Housing Regulation Review* (September 2021) 26.

<sup>9</sup> Victoria State Government. (2022, May). *Social and affordable housing regulation in Victoria: Final Report, Social and Affordable Housing Regulation Review*. Retrieved from '[Social-Hohttps://www.dtf.vic.gov.au/sites/default/files/2024-12/Social-Housing-Regulation-Review-Final-Report.pdf](https://www.dtf.vic.gov.au/sites/default/files/2024-12/Social-Housing-Regulation-Review-Final-Report.pdf)fusing-Regulation-Review-Final-Report.pdf'

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

*Kim was a tenant in privately-run community housing. For almost 10 months his provider charged him a rental amount based on a calculation of his Commonwealth Rental Assistance that was higher than the actual amount of rental assistance he was receiving, because the provider's rental assessment process was not based on Kim's actual income but on their own assessment of what his income should be when rental assistance was included. Yet the provider didn't bring this discrepancy to Kim's attention and offered no assistance to him in trying to obtain the higher level of rental assistance that they claimed he should have been getting.*

*Due to the provider's handling of the matter, and the larger amount of rent Kim was having to pay, he fell behind and went into rent arrears, which caused him a great deal of confusion and distress. The housing provider then issued Kim with a Notice to Vacate, causing him further distress at the looming threat of eviction.*

*After a long nine-month process FLS was able to have the notice to vacate withdrawn and the matter resolved, but Kim's mental health and wellbeing had been severely impacted by the whole ordeal.*

Homes Victoria has asserted that that public housing residents who are relocated to privately-run community housing properties due to the tower demolitions will have the 25% public housing rent control rates honored by Homes Victoria for the duration of the relocation. However, when asked to confirm this information in writing, Homes Victoria and the Department of Families, Fairness and Housing have both declined to do so. As such, we can have no confidence that these verbal promises can be relied upon by residents, as must advise them as such. Even if the 25% rent rate is honoured during a resident's relocation, the Government has confirmed that these rent settings will only apply at the relocated property until the redeveloped sites are completed.<sup>13</sup> At that point, if the resident stays in the property or returns to the redeveloped site, they could be paying the higher community housing rental rates.

### **Lack of clarity if community housing residents are protected by the Charter**

In Victoria, public authorities are bound by section 38 of the Charter to act compatibly with human rights and give proper consideration to human rights when making decisions.<sup>14</sup>

The Victorian Department of Family, Fairness and Housing ('the Department') is a public authority and must comply with the *Charter* in its provision of public housing. This means that public housing providers are legally bound not to unlawfully or arbitrarily interfere

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<sup>13</sup> Parliament of Victoria, Hansard, Legislative Council, Questions Without Notice, 20 March 2025, Harriet Shing, 12.15, 12.18.

<sup>14</sup> *Charter of Human Rights and Responsibilities Act 2006* (Vic) s 38.

with human rights such as those to family and home, both of which are protected under section 13 of the *Charter*.<sup>15</sup>

It is FLS's view that community housing providers are subject to the Charter by virtue of being a 'functional public authority'<sup>16</sup> that is exercising functions of a public nature on behalf of a public authority. However, the Social and Affordable Housing Regulation Review's *Final Report* found there is ambiguity as to whether community housing agencies would be considered public authorities under the Charter, and whether they have a legally binding obligation not to interfere with human rights to family and home.<sup>17</sup>

This ambiguity over whether the human rights of community housing residents is protected has severe implications, most notably resulting in residents being more likely to be evicted from privately run community housing than they are from public housing.

### Community housing residents are at higher risk of eviction than public housing residents

It is our experience that community housing tenants face a higher risk of eviction than public housing tenants. This is in line with data from the Australian Institute of Health and Welfare, which shows that, as of June 2023:

- 28% of community housing tenancies lasted for fewer than 2 years, compared to 16% of public housing tenancies.
- 46% of community housing tenancy households had been in the same dwelling for 5 years or more, compared to 66% of public housing tenancy households.<sup>18</sup>

Rental arrears are one of the most common causes of evictions in community housing, because as privately-run organizations community housing providers rely on rental payments for the financial viability of their business. This creates a strong disincentive for community housing providers to prioritize the human rights of their residents or pursue alternative options to evictions. Conversely, being owned and operated by the government means that public housing is better able to tolerate greater periods of rental arrears to pursue other options than eviction and avoid evicting someone into homelessness unless it is a last resort.

To illustrate this point, a report on occupancy patterns at Unison Housing, one of Victoria's largest community housing providers, found that almost half of their tenancies

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<sup>15</sup> Ibid. s 13.

<sup>16</sup> Ibid. s 4(1)(c).

<sup>17</sup> | Victoria State Government. (2022, May). *Social and affordable housing regulation in Victoria: Final Report*, Social and Affordable Housing Regulation Review. Retrieved from '[Social-Hohttps://www.dtf.vic.gov.au/sites/default/files/2024-12/Social-Housing-Regulation-Review-Final-Report.pdf](https://www.dtf.vic.gov.au/sites/default/files/2024-12/Social-Housing-Regulation-Review-Final-Report.pdf)using-Regulation-Review-Final-Report.pdf'

<sup>18</sup> Australian Institute of Health and Welfare, *Housing assistance in Australia 2024, Households and waiting lists*. <https://www.aihw.gov.au/reports/housing-assistance/housing-assistance-in-australia/contents/households-and-waiting-lists>



ended within 18 months, with 59% of these exits attributed to rent arrears or other negative 'push factors', rather than for 'positive' reasons.<sup>19</sup> The same study found that some groups were at a heightened risk of being evicted, including those who had been previously homeless or had previously been in institutional accommodation.<sup>20</sup>

This increased risk of eviction carries serious consequences for community housing residents. It leads to isolation, disconnection from family, community and supports and can result in job loss.<sup>21</sup> Due to the barriers they face in accessing alternative accommodation, community housing residents are also more likely to be evicted into homelessness.<sup>22</sup>

## Community Housing has inconsistent rights and inaccessible policies

Within the privately-run community housing sector, policies are neither consistent nor readily accessible. In the public housing sector, the Department of Fairness, Families and Housing make their policies public. However, in our experience acting for tenants of community housing providers, there have been multiple occasions where community housing providers have failed to make policies public, if they exist at all.

This lack of transparency leads to confusion for our clients over key policies that have major impacts on them, such as those around temporary accommodation of renters in situations where major repairs forced them to relocate, and security of tenure in situations where a property might be argued to be uninhabitable.

We have seen that because of the lack of transparency and oversight, decisions about allocating tenants to properties and commencing eviction proceedings often appear arbitrary and unfair. The below case study shows what this means in practice for our clients.

Jess's story - community housing providers tries to evict woman from her grandad's home

Jess was in her mid-30s and had grown up in care, experiencing significant childhood trauma. In her adulthood, she was navigating some acute health and mental health problems.

Jess had been living with her grandfather in community housing for 2 years, in the property he had been in for over 15 years. Given she moved around so much when

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<sup>19</sup> Guy Johnson, Susan McCallum, Juliet Watson. Who stays, who leaves and why: Occupancy patterns at Unison Housing between 2014-2016 (Research Report No. 2, February 2019) 5.

<sup>20</sup> Ibid.

<sup>21</sup> Andrew Beer et al., Evictions and housing management, Australian Housing and Urban Research Institute (Final Report No 94, June 2006) 23, 30, 41-42.

<sup>22</sup> Justice Connect Homeless Law, There's No Place Like Home: Submission on the Security of Tenure Issues Paper (December 2015) 21- 27; Tenants Union of Victoria, Response to Security of Tenure Issues Paper of the Residential Tenancies Act Review (December 2015) 12-13; Victoria Legal Aid, Residential Tenancies Act Review: Security of Tenure Submission (31 December 2015) 8-10.

she was a child, Jess felt this was the only home she ever really had. When her grandfather decided to move interstate to be with family, he asked his community housing provider to transfer the tenancy to Jess.

This request was refused. Instead, the community housing provider commenced eviction proceedings against Jess on the basis that she was illegally occupying the property because she hadn't been formally registered as a tenant before the transfer request was made.

This requirement wasn't part of the community housing providers publicly available policies, nor were any other attempts made to resolve the situation before eviction proceedings commenced.

FLS were able to successfully argue for the tribunal to create a tenancy in favour of Jess, however this may not have been necessary had Jess lived in public housing - where there are clearer policies around processes for transfer requests.

**Recommendation 4: That should the demolition of the towers proceed, only public housing should be rebuilt on the redeveloped sites.**

**Recommendation 5: That no public housing tower residents should be forced to relocate to community housing without all their rights and protections available to them as a public housing tenant being preserved.**

## Lack of transparent or complete information during the relocation process is causing harm to residents

While assisting the residents of the Highett Street tower in Richmond to engage with the relocation process, residents have repeatedly informed us of their significant distress due to Homes Victoria's insufficient or inappropriate engagement with them. Residents have expressed concerns to us about:

- Misleading and/or incomplete information
- Feeling pressured to agree to relocation and accept relocation offers
- Relocation forms failing to capture human rights considerations
- Perpetual relocations (i.e. being moved to other housing towers that are also set for demolition)
- Future housing arrangements failing to meet their housing needs

### Misleading and/or incomplete information

Residents have informed us that the relocation team at Homes Victoria has often provided them with incomplete and misleading information, which compromised their ability to make important decisions about their housing. Principally residents have experienced confusion over whether, and under what circumstances, they will be able to

return to their areas following demolition and redevelopment; and the distinctions between public and community housing.

Due to Homes Victoria's failure to provide clear and accurate information on these critical issues, many residents signed relocation forms without understanding the challenges involved with their prospective return and the negative impacts of a potential shift to community housing.

#### *'Right of return'*

Residents stated that Homes Victoria often indicated they would have a 'right of return' to their building once it is rebuilt. But reference to a 'right' in this context is misleading due to the number of caveats placed upon it, and the lack of clarity over what rights and rental settings will apply to any tenancy under the redeveloped site.

Many residents were also unaware that Homes Victoria would only offer them a single option of a return to the redeveloped property, and that this offer would be conditional upon:

- The resident meeting the income and assets eligibility at the time the property is available;
- The redevelopment containing a unit that meets the resident's size requirements;
- The redevelopment containing a unit that meets the resident's access or support needs.

These conditions can prove a barrier for many as the circumstances of their lives can change to make them ineligible at the time of assessment, or the way the new buildings are constructed may exclude them - for example by not having enough 3-4+ bedroom units to accommodate larger families. This is particularly relevant given most new community housing developments are predominantly 1-2 bedroom units.

When we informed residents of these significant caveats on their 'right of return', many were worried about not being allowed to come back to the site once it's redeveloped.

#### *Distinctions between public and community housing*

Many residents were unaware that a private community housing provider, rather than the Department, could manage the redevelopments that are planned to replace the demolished towers.

Some residents stated that Homes Victoria's relocation team mentioned this potential shift to community housing but verbally communicated to them that public and community housing were the effectively the same, which is factually incorrect. Many residents were therefore uninformed about significant differences between public and community housing, namely the potential for higher rent and reduced rights afforded under community housing arrangements as explored above.

When Fitzroy Legal Service informed residents of these distinctions in their legal advice and information sessions, many expressed concern about the prospect of losing their public housing residency status due to the higher costs and inferior standards and rights in community housing.

**Recommendation 6: That Homes Victoria be required to provide will full written information in community languages that clearly and specifically outline their rights during and after the relocations process, including the differences between tenancies under public and community housing.**

### Feeling pressured to commit to agreements

Many residents informed us that they experienced undue pressure during the relocation interview and offer process, often sensing that they were required to make decisions for which they were ill-prepared. We heard multiple accounts of the relocation team at Homes Victoria arriving at residents' homes without prior notice, before engaging in immediate and substantive discussions about the relocation. Residents commonly reported that Homes Victoria did not give them adequate time to prepare, consult with support persons, or seek legal counsel in relation to these discussions. Consequently, many residents felt compelled to sign relocation forms on the spot, which they later regretted.

It is important to recognise that a significant proportion of these residents have experienced persecution and/or trauma under totalitarian regimes in their countries of origin. This past makes them more vulnerable to assertive pressure in their dealings with government authorities. Best practice would proactively manage these sensitivities by communicating to residents their options for more time, support and independent advice before making decisions that have significant impacts on their living arrangements.

Priya's story.- fear in the community due to communications around relocation..

Priya is an older resident at one of the housing towers. Before that, she struggled to find long-term affordable accommodation. She has found living in public housing very beneficial due to its security and cost. In addition, her apartment is located close to the important healthcare services she accesses. She also works in the community and has close professional and social connections with other residents: they work, exercise and socialize together.

Priya is concerned about the impact that a relocation would have on her employment and the close-knit community she has thrived in for many years. She is also troubled by the way in which Homes Victoria communicated demolition plans to residents. She observed that many neighbours were frightened and stressed when Homes Victoria sent their relocation team to knock on their doors unannounced. Her neighbours conveyed that Homes Victoria did not provide them with enough information about the relocation, nor did they provide them

with adequate opportunity to raise concerns about the plans. Many of Priya's neighbours told her they felt pressured to sign the forms, and they only agreed to do so because they believed they had no other options. Priya refused to sign the forms and is hopeful that the demolition will not go ahead.

**Recommendation 7: That Homes Victoria be required to provide every resident with information on how to access free and confidential legal advice, and that they can have the time they need to do so before they sign any forms.**

### Relocation forms failing to capture human rights considerations

In providing legal advice to clients affected by the demolition plan, we are privy to the Renter Relocation Form that Homes Victoria issued to housing tower residents - the document which collects the information Homes Victoria deems necessary to find and select appropriate housing for housing towers resident who agree to relocate due to the demolition.

It is our view that the Renter Relocation form is insufficient in gathering information that Homes Victoria would require to conduct a human rights assessment and ensure compliance with the *Charter of Human Rights and Responsibilities 2006* (VIC) before relocating housing tower residents. The Renter Relocation Form's inadequacy in this respect raises concerns about whether Homes Victoria is meeting its Charter obligations in the process of relocating residents.

Pursuant to section 38 of the Charter, when making decisions which engage the Charter rights of a renter/other household member, Homes Victoria is required to give proper consideration to and act compatibly with human rights set out in the Charter. The decision to relocate residents of the tower, as well as the decision as to where to relocate them, are both decisions which engage Charter rights. As a result, when making these decisions, Homes Victoria must consider the impact of a proposed action on our client's Charter rights prior to taking any proposed action.

Yet there are no sections in the Renter Relocation Form that identify the resident's human rights under the Charter. The form also does not ask residents to provide information Homes Victoria requires to meet its Charter responsibilities when engaging those rights.

For example, the form does not ask residents to provide information about their:

- family ties in the towers and surrounding area
- religious ties to the surrounding area
- cultural ties to towers and surrounding area
- cultural and identity-based ties to the towers and surrounding area applicable to Aboriginal housing tower residents

The Renter Relocation form only requires residents to provide their name and address (Section A), the type of housing they would like to be relocated to (Section B), where they want to live (Section C), details of their income and assets (Section E), and information on other household members (Section F). Section D puts it to residents to provide “any additional accommodation requirements”; it does not ask any direct and proactive questions about the human rights likely to be engaged by a relocation. In our view, Homes Victoria should ensure residents are specifically prompted to consider these questions when completing the form.

**Recommendation 8: That Homes Victoria be required to ask specific questions in the Renter Relocation Form to elucidate the information required for a proper assessment of a resident’s human rights under the Charter.**

### Perpetual relocations

Many residents shared with us their concerns that they would be relocated to another housing tower that is also slated for demolition, with no clear timeline on when this would occur. We have already seen this with a number of residents who have been offered relocation to apartments in the other Richmond or Fitzroy towers. Perpetual relocation will cause substantial burdens and distress to all residents of the towers. It will also cause significant financial and logistical challenges to residents who rely upon access to community services located in their area, as well as families with young children already enrolled in schools. Homes Victoria has made no offer of financial assistance to mitigate such impacts of perpetual relocations on these communities.

**Recommendation 9: That, unless specifically requested by the resident, Homes Victoria not make a relocation offer to residents that is for a property in another tower slated for demolition.**

### Future housing arrangements failing to meet the housing needs of current residents

Any redevelopments on the sites of the public housing towers need to be built for the communities who live there, this includes ensuring that building standards are large enough and have enough bedrooms for families who live in them.

Quite a few current public housing residents in the towers are large families or elderly people, and many of them are worried that they will either not be able to return to the redeveloped property because there won’t be apartments with enough bedrooms, or that they will be downsized from their current apartment size in the relocation process.

Should the redevelopment of these sites follow recent trends of community housing developments, there will likely be far fewer larger apartments (i.e. 3-4 bedroom) in the redevelopments that will replace the housing towers.

#### *Impact on multi-generational families*

Multi-generational families are common in the public housing towers, and they often rely on larger apartments to accommodate their housing needs. Should the redevelopments contain fewer large apartments, this could lead to overcrowding in the smaller units or the fracturing of these families across multiple units. This potential dispersal would have severe logistical and emotional repercussions, particularly for older residents who are dependent upon their younger family members for care. Multi-generational living arrangements also hold a cultural significance within many migrant communities. Splitting up these traditional family support structures would therefore cause considerable cultural upheaval and isolation for residents.

#### *Impact on aging Populations*

Aging populations often require larger living spaces to accommodate caregivers and home modifications (i.e. support rails, ramps, wider doors). We heard from multiple older residents who feared being downsized in the relocation process due to its potential impacts on their care-provision. We also heard that Homes Victoria allocates larger apartments based on a very narrow assessment of residents' current needs, rather than recognising that the needs of aging populations often evolve rapidly. As such, many older residents in smaller apartments may require larger apartments in the very near future. They spoke to us about their fears of going through the arduous process of a relocation, only to find the new apartment ill-suited to their changing needs, fearing long waitlists for a more suitable property and the attendant burdens of yet another relocation at an advanced age.

The case study of Dee below clearly shows how a more rounded assessment of an aging person's circumstances would see the harm caused by downsizing their apartments through the relocation process.

Dee's story.- elderly resident uprooted and downsized without adequate information.

*Dee has been living at one of the public housing towers for several decades. He is an elderly resident who feels safe and supported where he currently resides. He depends upon close access to services to assist with his disability and medical issues, and he has built enduring social connections to the community. He currently lives in a two-bedroom unit, with one bedroom vacated by the son he raised in the unit.*

*However, Homes Victoria has only offered him a relocation to a one-bedroom unit. Dee is distressed by the prospect of this downsizing, as he anticipates he will require more space for a carer in the near-future due to his advanced age and*

*disabilities. Dee signed his Relocation Form, but feels he was pressured to do so because he was not given adequate time to seek information and consider his options. He shared that many of his neighbours felt the same way, further noting that several of them faced barriers in communication due to their age and language needs. Homes Victoria has only indicated to Dee that he will be relocated to “Inner East Metro”, failing to specify which suburb he will move to.*

**Recommendation 10: The Victorian Government should survey people currently living on the public housing sites scheduled for demolition, and rebuild public housing homes that meet their needs.**

**Recommendation 11: Homes Victoria should allow for elderly resident to maintain a spare room through the relocation process, to allow for evolving caring needs.**