



Legislative Council Legal and Social Issues Committee

Inquiry: Inquiry into the redevelopment of Melbourne's public housing towers

Hearing date: 6 August 2025

Question taken on notice

Directed to: Community Housing Industry Association, Sarah Toohey

Received date: 25/08/2025

1. Aiv PUGLIELLI, p.40-41

Question asked:

Sarah TOOHEY: Yes. I am not an expert in anti-discrimination law, so I would probably have to park that piece. But I would say if a tenant feels that they have been discriminated against in an allocation process, they can complain to the service provider themselves. If they are not satisfied with the answer from the service provider, they are able to complain to the housing registrar, which is the regulator for the community housing sector in Victoria, and have that complaint investigated.

Aiv PUGLIELLI: Okay. And is it the registrar that is to enforce these selection criteria, which may differ for each organisation?

Response:

Community housing organisations each have a charitable mission to provide safe, affordable housing for people experiencing disadvantage. They are committed to inclusive practices that address the impacts of disadvantage and discrimination vulnerable people face in the private market.

Therefore, by the nature of their organisational structure and purpose, they exist to address (and not cause) discrimination.

There are also multiple layers of additional protections for renters against anti-discrimination. These include protections under contracts with Homes Victoria, regulation and anti-discrimination law. Each of these layers are outlined further below.

Homes Victoria – Allocations Monitoring

Homes Victoria funding is conditional on community housing organisations allocating all long-term homes to renters from the Victorian Housing

Register, with the majority of allocations needing to be made from the priority categories where people face the highest housing needs.

This community housing allocation data is reported publicly on the Homes Victoria website.¹

For the most recent reporting year, it shows that 83% of allocations were made to applicants in the highest priority categories and 15% of allocations were to Aboriginal households.

Victorian Housing Registrar – Performance Standards

The Housing Registrar is the dedicated regulator for the Community Housing Sector, as well as the external complaints manager for complaints from people affected by the decisions of community housing organisations. The Registrar monitors and enforces performance measures. These include a performance measure that requires fair, transparent and responsive management of eligibility and housing allocations.² Each community housing organisation's performance against performance standards is reported publicly by the Registrar.³

If an applicant felt they were discriminated against, the Housing Registrar could investigate the complaint and holds broad enforcement powers under the Housing Act. If any complaint is substantiated, they could require a community housing organisation to remedy any breach of their obligations, or take other enforcement action.

General Anti-Discrimination Protections

Community housing applicants also have access to the general protections under Victorian and Commonwealth anti-discrimination laws that make it unlawful to discriminate against a person based on a range of protected

¹ Available here: <https://www.homes.vic.gov.au/social-housing-allocations-2023-24>

² See Performance Standard 1 in the Housing Registrar's Performance Standards. Available here: <https://www.vic.gov.au/sites/default/files/2021-02/Performance%20standards%20for%20registered%20housing%20agencies%20%28NEW%29.pdf>

³ Available here: <https://www.vic.gov.au/registered-agency-performance>

attributes, such as race, age, disability, gender, sexual orientation, marital or parental status, and religious belief, among others.

If an applicant or renter believes they have been treated unfairly or denied housing because of a protected attribute, they can make a complaint to the Victorian Equal Opportunity and Human Rights Commission or, in some cases, the Australian Human Rights Commission.

2. Ann-Marie HERMANS, p.42

Question asked:

All right. So it is not anything to do with the lack of housing provided to Aboriginal Housing Victoria then?

Sarah TOOHEY: Oh, yes, it is. The social housing shortage in Victoria affects all cohorts. Aboriginal households are hit harder because they have a higher reliance on the social housing system. I think in *Mana-na woorn-tyeen maar-takoort* there is a target of 300 or 500 – I will come back to you on the exact number – new units a year to just keep up with demand in the Aboriginal community.

Response:

The Victorian Aboriginal Housing and Homelessness Framework, *Mana-na worn -tyeen maar takoort*, calls for 300 additional social housing properties a year to be built to meet the demand for social housing from Aboriginal Victorians.