

ITEM 4. COMMUNITY SERVICES GRANT – REDFERN LEGAL CENTRE – EXTENSION OF MILLERS POINT TENANT SUPPORT**FILE NO: S116523****SUMMARY**

On 19 March 2014, the NSW Government announced its decision to sell 293 social housing properties in Millers Point and The Rocks over a two-year period, impacting close to 400 residents. As at July 2016, there were approximately 55 tenants still residing at Millers Point. Many of the remaining tenants have complex support needs.

Since April 2014, the City has provided funding to Redfern Legal Centre for the delivery of tenant support, advocacy and advice services to public housing tenants impacted by the sale of social housing properties in Millers Point (the Millers Point Tenancy Service). A total of \$250,000 has been provided, with the current funding agreement due to end on 30 November 2016. In addition to the cash grant, the City has also provided regular access to space at the Harry Jensen Centre to support delivery of the service.

The Millers Point Tenancy Service has assisted 168 tenants to date. Forty-four of the 55 remaining tenants in Millers Point are clients of the service. The service has demonstrated its success in advocating for the needs of vulnerable tenants. For example, in recent months, the service has assisted in 12 appeals cases to the Housing Appeals Committee, which determines whether a formal offer of housing is 'reasonable'. Seventy-five percent (75%) of these cases have resulted in a recommendation that the offer of housing be withdrawn.

As tenants relocate, the total number clients of the service has decreased, however the complexity and intensity of service required has increased. Redfern Legal Centre has now requested an additional cash grant of \$60,000 to continue to deliver the service for another six months to 31 May 2017. This request represents an increase of \$10,000 on previous six-month grants due to increased staffing costs.

The need for the service beyond May 2017 is difficult to determine, and depends on how many people are still to be relocated at that time. It is possible that Redfern Legal Centre may seek further extensions of the grant.

In April 2016, Council also approved the allocation of up to a maximum of \$100,000 to Redfern Legal Centre over the next 24 months to support tenant support, advocacy and advice services to public housing tenants impacted by the Waterloo Metro plans. Redfern Legal Centre is currently planning the most appropriate scope and timing of this service, and will submit a plan to the City in the coming months.

RECOMMENDATION

It is resolved that:

- (A) Council approve the extension of the current grant to Redfern Legal Centre for the delivery of the Millers Point Tenancy Service from November 2016 to May 2017 to a value of \$60,000 (excluding GST); and

- (B) authority be delegated to the Chief Executive officer to amend the current grant agreement with Redfern Legal Centre.

ATTACHMENTS

Nil.

BACKGROUND

Relocation of Tenants

1. On 19 March 2014, the NSW Government announced its decision to sell 293 properties in Millers Point and The Rocks over a two-year period, including the 89 units in the Sirius Building. The decision has impacted close to 400 residents living in properties owned by the NSW Government and managed by the NSW Land and Housing Corporation.
2. The total sales estimate for all Miller's Point properties is around \$500 million. During the 2014-15 financial year, 19 properties were sold generating proceeds of over \$43 million. According to media reports, it is estimated that the NSW Government has made \$100 million from the sale of 33 properties in the five months from January to May 2016.
3. In November 2015, the Hon Brad Hazzard, Minister for Family and Community Services and Minister for Social Housing announced that 28 properties would be retained in Millers Point to allow some of the more vulnerable tenants to remain in the area. The 28 properties comprised 23 one-bedroom, one two-bedroom and three three-bedroom properties in Kent Street and Argyle Street.
4. Tenants were required to make individual submissions to be considered for relocation to these properties. Not all 28 properties have been allocated through this process. Community feedback indicates that a number of residents who wished to remain in the area did not make a submission as the properties were not suitable to their needs.
5. The relocation process has not been completed in the original two-year time frame and is continuing. As at July 2016, there were 56 tenants still residing at Millers Point. Many of the remaining tenants have complex support needs, including people who are ageing, experience disability and/or speak a language other than English.
6. Until March 2016, tenants received 'informal' offers of housing, meaning the tenant could decline an offer without any particular consequence. In March 2016, the Department of Family and Community Services (FACS) commenced making formal offers of properties. Under the formal offer process:
 - (a) tenants can receive up to two formal housing offers;
 - (b) if a tenant believes an offer does not meet their needs, they may lodge an appeal. An offer that is found to be 'unreasonable' on appeal is not counted as a formal offer;
 - (c) if a tenant declines two 'reasonable' formal offers, FACS can commence a process to terminate the tenancy. This involves a final review of the reasonableness of the offers. After that review, the tenant will either receive another offer, or a notice of termination; and
 - (d) the final stage is commencement of eviction proceedings via the NSW Civil and Administrative Tribunal. In this process, the Tribunal must evict unless there has been a procedural error, and it cannot conduct a 'merits' review of the offers made to the tenant or consider their personal circumstances.

Millers Point Tenancy Service

7. On 7 April 2014, Council resolved to approve the allocation of up to \$100,000 in cash to Redfern Legal Centre over a 12-month period for tenant support, advocacy and advice services to public housing tenants impacted by the sale (the Millers Point Tenancy Service).
8. This funding has continued with Council approving several extensions to the grant (in April 2015, November 2015 and May 2016). A total of \$250,000 has been provided by the City for the ongoing delivery of the legal service. Funding is due to end on 30 November 2016. In addition to the cash grant, the City has also provided regular access to space at the Harry Jensen Centre to support delivery of the service.
9. The Millers Point Tenancy Service has assisted 168 tenants to date and currently offers support to tenants in assessing housing offers and, where necessary, lodging appeals in relation to the offer. The service:
 - (a) provides information and legal advice to tenants who are impacted, including advice on leases, and issues with property repairs to those who are relocating. Advice is provided face-to-face and over the phone;
 - (b) prepares and distributes fact sheets and other resources for tenant information;
 - (c) runs weekly advice sessions at the Harry Jensen Centre and the Sirius building;
 - (d) advocates on behalf of tenants in ongoing negotiations relating to relocation;
 - (e) assists tenants to appeal offers; and
 - (f) assists tenants in Tribunal proceedings relating to termination of tenancy.
10. Since the service commenced, the number of tenants assisted at any one time has decreased (as tenants relocate), however there has been a corresponding increase in the complexity and intensity of advice and support required for remaining tenants. As a result, demand for a full time service has remained.
11. In the three months from 1 June to 31 August 2016, the service has provided the following on behalf of 47 tenants:
 - (a) 216 face-to-face advices to tenants and 107 telephone advices;
 - (b) attended 28 meetings between tenants and FACS;
 - (c) advocated to FACS and other government agencies on behalf of tenants in 203 instances of advocacy; and
 - (d) assisted with 12 appeals to the Housing Appeals Committee.

12. The Housing Appeals Committee determines whether a formal offer of housing is 'reasonable' or not when a tenant lodges an appeal. In the 12 appeal cases that the Millers Point Tenancy Service has assisted, 75 per cent have resulted in a recommendation that FACS withdraw the offer.
13. Redfern Legal Centre has now requested an additional cash grant of \$60,000 to continue to deliver the service for another six months to 31 May 2017. This request represents an increase of \$10,000 compared to previous six-month grants. The Centre advises this is due to an increase in staffing costs associated with incremental wage increases under the Social, Community, Homecare and Disability Services Award 2010, which they have been able to absorb to date.
14. Redfern Legal Centre has advised that the demand for a full time case worker for the service remains high, with approximately 55 tenants remaining in Millers Point, 44 of whom are current clients of the service. These tenants require more legal support as the process of formal offers continues, and more intensive assistance due to complex support and relocation needs.
15. Redfern Legal Centre has limited capacity to absorb the service into its current functions, and has estimated that it would only be able to continue to support up to four cases, some limited phone advice and occasional advocacy (depending on availability) without additional funding.
16. The \$60,000 grant would continue to provide a full-time case worker for the service to May 2017.
17. The ongoing need for the service beyond this six-month period is difficult to determine as it is dependent on the number of people who are still to be relocated in May 2017. It is possible that Redfern Legal Centre may seek an additional extension of the grant at that time.
18. In April 2016, Council also approved the allocation of up to a maximum of \$100,000 to Redfern Legal Centre over the next 24 months to provide tenant support, advocacy and advice services to public housing tenants impacted by the Waterloo Metro plans.
19. Redfern Legal Centre is currently planning the most appropriate scope and timing of this service, considering announcements made by the NSW Government to date and the much larger number of potentially affected social housing tenants. The Centre will submit a plan to the City in the coming months for the commencement of this service.

KEY IMPLICATIONS

Social / Cultural / Community

20. Extension of this grant will continue the support for the most vulnerable Millers Point residents affected by the relocation at the most complex stage of the relocation process.

BUDGET IMPLICATIONS

21. Budget for the grant extension is available within the City's 2016/17 Grants and Sponsorship Budget.

CRITICAL DATES / TIME FRAMES

22. If funding is not extended the service will cease on 31 November 2016.

ANN HOBAN

Director City Life

Christine McBride, Manager Social Programs and Services