

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 March 2017, there are approximately 39 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 \$310,000 has been provided, with the current funding agreement due to end on 31 May 2017. 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 169 tenants to date. The service has supported many of these clients through the process of reviewing and accepting offers from NSW Family and Community Services (FACS) Housing of alternative housing in other areas.

The service continues to demonstrate its success in advocating for the needs of vulnerable tenants. Thirty-seven of the remaining 39 tenants in the Millers Point area are clients of the service. The service has supported many of these clients in applications to the Housing Appeals Committee where clients believe that formal offers of housing have not been reasonable. In 60 per cent of the cases where Redfern Legal Centre has assisted tenants to appeal, the offer has been found to have been unreasonable.

As tenants relocate, the total number of 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 30 November 2017. This request is the same as the previous grant amount approved by Council on 21 November 2016.

The need for the service beyond 30 November 2017 is difficult to determine and depends on how many people are still to be relocated at that time. Redfern Legal Centre may seek further extension of the grant.

On 11 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 April 2018) to support tenant support, advocacy and advice services to public housing tenants impacted by the Waterloo Social Housing Renewal and Metro plans. Redfern Legal Centre has advised that it would not be effective to establish a tenancy service in the Waterloo area at this time. However, the centre continues to monitor the need in the area to assist in planning the most appropriate scope and timing of this service. Redfern Legal Centre will submit a funding request and a plan for the start-up of the service when it is timely to do so. If this occurs prior to April 2018, funds will be made available in accordance with the April 2016 Council resolution. After April 2018, if funding was required, Redfern Legal Centre will be asked to make a new grant application under the Community Services Grant Program.

RECOMMENDATION

It is resolved that:

- (A) Council approve the extension of the current cash grant to Redfern Legal Centre for the delivery of the Millers Point Tenancy Service from 1 June 2017 to 30 November 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. According to a NSW Government media release, a total of 136 Millers Point properties have been sold to date, generating proceeds of \$390 million.
3. The relocation process has not been completed in the original two-year time frame and is continuing. As at March 2017, there are 39 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.
4. Until March 2016, tenants received 'informal' offers of housing, meaning the tenant could decline an offer without any particular consequence. In March 2016, NSW Family and Community Services (FACS) Housing 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; it cannot conduct a 'merits' review of the offers made to the tenant or consider their personal circumstances.

Millers Point Tenancy Service

5. 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).
6. This funding has continued, with Council approving several six-month extensions to the grant as follows:
 - (a) \$50,000 in April 2015;
 - (b) \$50,000 in November 2015;
 - (c) \$50,000 in May 2016; and
 - (d) \$60,000 in November 2016.

7. A total of \$310,000 has been provided by the City for the ongoing delivery of the legal service since April 2014. Funding is due to end on 31 May 2017. 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.
8. The Millers Point Tenancy Service has assisted 169 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;
 - (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.
9. 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.
10. In the three months from 1 December 2016 to 28 February 2017, the service has provided the following on behalf of 35 tenants:
 - (a) provided 153 face-to-face and 203 telephone advices to tenants;
 - (b) attended 25 meetings between tenants and FACS;
 - (c) advocated to FACS and other Government agencies on behalf of tenants in 221 instances of advocacy; and
 - (d) assisted with six appeals to the Housing Appeals Committee.
11. The Housing Appeals Committee determines whether a formal offer of housing is 'reasonable' or not when a tenant lodges an appeal. In the appeal cases that the Millers Point Tenancy Service has assisted, 60 per cent have resulted in a recommendation that FACS withdraw the offer.
12. Redfern Legal Centre has now requested an additional cash grant of \$60,000 to continue to deliver the service for another six months to 30 November 2017. This request is the same as the previous grant amount approved by Council on 21 November 2016.
13. The \$60,000 grant would continue to provide a full-time case worker for the service to 30 November 2017.

14. Redfern Legal Centre has advised that the demand for a full-time case worker for the service remains high, with appropriately 39 tenants remaining in Millers Point, 37 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 is required 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 three to four cases, some limited phone advice and occasional advocacy (depending on availability) without additional funding.
16. 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 November 2017. The ongoing need for the grant will be reviewed at the three-month point (end August 2017) to consider whether the service is still required and whether the level of service could be reduced at that point. It remains possible that tenants continue to reside in the Miller's Point area after November 2017, and that Redfern Legal Centre may seek an additional extension of the grant at this time.
17. On 11 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 April 2018) to support tenant support, advocacy and advice services to public housing tenants impacted by the Waterloo Social Housing Renewal and Metro plans. Redfern Legal Centre has not yet submitted a plan for the service or a request for the funding to commence.
18. Redfern Legal Centre is monitoring the need in the area to assist in 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. Redfern Legal Centre has advised that it would not be effective to establish a tenancy service in the Waterloo area at this time, as the plans for the area and impact on tenants are not yet clear enough to support effective service delivery. Redfern Legal Centre will submit a funding request and a plan for the start-up of the service when it is timely to do so. If this occurs prior to April 2018, funds will be made available in accordance with the April 2016 Council resolution. After April 2018, Redfern Legal Centre will be asked to make a new grant application under the Community Services Grant Program.

KEY IMPLICATIONS

Social / Cultural / Community

19. 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

20. Budget for the grant extension is available within the City's 2016/17 and draft 2017/18 Grants and Sponsorship Budget as follows:
 - (a) 2016/17 - \$10,000; and
 - (b) 2017/18 - \$50,000.

CRITICAL DATES / TIME FRAMES

21. If funding is not extended, the service will cease on 31 May 2017.

ANN HOBAN

Director City Life

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