



nsw Federation of
Housing Associations inc

Housing Associations Meeting

19th August 2005

Report

Prepared by Andrew Meehan

Content

- 1. Introduction**
- 2. State Council decisions for sector endorsement**
 - 2.1 Code of Practice
 - 2.2 State Council Elections
- 3. Sector operational issues**
- 4. Reshaping public housing**
- 5. CHLP interim changes**
- 6. Stock Transfers – lessons learnt, next steps**
 - 6.1 The Mudgee Experience
 - 6.2 The Stock Transfer Program
- 7. Registration – providers experiences**
 - 7.1 Western Plains Housing Scheme
 - 7.2 Wentworth Area Community Housing
- 8. Legislation consultation**
- 9. Evaluation**
- 10. Attendance**
- 11. Next Meeting**

1. Introduction

The Federations' second housing associations' meeting for the year was held in Sydney at the Mecure Sydney on the 19th August. The meeting, preceded by a meeting of the Housing Associations Directors Network, was attended by 37 representatives from 31 housing associations across the state.

There was a full agenda with key sessions on the Reshaping Public Housing changes, the CHLP review, Registration and, Legislation for community housing. There was a focus on seeking feedback from the sector on these issues and communicating that to OCH.

There were also a number of issues raised in the Sector Operational Issues session, with considerable discussion around them. Input from members on these issues and the other agenda items informs the Federations' position, thinking and planning.

This report follows the agenda of the meeting, includes some of the discussion around the agenda items and reports back on further developments or intended actions arising from them.

2. State Council decisions for sector endorsement

The purpose of this session was to seek members' endorsement of two State Council decisions. The decisions were in relation to the Code of Practice for housing associations and State Council elections.

2.1 Code of Practice

At the August housing associations meeting in 2004, the Federation undertook to review the role of the Code of Practice.

The review considered the role of the Code in light of a significantly changed operating environment from when it was developed – the introduction of accreditation; registration; the OCH Complaints policy; and the Community Housing External Appeals System on the role of the Code.

A discussion paper was subsequently sent to members earlier this year along with a survey seeking their input. State Council has now considered the review and feedback provided by members.

Andrew outlined the process for the review and the decision that State Council had made in relation to the ongoing role of the Code. This decision was put to the sector for discussion and endorsement.

2.1.1 Code of Practice proposal

The following proposal is put forward for member endorsement.

- That the role of the Code as a quality assurance tool be dropped
- That the Code is retained as a set of principals against which stakeholders can complain
- That the Code is amended in the following ways:
 - To recognise that accreditation is the key tool for quality assurance
 - As a set of commitments/principals providers agree to uphold

- That the commitments/principals are clarified and streamlined for complaints purposes

Andrew outlined how the Code would be amended if the proposal was endorsed. Currently each principal has two roles – to guide the adoption of good practice and to allow complaints. The amendments would reflect the refocused complaints role where each principal would be simplified to allow a clear, streamlined complaints process.

2.1.2 Discussion

Members acknowledged the significantly changed operating environment from when the Code was developed. There was general consensus that the Code was no longer fulfilling its' original role in the current form, particularly in relation to quality assurance as this has been supplanted by accreditation and registration.

One member questioned whether there was still a need to retain the Code given that OCH have developed a complaints policy and the good practice role of the Code has been supplanted. Adam explained that while the proposal is that the quality assurance role be dropped, the Code would be retained as a complaints mechanism. Having a sector complaints mechanism where providers agree to a set of principals against which stakeholders can complain, was different to having an external complaints mechanism administered by government. The review had shown that some organisations used the Code to promote their organisation to potential partners or other stakeholders in the community. In this way it set down clearly the principals by which they agree to adhere to and against which people can complain.

Another member asked whether organisations would need to re-adopt the Code. Adam indicated that they would but that the process would not include going through their policies to test their practice as has previously been the case.

2.1.3 Proposal endorsed

The proposal outlined in 2.1.1 was then endorsed by members.

2.2 State Council Elections

At the August Housing Associations Meeting last year Karen Andrew from State Council discussed the need to consider changes to the way members were elected to State Council.

The issues are that:

- State Council has been concerned that there may be some barriers to members putting themselves forward for SC in the way that elections are currently structured.
- SC is also concerned to ensure that the range of expertise needed to guide what has become a complex organisation is available for the next election.
- The expectations of State Council members may need to be clarified

Some preliminary proposals were then discussed at the February meeting this year where the sector provided further feedback. The Federation undertook to present a proposal for the 19th August meeting for members to consider.

2.2.1 State Council Elections proposal and endorsement

The following proposals were agreed by SC 21st February 2005. Adam discussed the proposals and sought a member vote on each.

- 1) To develop criteria (related to expertise) for State Council applicants to address as information for voters, but not a screening process. Candidates will be asked to apply against these criteria and their response will be available to the voters

Members voted in favour of proposal 1.

- 2) The President continues to be directly elected by the membership, but any nominees for the position of President must be currently on State Council. *(need to develop a plan if no current SC member wishes to nominate as President?)*

Members voted against proposal 2.

- 3) All members of State Council, other than President, will be elected directly by membership – after which, the newly elected State Council will elect the Vice-President, Treasurer and Secretary. *(This change is proposed to encourage more people to nominate for State Council, without the intimidation of having to nominate for a particular position, ie; executive).*

Members voted against proposal 3.

- 4) Candidates for State Council can only be nominated by member organisations which have signed up for the Code of Practice and are accredited *(once all organisations have had the chance to become accredited).*

Members voted in favour of organisations having to sign up to the Code but against having to be accredited.

- 5) Change the Rules of Association to allow members of State Council to receive payments from the Federation, only if:
 - There is a clear need for the service
 - It is value for money
 - The processes used for appointment are transparent.

Members voted against proposal 5.

3. Sector operational issues

This is a standing agenda item for housing associations meetings. Operational issues raised by providers are logged by the Federation for open discussion by members at the meeting.

3.1 Funding agreement

Members raised a number of concerns with the Funding Agreement:

- that the OCH Disability Policy should not be on the funding agreement as there is no processes from OCH to make funds available to implement it;
- the asset management plan has changed from 10yrs to 20yrs
- that there is a need for agreement that funding is assured while the Funding Agreement is being discussed
- the clause relating to advance funding should be based on quota

- the clauses relating to insurance of leasehold properties and indemnity need changes

3.1.1 Action/update - The Federation has raised the above concerns with OCH. The Office subsequently issued an addendum to the Agreement to address these issues. The Federation will be seeking greater consultation prior to future funding agreements being issued.

3.2 Asset maintenance and ability to meet it

General concern was raised from members about their capacity to meet asset maintenance plans.

3.2.1 Action/update – The Federation will continue to raise this issue with OCH particularly in relation to the CHLP review.

3.3 Access to HACC funding for modifications

This issue was raised in relation to transfers.

3.3.1 Action/update – the Federation will liaise with OCH to seek clarification on this issue.

3.4 Community Housing standards

The question of what the community housing property standards are was raised. Mixed advice has been provided by the Office. There was also some discussion around the need for the sector to develop uniform standards, particularly to use to decide whether to accept transfers. These could be linked to the asset management plan.

3.4.1 Action/update – The Federation will seek clarity around community housing standards.

3.5 Union OHS campaign

Given that the union OHS survey results have now come out, one member asked that the working group is re-activated.

3.5.1 Action/update – the Federation will re-convene this group following the unions' meeting with OCH.

3.6 Upper Hunter Tenancy Scheme concerns

John Musumeci discussed some serious concerns in relation to funding and the PBR process. He informed members that his organisations' funding has been decreasing steadily over the past 4 years to a point where they are finding it difficult to maintain their service. John reported that this has resulted in a low registration grade for which they would find it difficult to address as they are not eligible for new funding opportunities. Finally John reported that he believes that this is part of a move to force smaller organisations to amalgamate.

4. Reshaping public housing

Maura Boland, Executive Director Office of Community Housing

Maura was asked to discuss the Reshaping Public Housing changes and what these may mean for community housing.

Maura began by outlining the Reshaping Public Housing changes.

The new policy will be implemented in full from 1st July 2006 and will apply to new applicants from 27th April 2005. Maura reported that the Department has

commenced work to operationalise and implement the changes. OCH is working with the DoH eligibility team to understand and influence changes.

Included in the changes are the introduction of fixed tenures; a new rent structure; the introduction of water charges; the provision of support services from other key agencies; the development of a portfolio strategy and; annual market rent review.

Fixed tenure

Under this change there will be three types of fixed term leases – short, medium and long-term. At end of fixed term, tenants are assessed against the eligibility criteria. The Department is looking at amendments to the Residential Tenancies Act to allow for variations to agreement during the long-term lease, exemptions from LTO registration. Implementation of the new tenure policy started 1st July 2005 and will be implemented in full from 1 July 2006. Tenants housed up until 30 June 2005 not affected.

New rent structure

From November 2005, moderate income household rents will be tapered from 25→30% rather than the current 25%. Family Tax Benefit will also be assessed at a new level of 15%. This will be implemented as 1% increases every 6 months. Market rent will now be done annually from July 2005.

Introduction of water charges

From November 2005, public housing tenants will be responsible for paying for their water usage (subject to legislative change). For separately metered properties tenants will pay for what they use. For non-separately metered properties tenants will pay a water usage charge that covers the cost of the water they use. This will be based on a percent of net rent, so will reflect household size. It will be capped so that the Department does not collect more than the total charges. There will be separate arrangements for special needs tenants (eg. dialysis patients). Tenants will not be responsible for water for gardens, etc.

MOU

A consolidated Memorandum of Understanding (now called an Accord) will be introduced at a Human Services CEO level. This will articulate the roles and responsibilities of each agency in the provision of services to tenants in social housing. This will support and enhance existing arrangements like JGOS, HASI, Police MOU as well as local arrangements and commits government agencies to working with each other, and to working with their NGO partners to support the intent.

Portfolio Strategy

The portfolio strategy is designed to provide a long-term view of the Department's portfolio. It will involve a realignment to better match stock to clients and will guide the quantity, location and characteristics of asset activities and budget allocations. It will also provides direction for Local Asset Management Plans through which the Strategy will be implemented. The community housing portfolio will be included, but has not been factored in yet. It will need local interpretation with CH providers.

What impact will these changes have on community housing?

New Minister has not yet been briefed so application to Community Housing has not been determined. OCH is represented on Department of Housing committees to ensure that potential issues for community housing are considered.

The Office is seeking providers' feedback on issues or concerns that they have around the impact these changes might have on Community Housing. Particularly in relation to implementation issues from changes to eligibility criteria; tenure policy; water usage charges; and rent charges. There has been some discussion to date that has explored alternate rent models for community housing. The Office is awaiting advice from the new Minister on further consultation with sector.

Discussion

One member asked Maura what view the Office had of the changes and their applicability to community housing. Maura said that at this stage the Office hasn't formed a view. Another questioned whether market based rents was something OCH or the Department were looking at. Maura responded that these changes suggest that the government won't be looking at that. Another member asked if there had been work done on the assessment criteria for when people reach the end of a fixed term. Maura reported that some work had been done but that it wasn't finalised. The issue of what impact such assessments would have on staffing was raised with one member questioning whether any work had been done on the costs of administering high turnover tenants.

One member asked whether any modelling had been done around what would happen if market rent renters were to go, with another questioning whether rent setting policy would be revisited. Maura undertook that if any changes were going to apply to community housing then rent policy would be reviewed. Concern was expressed by one member about the impact of tenure policy on estates, particularly around capacity and community building. A member asked whether upgrade money for community housing would be linked to something. Finally a member asked whether there would be any tenant consultation around the changes applicability to community housing. Maura undertook to take these issues back to the reference group.

Action - State Council will consult with the sector to develop a position on the changes.

5. CHLP interim changes

Maura Boland, Executive Director Office of Community Housing

Maura was asked to provide an update on where the CHLP review was up to and outline the interim changes that have been implemented.

Update on the Review

Maura began by reporting that the Office had reviewed and analysed the Activity Costing Surveys completed by providers. The focus of the analysis was on staff and operating costs, capital portfolio costing, leasehold maintenance, leasing subsidy and RBB median.

In relation to *staffing and operating costs*, they found there to be gaps between subsidies paid and actual expenditures reported for the capital portfolio. The cost increases exceed income in the *capital portfolio* limiting the capacity to reserve funds for planned maintenance. Analysis of *leasehold maintenance* expenditure revealed that 8 of 42 providers in 2003/04 were over the benchmark resulting in a total over expenditure of \$50 800. In addition, one rural provider exceeded the RBB cap in 2003/04 and some issues were raised over the standard of properties leased under the current arrangement.

Options explored

Some of the options OCH considered to address these issues were whether *capital contributions* should be a flat rate or not; whether *salary subsidies* should be linked to SACS Award or CPI changes; if there is another mechanism more appropriate than RBB to benchmark leasing subsidy; whether adjusting leasehold maintenance subsidy by CPI changes is still appropriate; and comparing providers' expenditure with their peers.

Interim Measures

- Total change across the sector: \$1.21M
- Staffing subsidy increase of 7.73% based on wages CPI changes
- Increases will vary according to organisation size. For example, a provider with 30 properties = \$2,400 p.a, a provider with 600 properties = \$26,500 p.a
- Total funding change across the sector: approximately \$493,000 p.a.
- Capital Contribution Adjustments:
 - Contribution rates linked to capital portfolio annual rental income
 - Four levels of contribution: from \$200 per capital property p.a. to \$900 per property p.a.
 - 30 providers will have a reduction in contribution, others remain unchanged
- Leasing Subsidy Adjustments:
 - Aligning subsidy calculation with actual expenditure
 - Minimise the need for substantial subsequent adjustments
 - 35 providers will have an upward adjustment, others remain unchanged
 - Total change across the sector: \$1.66M in cash flow
- Leasehold Maintenance Adjustments:
 - Current annual allowance to be reduced: \$343 to \$260 per leasehold property
 - New amount based on average expenditure reported
 - New arrangement for reimbursement of justifiable over-expenditure
 - Total change across the sector - \$409,000 reduction in advanced payment, \$179,000 potential reimbursement requests
- 2% Vacancy Allowance – Deletion
 - Current funding calculation has made provision for rent loss through vacants

- The formula = rent paid to landlord less rent charged to tenants divided by the leasing subsidy (* in the case of a vacant dwelling, there is no rent charged to the tenant.)
- Total change across the sector: \$460,000
- Summary of Interim Changes
 - Total funding change for 2005/06 \$2.66M
 - Increase \$3.53M
(salary, reduced contribution & leasing subsidy)
 - Reduction \$0.87M
(leasehold maintenance & vacancy allowance)
 - Impact on providers - all providers will receive an increase in funding

What next 2005/06

- CHLP Review Stage 2
 - Rebuild the operating and staffing subsidies sliding scales;
 - Determine the appropriate rate(s) of capital contribution;
 - Explore the need for other allowances not previously identified;
 - Understanding the impact of reshaping public housing;
 - Investigate other rent models

Discussion

One member reported that their organisation uses the 2% vacancy allowance to cover other expenses. Maura responded that overall viability is a critical issue in the whole strategy and the Office will look at this issue as part of the ongoing review. Another asked whether any organisation received an increase that wasn't at least in line with simple CPI increases. Maura indicated that there had been. One member said that the purchase of a photocopier can ruin their budget for the whole year. Another asked why capital contributions were taken at all. Maura responded that if an organisation is given a capital property they should be able to pay for the operating costs and make a surplus.

6. Stock transfers – lessons learnt, next steps

6.1 The Mudgee Experience

Karen Andrew, Central Tablelands Housing Association

Karen began by outlining some of the achievements to date in the transfer process.

A local project team involving OCH, Housing Services and Central Tablelands has been formed, with a collaborative relationship between all partners. This has involved a co-location of offices and the development of local processes. Extensive consultations with tenants and the community have been undertaken with misinformation and tenant fears being managed. Privacy and confidentiality in relation to tenant records has been adhered with permission

sort from every DoH tenant before passing on information to Central Tablands. Property scoping and maintenance backlog work has been undertaken by CTHA contractors. To date there has been no adverse publicity. The process has highlighted the policy implications for the stock transfer program with experiences in Mudgee feeding into policy development of the program.

Karen reported (as at August 16) the total properties with tenants that had agreed to transfer were 119 (from 265 – 44.9%). Of those, 79 had been transferred, 34 were in process, 6 were vacant awaiting transfer, 9 tenants decisions were still pending and 39 interviews were pending. There had been 53 rejections (33 after an interview, 20 without and interview). A further 26 tenants had refused to sign the authority form giving DoH permission to pass on their information to CTHA. There had been no feedback received from 19 tenants.

Intensive work with tenants

The initial focus was on obtaining authority forms from DoH tenants. A total of 87 homes door knocked by Housing Services with 50 forms completed and 22 forms left with call notes. 15 tenants refused to sign the form.

Between May and June 102 home visits were conducted. 79 of these were in teams of 2 (OCH and CTHA) and 23 involved CTHA staff only. In this time, 26 tenanted transfers occurred, 44 agreed to transfer and 18 wanted more time to think. 14 tenants refused to transfer.

Challenges

A key difficulty underpinning the whole process has been that there is no precedent to follow. Communication, predominantly with tenants has been an ongoing challenge. The process and consistency around working with the assets has also presented difficulties particularly in relation to reaching agreement on standards and scope approvals. The timeframe for conducting the transfers and the pace of change have placed a large burden on the organisation in terms of staff time.

Other challenges have involved confidential and privacy issues; barriers around processes (eg closure of waiting list); managing differences (eg decision making, expectations); standard of properties (eg maintenance and tenant damage); and management of the project on limited resources.

Lessons learnt

Karen conveyed that it is important that housing associations understand what they're signing up for and to ensure they have agreement up front and in writing from OCH and Public Housing. Staff of the housing association should be fully briefed and included as part of the team. In commencing the process the time required to complete transfers should not be underestimated and you have to move at the tenants pace. Checking all scopes and negotiating with assets over work required on properties to bring them to standard can also be very time consuming.

Karen then highlighted some further ways of addressing some of the difficulties associated with the process:

- set realistic timeframes for tenant consultations
- appointment of project manager

- extensive upfront project planning
- additional time spent on implementation stage
- understand resource & timing implications
- analysis of asset implications and agree on processes and timeframes with asset dept
- dedicate a staff resource to manage the scoping negotiations/approvals and claims when work is completed if done by the organisation
- clear policy directions and operational framework

Finally, Karen outlined the next steps for the Mudgee transfer including the implementation of the property maintenance and upgrading plan; revising the project plan; reviewing the communication strategy; continuing intensive one-on-one tenant follow-up; obtaining commitment to resources from the Department; revise the project end date; and providing input into alternate management/fee for service models.

Discussion

One member asked whether CTHA had received any costs upfront. Karen reported that they hadn't. Another member asked about whether the community housing provider is able to do the scoping with the Department as their organisation had difficulties in attaining agreement from DoH. An OCH representative suggested that once the steering group was formed with all the partners, they were able to push the whole project forward and work through issues such as scoping.

6.2 The Stock Transfer Program

Sandy Quealy, Project Manager Community Housing Stock Transfers

Sandy was asked to provide an update of work done on the Stock Transfer Program

Program overview

Sandy indicated that the work the Office is currently undertaking is to set down the objectives and policy principles of tenanted stock transfers. The targets under the current CSHA (until 2008) are for 2500 transfers. As at June, 170 transfers had been completed. The Office is looking at a range of issues such as strategic location and provider selection; divisional stock transfer plans; role of registration performance; stock reflective of Divisional portfolio; and links to and influenced by DoH reforms. They are in the process of formulating draft policy principles and procedures manual which will be informed by Mudgee.

Policy principals

A key principal of the program is the maintenance of tenant rights and entitlements. The following principals have been adopted to achieve this:

- principle of no forced transfers (if there is no agreement by the tenant an alternative arrangement will be made)
- objective is to realise agreed property transfer target of 2500
- transfer under HA policies and conditions with 4 exceptions:
 - Transfer/re-housing
 - Pets
 - 18% rental subsidy cap
 - Water usage charges

- gain tenant consent to disclose information
- sound, clear and consistent communication

Property condition & work principals

- there will be maintenance and backlog funding made available
- Property Assessment Surveys/scopes:
 - Asset condition (maintenance backlog) standard
 - Accredited assessors
 - Presence of HAs
 - Generally before transfer
- bringing properties to standard:
 - Generally after transfer
 - Role of HA

Discussion

One provider asked if OCH will look at future liabilities. Sandy said that they would be looking at that over the next 5yrs. Another conveyed that a lot of the liability comes after 5yr period and asked if OCH could take that into account. Sandy responded that the Office would need to consider what happens after that period of time. Karen suggested that it is important for organisations to do their own risk analysis. If there are concerns that taking on transferred properties might affect viability then organisations shouldn't accept them.

7. Registration – providers' experiences

7.1 Western Plains Housing Scheme, Barbara Brown, Executive Officer Overview

Barbara conveyed that Western Plains Housing Scheme currently has 52 properties – 22 leasehold, 8 capital. They are largely 2 bedroom units with predominantly elderly tenants. The organisation loses approximately \$9 500 per year. They have attained 3 years accreditation and are winners as part of the Western Housing Alliance of NSW Awards for Excellence in Community Housing in the Excellence in Creative Solutions category.

The registration process involved the presentation of evidence; a 'reality check'; and supplying further evidence and costing activities.

Registration result

1. Community housing tenants and people seeking community housing are treated fairly and, where appropriate, have access to appropriate support. GRADE – A

GRADE – A

2. Community housing properties are appropriately used and maintained through clear and effective property and tenancy management practices. GRADE – C

GRADE – C

3. Community housing organisations are innovative and responsive to the needs of the tenants and the local community. GRADE – A

GRADE – A

4. Clear and effective arrangements exist for internal control and transparent decision-making, which are appropriate to the scale and scope of community housing operations. GRADE – A

GRADE – A

5. Appropriate systems are in place to identify and manage financial and non-financial risks that could have significant impact on community housing operations. GRADE – B

6. Appropriate arrangements are in place to ensure the organisation is accountable to stakeholders. GRADE – A

7. The community housing organisation is a viable business, with adequate recourse to financial resources to meet current and future business and financial commitments. GRADE – C

8. Appropriate systems are in place to protect the public investment in community housing by ensuring that funds received are used efficiently. GRADE – B

9. Appropriate arrangements are in place to ensure funds received are used for the purposes for which they were provided. GRADE – B

The next step

Barbara conveyed that her organisation was informed by the Office that they needed to rectify the serious performance issues through a Performance Improvement Plan. This will be intensively monitored for satisfactory resolution of the concerns. Failure to address the concerns through the PIP will mean that deregistration will commence.

What has been forgotten?

Barbara outlined what she felt the Office has forgotten in the registration process:

- Choice – an alternative to the impersonal bureaucracy of the public housing system
- Local – need, knowledge, appropriate locations, flexibility, management
- Responsive – ensures housing is appropriate to tenant's needs
- Participation – tenants participate in the decision making

7.2 Wentworth Area Community Housing, Nick Sabel, Executive Officer
Nick reported that their organisation went through accreditation directly prior to registration which proved to be useful. The organisation was able to use a lot of the information for registration. Registration was in some instances easier to prepare for than accreditation as the outcomes were very specific and we could decide what info we used as evidence. The registration result was 7 A grades and 2 B grades. They were surprised that they got a B as they thought that they were viable. As they were told that they weren't, it prompted them to appeal.

The key questions asked by the Office were around how the organisation would fund future liabilities; and administration costs as they had gone up over the last few years. They decided to present more information and questioned some of the data analysis. The grades were reviewed in light of the appeal and the 2 B grades were revised to As.

Through the process, the organisation has learnt about what sort of information the Office wants and how it should be presented. OCH have also learnt about community housing business. Concerns about the benchmarking remain.

Discussion

One member commented on the time it takes providers to go through paper work if OCH make a mistake on data analysis. In answer to a question about the reality check, Barbara informed members that they were given 5 days notice of OCH coming to talk to the board. This didn't allow time for the board to discuss the draft report. Barbara also indicated that they had written to OCH prior to the registration process reporting that they weren't viable. One member asked how the office can judge their viability when they fund the sector.

Mark Reader from the Office conveyed that they had not meant to give the impression that amalgamation is the only option being put forward and apologised for giving that impression. He indicated that if the Office receive a lot of appeals, particularly from small organisations then they will have to consider that. OCH are looking at getting a consultant to look at peoples experiences of the registration process.

8. Legislation

Michael Brookes, ARTD Consulting

ARTD were engaged by OCH to consult with the sector on their requirements for legislation which recognises community housing. He was invited to the HAM to discuss what has emerged from the consultations with the sector to date and seek further feedback from it.

Consultation process

Michael began by outlining the consultation process. This involved the development of a Scoping paper; round 1 consultation on the scoping paper; the development of an Options paper; Round 2 of consultation on the Options paper; and writing a Final report. This process will inform the Drafting of legislation.

Michael then outlined the key components of legislation that have emerged from consultations to date for discussion. The main objectives of which are: to provide legislative recognition to community housing; to manage risks; and to improve sector capacity.

The *principals* that have emerged are that the sector should be arms-length from government; that there should be a risk-based approach to regulation; the regulatory code should be outcomes-based; regulation should adhere to the principals of procedural fairness and transparency; government should adopt a co-regulation principal with the sector; legislation should enhance and encourage innovation and growth; and there should be flexibility to adapt to change.

Community housing definition

Michael presented a definition of community housing for the purposes of legislation which was an option that emerged from consultations. He emphasised that the definition is only one option which will require further discussion and potential amendment.

Community housing is a form of housing tenure or transitional accommodation which provides enhanced access to and security of appropriate housing or

accommodation for low to moderate income or special need people, on the basis that the provision:

- *Is undertaken at arms length from government*
- *Ensures profits or operating surpluses generated from the community housing activities are re-invested in community housing*
- *Contributes social capital to the community in which the housing or accommodation is provided*

Definition of community housing providers

Another component of legislation would be to define what a community housing provider is. The following definition emerged from consultations:

A community housing provider is a legally incorporated body established for the purpose of, or has among its objects or business priorities, the provision of community housing AND is registered under the community housing regulatory code

Regulatory function of legislation

Michael outlined the two options for who would be the *Lead regulator* - Director-General Dept of Housing or a *Statutory position*. Registration within the regulatory framework could encompass a Community Housing Register; different categories of registration; application for registration; inspections; procedural fairness and appeals; and funding agreements, contracts and partnerships. In terms of intervention Michael described a tapered approach with ongoing performance monitoring and periodic inspections; the publishing or comparative performance information. In cases where organisations were not meeting performance benchmarks, intervention would escalate according to the level of risk. This would commence with the issuing of a 'Notice of concern'. This would be followed by the issuing of a 'Notice of intent to deregister'; issuing a 'Notice of deregistration'; deregistration; and the appointment of an interim manager.

Discussion

One member commented that the sector was only given 2 days notice for the scoping paper consultations. Michael conveyed that he had been given very tight timeframes to work with but that the Office was handling the organisation of consultation workshops. Another indicated a preference that OCH not be the regulator as there was a fundamental problem in having both a regulation and funding role.

One member suggested that the objects should include the growth and viability of sector with another adding that some of community housings values might also be captured. Values such as those described by Barbara Brown in the Registration session - Discussion continued around including the three forms of social housing there to delineate them.

9. Evaluation

The meeting is evaluated via evaluation sheets distributed at the meeting. These help the Federation plan future meetings so that they meet the needs of members.

15 evaluation sheets were completed and returned. In rating overall satisfaction with the meeting, 4 thought the meeting was 'OK', 10 thought that it was 'good' and 1 thought that it was 'excellent'. In terms of the usefulness of the presentations, 1 felt that they were 'not that useful', 2 thought they were 'OK', 9 thought they were 'Good' and 4 thought they were 'Excellent'. In rating the usefulness of discussions 3 thought they were 'OK', 7 thought they were 'useful' and 5 thought they were 'excellent'. Registration, the CHLP Interim changes and Stock Transfers sessions were the most popular sessions and listed as future topics to explore further.

10. Attendance

Karen Power	Albury Community Housing
Brian Murnane	Argyle Community Housing
Chris Benton	Argyle Community Housing
Charles Deligianas	Burwood Area Community Housing
Karen Andrew	Central Tablelands Housing Association
John Grice	Coastal Community Tenancy Scheme
Lesley Bennet	Coastal Community Tenancy Scheme
Anne Grice	Coastal Community Tenancy Scheme
Frank Birkefield	Community Housing Mid North Coast
Mohamed Ibrahim	Cumberland Housing Co-op
James Heywood	ESRHA
Pam Pryor	ESRHA
Angus DeSalis	Garrigal Housing Association
John Lockyer	Garrigal Housing Association
Silvia Chou	Garrigal Housing Association
Kellie Cusack	Homes North Community Housing
Geoff Mann	Homes Out West
Lesley Wyatt	Hume Community Housing Association
Judith Brownhill	MACH
Robin Eisman	Monaro Tenancy Scheme
Barbara Keen	North Coast Community Housing
Coral Garrat	Northern Metro Community Housing
Liz Breden	Ryde-Hunters Hill Community Housing
Jon Atkins	Ryde-Hunters Hill Community Housing Co-op
Sue Olgier	Sapphire Coast Tenancy Scheme
Marg Bicskos	Shoalhaven Community Housing Scheme
Patrick Yeung	St George Community Housing
Sam Lawrence	St George Community Housing Co-op
John Nicolades	SWISH
Jenny Stewart	The Housing Trust
John Musemeci	Upper Hunter Community Tenancy Scheme
Maria Musemeci	Upper Hunter Community Tenancy Scheme
Chris Robinson	Wellington Community Tenancy Scheme
Nick Sabel	Wentworth Area Community Housing
Barbara Brown	Western Plains Housing Scheme
Peter Malone	Western Suburbs Housing Co-op
Bobbie Townsend	Women's Housing Company

Larry O'Brian	Loddon Mallee Housing Associations Victoria
NSW Federation of Housing Associations:	
Adam Farrar, Executive Director	
Adam West, Training & Resource worker	
Andrew Meehan, Research & Policy worker	
Laurel Draffen, Manager Good Practice Unit	
Sheryl DeVries, Training & Resource worker	
Office of Community Housing:	
David Symonds	
Lauvena Wong	
Maura Boland	
Mark Reader	
Sandy Quealy	
Suzanne O'Neill	
Phaedra Parkins	

11. Next Meeting

The next housing associations meeting will be held Friday 24th February.