Avoiding Evictions:

Developing a practice of Co-Operative Professionalism

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'A stable place of residence is an important factor in giving (young people) … the opportunity to start to address some of the disadvantage they are enduring. The flip side of that is that lack of housing produces transience; a lack of capacity to continue education, so they are often early drop-outs, early school leavers; and a lack of the capacity to access employment because they are always looking for the next place …'

Evidence to the 2003 Poverty Inquiry in South Australia

'The government expects us to both run a business and act as social workers'.

Private landlords in Adelaide, interviewed by Hugo et al in 2000

The importance of secure, affordable and appropriate housing is not contested. A stable and satisfactory home base is important to general health and well-being (TDHHS 1999). It supports social and economic participation (Reference Group on Welfare Reform 2000:15) and benefits a range of other 'non-shelter' areas such as employment, education, training, health and mental health (Phibbs and Young 2002). For the increasing number of low-income Australians who rent their homes, however, these benefits are far from assured. Recent Federal policy shifts have directed them into the private rental market, where their tenancies are precarious. They are vulnerable to eviction and at risk of homelessness. This paper considers the context of their tenancies and discusses some of the innovative strategies in place to assist them. It ends with a consideration of the issues encountered in developing the 'co-operative professionalism' that is needed for such strategies to work.

Private rental: a new importance
The 2001 Census indicated that, nationally, 22 per cent of households rented in the private market. This statistic, which is little changed from previous Censuses, disguises a change in the role of private rental. Traditionally it was a transient tenure of convenience, used en route to purchase, a 'staging post' for students, young couples, newly-arrived immigrants, people between relationships or moving to new jobs. Tenants are now staying in the private market for much longer. More low- and middle-income earners are renting for periods of over 10 years, whether continuously or as 'returners' (Wulff and Maher 1998). The market is now seen to comprise

'two distinct sub-markets, a largish and relatively successful sector of choice for those who have adequate incomes and a sizeable low cost low income sector for those who cannot access anything more affordable or appropriate.'(Hulse and Burke 2000:1)

While some private renters are renting by choice, and using other vehicles to develop their asset base, many households are now finding themselves with no other choice. They include two major groups who may be termed *The Disappointed* and *The Desperate* respectively. *The Disappointed* would buy if they could (Baum and Wulff

2001: 5). However, the rising cost of housing has put purchase beyond their reach. They are the intended beneficiaries of the recent spate of research into affordable housing, most particularly the Productivity Commission's current inquiry into First Time Buyers (PC 2003). *The Desperate* include those households who would prefer to be in social housing. In addition to low-incomes, they may have other issues to contend with that compromise the chances of their sustaining a private rental tenancy. If long-term public or community rental were available, they would probably opt for that and many are on interminable waiting lists for just such an opportunity. Their housing experience comprises failed tenancies punctuated by housing crises and periods of homelessness, which may or may not include rooflessness. They are the most evident casualties of the policy shift to private rental (Slatter and Crearie 2003).

How has this happened?
Federal housing policy has undergone a major re-orientation since 1986, away from supply-side assistance through the provision of public housing towards demand-side assistance through Commonwealth Rent Assistance (CRA). Funding for public housing through Commonwealth State Housing Agreements has been consistently reduced. In South Australia, public holdings of housing stock declined by 19 per cent between 1992 and 2001. The national Housing Reforms of 2000 now target State housing closely to applicants in 'greatest need', many of whom have special or complex needs and most of whom are exclusively dependent on government incomes. 'Social' housing has become 'welfare housing'. At the same time, spending on CRA increased from $0.96 billion to $1.8 billion in the decade 1993-2002, up from a relatively low $0.46 billion in 1987 (Badcock and Beer 2000: 194). The problem for tenants in accessing private rental was identified as cost, not supply, and CRA is intended to address this.

The shift partly reflects a desire to establish equity in assistance across tenures. Public housing tenants benefit from the subsidy that sets rents at a maximum of 25 per cent of income. Social security recipients who rented in the private market received no such subsidy and faced major problems of affordability. The discrepancy was highlighted by the National Housing Strategy (NHS 1991: 41) and clearly struck a chord with policy makers. The policy preference for private rental is also 'predicated on a belief that the private rental market is a more appropriate tenure than social housing because of a perception that it offers increased housing choice and flexibility for lower income households' (Wulff, Yates and Burke 2001: i). This 'belief' has been supported by an assumption that the private rental market has the capacity and efficiency to provide 'secure, affordable and appropriate' housing for these households. As Seelig comments:

'(e)ffectively, a *de facto* policy exists about the private rental market. It is mostly derived from the absence of any substitute strategies, although it would appear that some key policy makers believe that the private rental sector functions well and equitably, even for low-income households. In its submission to the Senate Inquiry into Housing Assistance, the Federal Government … argued through the Department responsible for housing that there was no market failure or crisis in supply' (Seelig 2001:5).

There is now considerable concern about a crisis in supply, reflected in the significant research effort currently directed to 'affordable housing' and means of financing it (Berry 2002; Berry and Hall 2001). However, there is no reason to think that the demand-side subsidies currently favoured will be displaced by a supply-side response.

The policy settings that currently relegate low-income tenants into private rental seem set to stay.

Precarious tenancies

Government housing assistance to low-income households is intended to help them 'obtain and maintain' housing. To 'obtain' a tenancy, the prospective tenant must be offered a lease. Little assistance is available to secure an offer. Applicants may encounter discrimination masquerading as 'risk management'. Anecdotal evidence indicates frequent discrimination based on race, age (or rather, youth), household structure and the use of a State-supplied security bond (Roland 2000; Poverty Inquiry 2003: 104). In a tight and competitive 'landlord's' market there is little effective redress or response, despite the existence of anti-discrimination legislation covering accommodation.. Education campaigns, the favoured response to discrimination, do not work overnight.

Competition for low-cost rental has become intense. Research showed that the number of low-income households nationally increased by 34 per cent between 1986 and 1996. The proportion of low-income households in private rental in South Australia increased from 17% in 1986 to 47% in 2001. Meanwhile, the supply of low-cost rental housing has been declining. The same study, published in 2001, demonstrated that low-cost private rental stock had reduced by 28 per cent between 1986 and 1996 (Wulff, Yates and Burke 2001). There is no guarantee that those with the lowest incomes will secure the cheapest accommodation (nor that it would be appropriate for them in terms of location, size or condition if they did).

Given these market conditions, it is not surprising that the extent of 'housing stress' has increased markedly in recent years. Housing stress is said to occur when a household from the two lowest income quintiles spends more than 25 per cent of its income on necessary rental housing costs (NHS 1991: 41). In 1999, 68 per cent of tenants in the private rental sector were in housing stress (ABS 2002). Recent estimates for South Australia suggest that approximately half the low-income renters in private rental pay between 31 and 50 per cent of their income on housing even with CRA (Poverty Inquiry 2003: 104). Nationally, almost 90,000 low-income Australians receiving the maximum rent assistance from the government still spend *more* that half their income on rent (ACOSS 2002: 4). Unlike public housing tenancies, whose rents are capped at 25 per cent of household income, private market rents are not capped. In South Australia, for example, (not one of the costliest states), the mean weekly private rent in 2002 was 93 per cent higher than the mean weekly public rent (ABS 2002).

Finally, many low-income renter households will have other issues to address in addition to low income. There may be special needs, personal circumstances or other matters that compromise their capacity to successfully manage a tenancy without support. The private rental market is not inherently structured to provide support or pro-active tenant management. Landlords are not 'social workers'. Nor, in a seller's market, are they inclined to be.

Eviction: a serious risk

A recent study of bailiff-assisted evictions in South Australia revealed just how precarious many tenancies are (Slatter and Beer 2003). Bailiff-assisted evictions are the tip of the iceberg: most tenants leave long before this point if the tenancy is

failing. Even so, on average, four families are evicted by bailiffs each working day across the State. This is double the rate of evictions in 1997-98 (Slatter and Beer 2003: 21). Logging all bailiff call-outs over a three-month period in 2002 showed some distinct patterns.

Most of the tenancies involved were private rental tenancies. They were exceptionally short. The median length was seven months from moving in to being moved out. They were apparently terminated for arrears of rent, although as this is a very straightforward claim to prove it may mask other problems between landlord and tenant. They were almost all in the lowest rent quartile and they were disproportionately supported by bond guarantees from the South Australian Housing Trust (Trust bonds), indicating that the tenants were low-income tenants who had needed assistance with the necessary establishment costs to access private rental at all. Trust bonds are available for rents up to a maximum of 65 per cent of household income; however, the average bond recipient in 2001-02 was paying 38 per cent of income on rent (Slatter and Crearie 2003). Housing Trust tenants were under-represented. This appeared to reflect changes in trust policy effected since 2000 which relegate eviction to the remedy of last resort and direct resources instead to early intervention strategies designed to help tenants sustain their tenancy.

Evictions are costly. Everyone pays. The tenant household pays the personal, social and financial costs of moving, disruption, uncertainty and instability. Landlords pay the process costs, any net loss from arrears or repairs and vacancy costs. Agencies (and indirectly government) pay the resource costs of emergency accommodation and later intervention. Society pays the costs of social exclusion and lost opportunity.

Evictions and Homelessness

Eviction has been identified as one of the 'triggers' that may precipitate homelessness among high-risk individuals (Chamberlain and Mackenzie 2003). Factors that may put someone at risk include: limited employment and life skills; sexual or physical abuse; family breakdown; intergenerational disadvantage; non-completion of schooling; school exclusion; poor mental health; drug and alcohol misuse; problem gambling; experience under the care of the State and having been in a correctional facility (Chamberlain and Mackenzie 2003).

Homelessness is increasingly understood to be a result of the interplay of social and economic factors, such as unemployment, low income, lack of access to affordable housing and relationship fragility with the 'individual' factors referred to. From episodes of homelessness, including secondary and tertiary homelessness, or overcrowding or marginal accommodation such as caravan parks, 'chronic' homelessness may result. As the South Australian Social Inclusion Board comments: a trigger 'can result in a rapid decline in an individual or family's housing situation or a steady slide into homelessness through a series of deteriorating and less secure housing options' (SIB 2003: 12). Avoiding evictions can therefore be seen as a significant step in reducing the risk of homelessness. It can be a 'high impact strategy' to avoid homelessness.

Avoiding evictions: A repertoire of response options
A variety of pilot projects have demonstrated strategies to pre-empt the risk of eviction by supporting tenants in sustaining their tenancies. State housing authorities,

Supported Accommodation Assistance Program (SAAP) providers and community housing organisations in particular have put energy and resources towards assisting tenants to stay housed. These efforts are designed to help tenants avoid the dislocation and various risks and 'costs' of eviction, and the 'revolving door' of repeated presentations for public housing assistance in ever-deteriorating housing crises (Gale 2003). The strategies recognise that risk may result from a major crisis or may be the result of cumulative factors. Tenants have different levels of knowledge of systems, supports and processes as well as different capacities to manage their lives independently. Support therefore needs to be matched to the needs of the tenants. It can take such different forms as provision of information about rights and/or services, provision of short-term crisis support, case management and coordination of multiple services, practical hands-on assistance, or long term counseling services or low-level support. The need is for a flexible range of support options of varying intensity and complexity rather than a single model. The different levels of support can be matched with different skill demands, suggesting both professional and non-professional staff can play a role.

This diversity is outlined in Table1 below.

Table 1 Skill levels for different roles

	Description	Skills/knowledge
Level 1	Provision of information about services available and how to contact them	Sufficient awareness of services and relevant contact staff appropriate for the client's needs in the local area
Level 2	Assisted referral – phone call made on behalf of tenant or prior call made to an agency to set up a referral interview	As per level 1, plus knowledge of referral processes and tenant circumstances as well as tenant's options and skills
Level 3	Negotiated referral – there may need to be a higher level of trust and engagement of the tenant and agreement that there is a support need prior to a referral being made	As per level 2, plus basic listening and counselling skills. Capacity to manage the relationship and disengage from tenant.
Level 4	Follow up contact with other services if there are tenancy issues (debt, anti-social behaviour, property maintenance problems) which may indicate support has broken down	As per level 3, plus basic case coordination skills and understanding of case management practices.
Level 5	Coordination of multiple support services	As per level 4, plus well-developed case coordination and management skills.
Level 6	Hands on support provision to tenant or monitoring of support status through regular tenant contact	As per level 5 plus significant client services support knowledge and skills.

Lessons from Pilot Projects
Pilot and ongoing programs linking support to housing have been established in a number of states. Many of these have been targeted at specific groups in the community thought to be at higher levels of risk – for example, young people, people exiting correctional institutions, mental health clients and older people – rather than available to all tenants at risk. Nevertheless it is possible to draw some general guidance from this experience.

Evaluations of these programs have shown:
- the importance of developing and maintaining links with the community;
- the need for a holistic approach to support, working with the tenant's perceptions of the issues as well as the referring agency;
- need to focus support on the household rather than just the nominated tenant.

Opportunities for Intervention
It is suggested that there are four opportunities to intervene so that tenancies are sustained

- *Pre-emptive support:* when tenants have apparently pre-disposing factors in their housing histories or other life domains that suggest they may be at risk of eviction or housing loss. This may include experience of eviction or 'revolving door' movement between supported housing and public and/or private rental or individual factors.
- *Early intervention*: when there is evidence of difficulty in managing a tenancy. This may include debt, failure to maintain property; property damage; violence or domestic violence; neighbour complaints of difficult or disruptive behaviour.
- *Crisis prevention*: when formal process that could lead to eviction has been commenced: for example, notice to remedy has been served on the tenant or proceedings have been instituted by the landlord/agent.
- *Crisis response*: when the tenant has been evicted or has left the property in order to avoid eviction.

The term 'pre-emptive support' is used here to avoid confusion with the term 'prevention', which has acquired a recognized meaning (Crane and Brannock 1996: 15):

Prevention involves the development and implementation of policies, practices and strategies which address structural or external factors contributing to …homelessness. These responses are not targeted to specific individuals or families on the basis that they are considered vulnerable to homelessness.

There is no suggestion that such systemic intervention is not needed, rather that until it is successful responses addressed at the individual level are also necessary.

The use of the term 'early intervention' is congruent with the approach of Chamberlain and Johnson, who argue that early intervention must occur *before* adults become homeless, in contrast with young people where early intervention includes assistance provided prior to or immediately after becoming homeless (Chamberlain and Johnson 2000).

Identifying need
Wherever possible, the models developed aim to reduce the incidence of crisis response. This requires that:

- tenants at risk of tenancy failure and/or who have current support needs self-identify or can be identified *before* housing tenure is compromised;

- appropriate support services are available and match the level of tenant need in terms of intensity and duration;

- support services are sufficiently flexible to accommodate changing need over time.

Chamberlain and Johnson identified three possible sites for early intervention:

- :Centrelink offices ;
- Real estate agents' businesses;
- General Practices.

To this list could be added:

- Public housing authorities – in respect of their own tenants and those customers who receive bond assistance;
- Other health and human service agencies (eg those providing gambling support, emergency relief);
- Pharmacies and community health centres;
- Residential Tenancies Tribunals or their equivalents.

However the role of such agencies should be in the identification of risk or need rather than service delivery. Having identified tenants 'at risk', they would provide information (both targeted to individuals and generic) and suggest possible referrals. Even this low intensity activity requires a real alertness to potential precipitating factors for at-risk households (Crane and Warnes 2000, O'Brien et al, 2002, VHS, 2003). These may include:

- domestic violence;
- over-crowding;
- retirement and redundancy;
- death or illness in the family,
- marriage breakdown
- blending/new family formation.

Developing models of tenancy support

Factors relevant to the development of tenancy support models suggested by projects evaluated to date include:
- the need to preserve client autonomy, despite apparent housing risk, to maintain the client's self-determination and empowerment;
- the need to acknowledge cultural and linguistic diversity and the implications for service delivery;
- the need to avoid duplication of existing services;
- the need for tenants to participate on a voluntary basis, recognizing that
    1. support may need to be offered on several occasions before the tenant is 'ready' to accept it,
    2. some tenants may decline help until they find themselves in crisis
- the need for staff with appropriate skills to be available and accessible;
- the need to recognize that 'being housed' is not necessarily enough;
- the need to distinguish property management from tenancy support (i.e. maintain a separation of 'housing' from 'support').

- a recognition that providing support through non-government agencies can create the capacity for the tenant to develop wider connections within the community; it can also avoid role conflict;
- flexibility as to the the anticipated length of time support will be needed.

We propose a model which involves:

1. an informational role for staff in a wide range of agencies and locations;

2. support service brokerage and liaison roles located in public housing authorities (for public housing tenants and bond customers) and also.(possibly) in Centrelink for private rental tenants. Such positions would link at-risk tenants to new and existing support services;

3. new Housing Support Workers located in non-government agencies who would provide direct support, case management and case co-ordination in situations where intervention is needed to prevent loss of tenancy but the tenant does not meet the criteria of existing services..

This model:
- respects client autonomy;
- separates tenancy management from housing support
- emphasizes co-ordination of existing services rather than creation of new ones
- recognizes the need for additional resources to support those who 'fall through the gaps' or do not meet the eligibility criteria for existing services
- provides a holistic and timely response;
- depends on the development of a practice of co-operative professionalism.

The Challenges

A number of studies (Baulderstone 2002, SAHT/AHA 2002) have identified several challenges associated with coordinating support services. They include:
- workforce numbers and the spread of services
- complexity of existing service arrangements due to sectoral and geographic boundaries
- service and professional cultures;
- confidentiality
- pro-active and re-active practice models;
- lead agency protocol management;
- communication, language and definitions.

For social workers, tenancy support presents both challenges and opportunities. Given the central role that social work professionals play in human services, both at policy and practice levels, the profession is in a critical position to help formulate appropriate solutions. Social workers are uniquely skilled for such situations and may be the key to developing the new generation of housing support demanded by current policy settings. As Graham and Barter (1999: 6, 8) have commented:

'throughout much of its history, social work has been teaching and advocating inter- and intra-professional collaboration as a practice skill. …
The collaborative social worker is less protective of territorial expertise, being a conduit through which referrals may be made but with whom a client may maintain an ongoing professional relationship.'

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