Homelessness amongst older people

Submission on City of Sydney Housing Issues Paper

HammondCare

An independent Christian charity

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About HammondCare

Established in the 1930s, HammondCare is an independent Christian charity specialising in dementia care, palliative care, rehabilitation and older persons' mental health services. HammondCare is acknowledged as Australia's leading dementia-specific service provider and is dedicated to research and supporting people who are financially disadvantaged. HammondCare's mission is to improve quality of life for people in need, regardless of their circumstances.

We currently operate 893 residential care places across New South Wales and Victoria, 80 per cent of which operate in expert designed dementia-specific cottages. We also provide Special Care Programs for people displaying severe behavioural and psychological symptoms of dementia. On any given day, HammondCare provides community care to more than 1,700 people. Our HammondAtHome services provide care for older people, people living with dementia, palliative care patients, and respite and counselling for carers. HammondCare's Dementia Centre is recognised in Australia and internationally for its high quality research, consultancy, training and conferences in the area of best-practice dementia care.

Introduction

Access to safe, secure and appropriate housing is fundamental to quality of life. The housing crisis in Sydney impacts on the wellbeing of residents, particularly the most vulnerable in our community. The lack of affordable housing is placing many people in housing stress, and is a key factor leading to homelessness in Sydney.

Older people are often overlooked in the discussion of housing affordability and homelessness. Yet this group, as a result of fixed incomes and high health costs, are one of the most vulnerable in our community when it comes to housing affordability, making up a growing proportion of the homeless population.

The housing crisis is symptomatic of underlying problems. These problems are varied and cannot be addressed by a single level of government or service provider. A coordinated effort is needed by all levels of government, aligning areas such as Commonwealth and state taxation laws, state social housing provision and local planning to improve access to affordable housing.

This submission does not discuss all causes of housing unaffordability in Sydney but seeks to identify some key issues causing homelessness for older people.

Homelessness amongst older people

A person is considered to be homeless if their current living arrangement is in a dwelling that is inadequate, has no or short tenure, or does not give them control of the space for social relations, and they have not suitable accommodation alternatives (Australian Bureau of Statistics 2011a, p. 74). This includes not only those who are sleeping rough or living in insecure accommodation such as boarding houses or supported accommodation, but also those who are experiencing housing stress and are at risk of homelessness.

It is difficult to estimate the number of older people who are homeless or at risk of homelessness. Due to their circumstances, homeless people may not be captured accurately in counts such as the Census. There is also low visibility of those at risk of homelessness or not accessing homelessness services, particularly as these groups may not identify themselves as being homeless (Australian Bureau of Statistics 2011a, p. 56).

A lower age is generally used for defining an older homeless person compared to the general population because people who have experienced homelessness often present with premature ageing and accompanying physical and mental health problems (Judd et al 2004, p. 1). At the 2011 Census, the ABS estimates that there were almost 15,000 homeless people over the age of 55, or approximately 14 per cent of the homeless population (Australian Bureau of Statistics 2011a, p. 12).

The City of Sydney's February 2015 street count found that there were 365 people sleeping rough and another 462 occupied hostel beds (City of Sydney 2015b, 'Street Count'). The 2011 Census captures homeless people in a broader range of

accommodation, estimating that there are 3,306 homeless people living in inner Sydney (Australian Bureau of Statistics 2011b). This data is not broken down by age but given their representation nationally and across NSW, older people are likely to be a significant proportion of the inner Sydney homeless population. This is supported by discussions we have had with homelessness service providers in the region.

Studies have shown that there are two distinct pathways to homelessness in later life:

- Long-term, chronic homelessness, associated with mental illness, cognitive impairment and substance abuse; and

- First-time homelessness for those who have conventional housing histories, due to a one-off disruptive event such as job loss, relationship breakdown or housing costs (Judd et al 2004, p. 11).

Case study: Margaret

Margaret is a frequent visitor to the Rough Edges drop-in centre in Darlinghurst, Sydney, and is an example of a person who became homeless later in life die to a one-off event.

Margaret is 68 years old and is a keen gardener. She is an energetic presence, eager for a chat and watches out for others in the community. Margaret was educated as boarder at a North Shore private school then went straight to work after completing her secondary education. She worked in the hospitality and welfare industries for nearly fifty years.

Eight years ago, a train accident ended her working life. Margaret now lives in a boarding house amongst other pensioners. Unlike many others in her situation, Margaret enjoys the advantage of having her own kitchenette and being able to live fairly independently.

Housing affordability is one of the most significant causes of homelessness for those who become homeless in later life. Changes in the housing market and housing management practices have been linked to homelessness amongst older people whose limited and fixed incomes are unable to keep up with rapid or sudden increases in housing costs (Judd et al 2004, p. 11). This issue is discussed further in the next section.

Affordable and Accessible Housing

Older people are generally assumed to be homeowners. The Age Pension and aged care system are designed on the assumption that older people own their own home, and yet increasingly this is not the case. In 2011-12, 13.5 per cent of people aged 65 and over were in the private rental market (including social housing) and another 7.5 per cent were paying off a mortgage (Australian Bureau of Statistics 2013, p. 41). The number of older people in the private rental market is projected to increase by 115 per cent by 2026, based on 2001 figures, placing them at an increased risk of housing stress (Jones et al, p. x).

Housing stress is commonly defined by the 30:40 rule: those spending more than 30 per cent of their income on housing, while earning in the bottom 40 per cent of the income range (Australian Housing and Urban Research Institute 2015, 'Housing affordability, para. 2). The City of Sydney's rental data shows that the weekly median rent across Sydney ranges from $420 in the Outer ring to $600 in the City of Sydney (City of Sydney 2015a, p. 10). Even with Rent Assistance, these rents exceed 30 per cent of the maximum Age Pension for a single person. Anglicare's Rental Affordability Snapshot 2015 found that only about 1 per cent of rental listings in Greater Sydney were affordable for both singles and couples on the Age Pension (Anglicare Diocese of Sydney 2015, p. 4).

Based on this data, housing affordability is clearly an issue for older people in Sydney and it is crucial that they are considered in any efforts to address the housing crisis. These efforts should include an examination by all levels of Government as to how policy, legislative and planning arrangements affect housing prices and the availability of affordable rental accommodation for low-income and vulnerable groups in Sydney.

There has been a significant increase in the number of older people requiring social housing and it is projected that by 2021 older people will be the largest group of people in need of social housing, making up a third (32 per cent) of demand in NSW (NSW Auditor-General 2013, p. 12). Social housing stock in NSW has not kept pace with demand. At 30 June 2012, there were more than 55,000 people on the waiting list for social housing in NSW, with 12,838 in central Sydney (NSW Auditor-General 2013, p. 13). The waiting time for social housing in central Sydney was longer than 10 years at 30 June 2014 (NSW Department of Families & Community Services 2014, 'Sydney, South Eastern Sydney and Northern Sydney'). The NSW Government 2015 Budget announcement of an investment of $1 billion in social housing and homelessness services will help to address this problem (Hazzard 2015).

Given that older people are such a large proportion of the population in need of social housing, it is important that social housing is accessible to older people. The Livable Housing Design Guidelines were developed in 2010 with input from all three levels of government along with the disability, aged, community, building and construction sectors. These guidelines outline the key features needed to make homes accessible for people of all ages and abilities, including making homes:

- Easier to enter with level entry and wider doors and halls;

- Safer to move around;

- More capable of easy and cost-effective adaptation; and

- Designed to better anticipate and respond to the changing needs and abilities of the people who live in the home (Aged & Community Services Australia 2015, p. 9).

All social housing construction and improvements, and housing developments should incorporate the features in these guidelines. This would also make housing accessible for people with disabilities, who are the next largest group in need of social housing.

> **Recommendations:**
>
> *The needs and interests of older people should be considered in all measures aimed at addressing housing affordability in Sydney.*
>
> *All new housing, including social housing, should adhere to the Livable Housing Design Guidelines to ensure their accessibility for people of all ages and abilities.*

Private Rental Market

While it is important that tenancy laws protect property rights, NSW tenancy laws are skewed towards the interests of landlords. They are based on a housing market where most people are homeowners and renting is a short-term housing solution. As more people are unable to afford their own home, tenancy laws need reflect a shift in the housing market towards long-term renting.

A key feature of the Commonwealth Government's *Living Longer, Living Better* reforms to aged care was to enable older people to stay in their own home as long as possible, maintaining their independence and connection to community (Department of Social Services 2015, 'What is changing?). For older people in the private rental market, their ability to remain in their own home is undermined by tenancy laws that don't provide security of tenure, sensitivity to rental price increases and restrictions on their ability to modify their home. These factors can lead to older people moving prematurely to residential aged care.

In NSW, landlords can terminate a fixed term lease at the end of the term by giving at least 30 days' notice (*Residential Tenancies Act 2010*, s. 84). Fixed term leases are usually only 12 months and if they do not terminate, are automatically transferred to a periodic lease. A landlord can terminate a periodic lease without grounds, provided they give the tenant 90 days' notice (*Residential Tenancies Act 2010*, s. 18, 85). This is reduced to 30 days if the landlord has sold the premises on condition of vacant possession (*Residential Tenancies Act 2010*, s. 86). Landlords are able to increase rent under a periodic lease provided they give the tenant 60 days' notice (*Residential Tenancies Act 2010*, s. 41). There is no restriction on the frequency or volume of rent increases.

Older people are vulnerable under these laws. With fixed incomes, older people have less capacity to absorb rent increases and are restricted in their ability to get employment to cover increased housing costs. Older people are generally more physically constrained and cannot readily move if their lease is terminated, and cannot move frequently. Without standards on the condition or design of rental properties, older people can find it difficult to obtain new rental accommodation that is suitable to their age. The cost of rental accommodation also makes many properties out of reach for older people.

A person's functional ability is their capacity to complete basic daily tasks unassisted, which enables them to live independently in the community. A decline in functional ability,

due to age or disability, can be reversed through the use of assistive technology, enabling the person to live in the community longer. Older people in the private rental market are at a disadvantage because they do not have the freedom to make modifications to their home but are subject to their landlord's discretion. With the insecurity of short-term leases, many are reluctant to request modifications, fearing that their lease may not be renewed.

Tenants do have recourse to the Civil and Administrative Tribunal for excessive increases in rent and refusal by landlords to make reasonable modifications (*Residential Tenancies Act 2010*, s. 47, 68). However, this is not sufficient protection because older tenants on fixed incomes have limited resources and cannot pursue or contend disputes as easily as landlords.

Unlike Australia, tenancy laws in many Western European and North American countries are designed for long-term renting. These laws cannot be directly replicated in Australia because they exist in a different legal and cultural context but do provide examples of how tenancy laws can protect the rights of long-term renters.

For example, in Germany the following provisions provide protection to long-term and vulnerable renters:

- Most leases are unlimited leases, with no fixed term, and landlords must have a legitimate reason to terminate a lease. Generally this is only if the lease has been breached or if the landlord needs to occupy the premises.

- The notice period for lease termination depends on how long the tenant has lived there. Three months is required for tenants who have lived there for less than five years, six months for a tenancy between five and eight years and nine months for a tenancy longer than eight years.

- A lease extension must be granted if the tenant would have trouble finding another rental property, including due to their age.

- Rent increases are capped at 20 per cent every three years. In other European countries, permitted rent increases are linked to market prices (Schmid 2009, pp. 39, 42).

These provisions provide security of tenure and allow long-term renters to make the property their home. For older people, this includes making modifications to the home as their functional ability declines.

> **Recommendations:**
>
> *The NSW Government should consider whether tenancy legislation could be updated to reflect a shift in the housing market towards longer-term renting and to balance the rights of landlords and vulnerable tenants.*

Older women and homelessness

Research shows that one of the fastest growing groups of homeless people is older women. The extent of homelessness amongst older women is not well understood, however evidence from service providers suggests that homelessness amongst older women is more pervasive than official counts suggest (Petersen & Parcell 2014, p. 4). This is because many older homeless women 'couch-surf' with family or friends rather than stay in supported accommodation or boarding houses (Petersen & Parcell 2014, p. 20).

The evidence shows that women experience homelessness differently to men. Homelessness amongst older women is more likely to be due to one-off event than long-term homelessness (Petersen & Jones 2012, p. 11). The primary causes of homelessness amongst older women are a lack of physical and financial security (Petersen & Jones 2012, p. 13).

Women are more likely than men to be employed in lower paid and non-permanent employment, and many women have broken work patterns, having left the workforce to raise children. This means that many women do not have accumulated savings to support themselves in older age and are disproportionately affected by relationship breakdown and housing stress. Women who are older and living alone are poorer than men their age, less able to maintain homeownership, and less able to compete in the private rental market for affordable accommodation.

Family violence is also a significant cause of homelessness for women, including older women. This is compounded by the violence experienced by many homeless women living in insecure accommodation such as boarding houses, and the limited financial resources available to many single, older women (Petersen & Jones 2012, p. 13).

Safe and affordable housing options for older women are needed to address the growing number of women experiencing homelessness for the first time in later life. However, more also needs to be done to address the root causes of older women's homelessness, ie the physical and financial insecurity experienced by many women.

> *Recommendations:*
>
> *The unique experience of homeless older women should be considered in all measures aimed at addressing housing affordability.*
>
> *The City of Sydney and NSW Government should ensure that safe and affordable housing options are available for older women who have experienced family violence.*
>
> *Government, private sector and community organisations should work together to address the financial disadvantage of women.*

Availability of care for homeless people

In the inner Sydney region there are numerous homelessness support services that assist the general homeless population. These services include:

- Crisis accommodation (e.g. The Haymarket Centre, Edward Eager Lodge)
- Medium term accommodation (e.g. Matthew Talbot Hostel)
- Long-term accommodation (e.g. Common Ground, Annie Green Court)
- Day programs and drop-in centres (e.g. The Wayside Chapel)
- Specialist health services (e.g. Kirketon Road Centre, St Vincent's and Mater Health)
- Drug and alcohol services (e.g. Gorman House, Langton Centre)
- Support and advocacy services (e.g. Link2Home, Connect 100)

Many of these services are not age specific and underpinning many of these services is an assumption that the homeless person is able to autonomously access help. However, for older homeless people this is not always the case. Older homeless people require fundamentally different service models to homeless people generally; services which respond to the specific needs and challenges of the older person.

Long-term, chronic homelessness is associated with mental health issues, substance abuse and traumatic brain injury (Petersen & Jones 2012, p. 11). Older homeless people often have complex health needs and present with challenging behaviours associated with dementia (Wintringham 2015b, 'The Wicking Project: Wicking One). For these people, simply providing accommodation is not sufficient and high levels of physical and psychological care is also required.

Long-term homeless people generally do not access mainstream residential aged care. Although homeless people are identified as a special needs group in the *Aged Care Act 1997*, most residential aged care services do not provide a care environment that is suited to older homeless people with non-traditional housing histories and complex health needs. Also, many long-term homeless people have moved in and out of institutional environments and are reluctant to enter residential aged care as a result.

Wintringham is a provider in Melbourne that specialises in providing aged care to homeless people. They operate six residential aged care homes across Melbourne, designed specifically for the needs of older homeless people. Wintringham is seen as a pioneer in the provision of aged care services to homeless people. They design their homes to provide high quality, non-institutional environments for residents. Their model of care is tailored to the individual and respects their independence and dignity (Wintringham 2015a, 'Full Care Accommodation).

In inner Sydney, three services provide long-term accommodation and care to the aged who are homeless: Mission Australia's Annie Green Court (Redfern) and Charles Chambers Court (Surry Hills), and St Vincent de Paul Society's Frederic House (Woolloomooloo). These services are under significant strain and cannot keep up with the demand. Older homeless people with high care needs discharged from St Vincent's Homelessness Health Service are often sent to aged care homes in outer Sydney because no closer option is available.

More residential aged care services are needed to meet the needs of the growing population of older homeless people in inner Sydney.

> **Recommendations:**
>
> *The City of Sydney should ensure that land is available for residential aged care targeted at homeless people.*
>
> *Homeless specific services should be prioritised in aged care planning for the inner Sydney region.*

References

Aged & Community Services Australia 2015, *Position Paper: The future of housing for older Australians*, ACSA, Canberra, viewed 23 July 2015, http://www.agedcare.org.au/news/copy_of_2014-news/acsa-position-paper-the-future-of-housing-for-older-australians

Anglicare Diocese of Sydney 2015, *Rental Affordability Snapshot 2015: Greater Sydney & the Illawarra*, Anglicare Diocese of Sydney, Sydney

Australian Bureau of Statistics 2011a, *Census of Population and Housing: Estimating homelessness, 2011*, cat. no. 2049.0, ABS, Canberra

Australian Bureau of Statistics 2011b, 'Data Cube: 2049.0 Census of Population and Housing: Estimating Homelessness_2011 Statistical Area Level 2', ABS, viewed 23 July 2015, available at: http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/2049.02011?OpenDocument

Australian Bureau of Statistics (2013), *Household Income and Income Distribution Australia, 2011-12*, cat. no. 6253.0, ABS, Canberra

Australian Housing and Urban Research Institute 2015, *Housing affordability*, AHURI, viewed 23 July 2015, http://www.ahuri.edu.au/themes/housing_affordability

City of Sydney 2015a, *Housing Issues Paper*, City of Sydney, Sydney

City of Sydney 2015b, *Street Count*, City of Sydney, viewed 23 July 2015, http://www.cityofsydney.nsw.gov.au/community/community-support/homelessness/street-count

Department of Social Services 2015, *Aged Care Reform: Overview*, DSS, viewed 23 July 2015, https://www.dss.gov.au/our-responsibilities/ageing-and-aged-care/aged-care-reform/overview

Hazzard B 2015, *NSW budget provides almost $1billion for social housing and homelessness services*, media release, 23 June 2015, NSW Government, Sydney, viewed 23 July 2015, http://www.facs.nsw.gov.au/about_us/media_releases/nsw-budget-provides-almost-$1billion-for-social-housing-and-homelessness-services

Judd B, Kavanagh K, Morris A, Naidoo Y 2004, 'Housing options and independent living: sustainable outcomes for older people who are homeless', Australian Housing and Urban Research Institute, AHURI Final Report No. 62

NSW Auditor-General 2013, *Performance Audit: Making the best use of public housing*, Audit Office of New South Wales, Sydney

NSW Department of Family & Community Services 2014, *Housing Pathways*, FACS, viewed 23 July 2015,

http://www.housingpathways.nsw.gov.au/How+to+Apply/Expected+Waiting+Times/Sydney+South+Eastern+Sydney+and+Northern+Sydney.htm

Petersen M & Jones A 2012, *Homelessness and older Australians: scoping the issues*, Institute for Social Science Research, University of Queensland, Brisbane

Petersen M & Parsell C 2014, *Older Women's Pathways out of Homelessness in Australia*, Institute for Social Science Research (ISSR) Research Report, University of Queensland, Brisbane

Residential Tenancies Act 2010 (NSW), viewed 23 July 2015, http://www.austlii.edu.au/au/legis/nsw/consol_act/rta2010207/

Schmid C 2009, *Tenancy Law and Procedure in the EU: General Report*, European University Institute, viewed 23 July 2015, http://www.eui.eu/Documents/DepartmentsCentres/Law/ResearchTeaching/ResearchThemes/EuropeanPrivateLaw/TenancyLawProject/TenancyLawGeneralReport.pdf

Wintringham 2015a, *Full Care Accommodation*, Wintringham, Melbourne

Wintringham 2015b, *Research*, Wintringham, Melbourne

Contacts

Mr Stewart James

General Manager, Health & Hospitals

E: sjames@hammond.com.au

Ms Angela Raguz

General Manager, Residential Care

E: araguz@hammond.com.au

Mr Peter Hallett

Head of Public Affairs

E: phallett@hammond.com.au