

Issues for the real estate industry

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May I start by saying that I don't feel that this is an issue for the real estate industry but these are issues for all of us as a society and for the State and Federal Governments to address with proper funding and resources so that we can make a difference to the lives of people with disabilities.

Property managers realise that they play an extremely important part in the supply of accommodation to tenants. Every day in our roles as property managers, we make decisions that effect people's access to accommodation and in turn their lives. We are very conscious of our role and the responsibility that comes with it.

Market rental

The definition of market rental is simply the price that someone is willing to pay for rental accommodation and the price that the landlord is willing to accept for the accommodation in a free market

The private market rental prices excludes taking into consideration someone's income, and unfortunately, with most people with disabilities their income is lower and on their own resources they are then excluded from the private rental market on this factor alone alone.

The private market could help house tenants with disabilities if the government subsidised their rent.

We currently lease a property under this arrangement, to a single parent, with a child who has severe disabilities, who needed a pool for the child's daily exercise. They are excellent tenants and have been tenants with us since September 2001 – Longer than the normal term of tenancy,

The department of Housing does supplement the rent but in the last 8 years we have only had about 2 other instances where we have leased property subsidised by the Department of Housing for this type of tenancy.

The opportunity is there in the private rental market but the Governments needs to make it happen.

Suitability of private rental accommodation

Most private rental accommodation is not suitable for people with physical disabilities. Most accommodation does not have ramps, correct kitchen or bathroom fit outs, wider doors for wheelchairs etc and the cost of these changes are expensive and are not, and should not ever be, the responsibility of the private landlord.

The other problem is that if the landlord does give permission for the changes to be made to the property, you then have a problem letting those premises on the open market next time, as able tenants do not want ramps, grab rails in bathrooms , lower kitchen cupboard to suit wheel chair etc.

Current availability of housing stock in today's market place

Sydney is currently facing a housing crisis for all tenants.

There is a lack of stock and unless the State Government changes its policies to attract the investor back to the rental market including the mum and dad investor, who make up the majority of our landlords, rents will continue to rise. Support services and charities will be helping normal households survive not just the disabled and disadvantaged.

Over the last 10 years the return on the investment has fallen and is extremely low. Most landlords usually say around 3% return

Why would anyone put money in rental accommodation for tenants when they can achieve a better return on the stock market or even at the bank? Why would you take on the hassle?

The Government needs to offer further tax incentives to investors, to increase the availability of housing stock especially housing suitable for tenants with disabilities.

Agents lack of knowledge of Support Services

There is no education component of any courses for Real Estate Agents that I know of that teach agents about support services for people with disabilities.

Yes, the tenant may know, but if we as an industry are going to be able to help the disadvantaged in our society we also need to know about the support services.

This to me should be compulsory knowledge.

A few years ago, we spent many hours trying to find help for a tenant. She was intellectually challenged, had trouble maintaining her rent payments on time and we found, when carrying out an inspection, the property was very dirty and she had a phobia about disposing of water wastes.

The flat was full of plastic bottles filled with water that she had drained for the kitchen and laundry sinks and bathtub. These bottles were stacked all over the flat.

After many hours spent seeking help from local services, some of whom could not help through lack of resources, and many visits from ourselves in trying to convince her to let people help her, we were able to have the property cleaned and the bottles removed.

The landlord was unimpressed that we had given him this problem and worry and we ended up losing his business to another agent. .

This tenant needed help. She had no idea, because of her intellectual capacity of where to find help or how to find it. She was alone and had survived for years by herself until her needs changed.

If we had known of the correct service to contact, maybe the landlords and tenants anguish / stress could have been minimised.

Availability of the support services when agents need their help

Even if agents know where to turn to, because of the overwhelming call on their time and resources, we found that some support services, through no fault of their own, were unable to help us

We as Property Managers are not trained to deal with people with disabilities, nor is it our role in the market place. We must have the services available to support us, if we are to help more people with disabilities move into the private rental market

Fear of the consequences.

As I sat in the sun on my front porch on Sunday pondering this topic I asked myself the very hard question

DO AGENTS SET OUT TO AVOID LEASING PROPERTY TO TENANTS WITH DISABILITIES?

I have to say there is no easy answer to that question. All agents are very aware of the discrimination laws, and I feel that no agent sets out intentionally to break those laws, but in saying that, I feel that a lot of agents who don't understand landlord and the tenant in who is responsible for the costs in upgrading premises do have a fear in dealing with tenants with disabilities.

The tenants also do not help by wanting the landlords to pay for upgrading of the premises to meet their needs. Decisions from the CTTT have been that the landlord needs to supply premises fit for habitation, but that does not mean that they need to supply premises fit for habitation depending on the disability of the tenant. See *Luxford v Department of Housing (Tenancy)* 2004 NSWCTTT 641 (1 November 2004)

Unfortunately some tenants with disabilities do feel that the landlord is responsible. This in turn causes the landlord anguish and anger at the agent, because the agent has put the landlord in this situation.

Agents try very hard to avoid situations arising in tenancies that are going to cause adverse reactions from landlords. Agents know the easiest way to have an unhappy Landlord is to lease property to an unsuitable tenant, whether that be that they cannot afford the rent or they are going to demand improvements to the property or cause problems with the neighbours especially in a strata complex etc

We have previously had 2 deaf tenants in a 2nd floor unit. It caused no end of complaints about noise from the other residents as well as the Strata Managing agent and in turn the Landlord. The tenants had no sense about the amount of noise they were creating, and the problem and disruption it was causing to the lives of other people in the unit block.

They would bang the doors, use the washing machine late at night and they were very keen on exercising with bar bells that they would drop onto the floor.

Yes other tenants could also create these same problems and if the tenants failed to change their behaviour we would resolve the situation by evicting the tenant if necessary. It is another fear of agents and landlords that a disabled tenant, because of their disability, would not be so easy to evict.

Responsibility

In housing tenants with disabilities, there are responsibilities, in my opinion, not just to provide the accommodation, but to also provide the back up services needed by the tenants as well as visits from professionals, who can continually assess the tenants changing needs, and their ability to cope in their environment.

Private landlords can help by providing accommodation, if the Government can attract them back to the housing market, but they cannot provide the other services, and the two must go hand in hand, for there to be any growth in supply of accommodation in the private market for tenants with disabilities. As we, as a population grow older more and more people will have disabilities and resources and services will need to grow to meet these needs.

This is a challenge for State and Federal Governments and society to handle. Not the private landlords who are mainly the mum and dad investors.