

Submission Form For Organisations

INQUIRY INTO WHETHER PERSONS FROM CULTURALLY AND LINGUISTICALLY DIVERSE BACKGROUNDS AND ABORIGINAL PEOPLE ARE DISCRIMINATED AGAINST ON THE BASIS OF THEIR RACE EITHER DIRECTLY OR INDIRECTLY IN THE PRIVATE RENTAL MARKET

This form has been designed to help you make your Submission to the Commissioner for Equal Opportunity's Inquiry into whether persons from culturally and linguistically diverse backgrounds and Aboriginal people are discriminated against on the basis of their race either directly or indirectly in the private rental market in Western Australia.

Refer also to the **Information Package and Terms of Reference**

YOUR DETAILS

Name of person completing Submission: _____

Name of organisation (if applicable): _____

Position in organisation (if applicable): _____

Postal Address: _____

Contact Person: _____ Contact No: _____

Email Address: _____

We are concerned about your confidentiality, so please indicate which of the following applies to this Submission:

- This Submission is to remain strictly confidential and is not to be shared/distributed to anyone outside of the Inquiry.
- This Submission may be shared/distributed to any other party, if my personal details are removed and kept confidential.
- This Submission is public information and may be freely shared/distributed to anyone interested.
- My organisation is happy to be contacted by the Commission for further information about my Submission.
- Other, please specify: _____

Signature: _____ Date: _____

CLOSING DATE

The closing date for all Submissions is **close of business Tuesday 30 September 2008 for Metropolitan submissions, and close of business Friday 17 October 2008 for Regional submissions.**

Please send your written Submission:

By Mail: Commissioner for Equal Opportunity:
Private Rental Inquiry
PO Box 7370
Cloisters Square
PERTH WA 6850

By Email: eoc@equalopportunity.wa.gov.au

By Fax: (08) 9216 3960

By TTY¹: (08) 9216 3936

By Phone: (08) 9216 3900

1800 198 149 (free call outside the Perth metropolitan area).

¹ Telephone Typewriter.

Submission Questions

BACKGROUND INFORMATION

To help you with your Submission, a brief working definition of 'Direct' and 'Indirect Discrimination' is provided.

Direct Discrimination is when someone treats a person less favourably than they would treat another person in the same or similar circumstances because of a ground, such as the other person's (or a relative or associate's) race, impairment, marital or family status, pregnancy, family responsibility, age, sex, sexual orientation, religion or politics.

Indirect Discrimination is when an apparently neutral rule, policy, practice or procedure has a negative effect on a substantially higher proportion of people with a particular attribute or characteristic compared to people without that attribute or characteristic, and the rule is unreasonable in circumstances.

In the case of race discrimination, the 'less favourable treatment' can include acts, omissions, requirements or conditions that segregate a person from people of another race.

QUESTIONS

These questions are meant to assist your response, but we welcome any suggestions, ideas and contributions you wish to make about experiences in the private rental market in Western Australia.

It would be helpful if, when you respond, you write the answers to each question on a separate sheet of paper. Attach extra sheets to your Submission, if you need to, along with any relevant supporting documentation or statistical data. Please also provide detailed references for any relevant documents (e.g. research, reports).

1. As an organisation assisting individuals and families in accessing the private rental market, are you able to comment on the major issues which present to you for the clients/members you represent in the private rental market?
2. Do you have any direct dealing with agents and or owners when assisting clients/members to access housing – if so how would you regard your relationship? What would assist for a better working relationship?
3. When clients/members enter into a rental agreement, or when applying for a rental property, are you aware if real estate agents/owners make applicants/tenants aware of their rights and responsibilities under the *Residential Tenancies Act 1987 (WA)*?
4. Are many clients/members on a waiting list for the Department of the Housing and Works or other public/community housing waiting list? If so how long would you estimate the average time that they have been on the list?
5. Do you experience any issues which prevent you from lodging a complaint of race discrimination in the area of accommodation with the Equal Opportunity Commission if you believe you have a valid complaint?
6. What does your organisation/group suggest to solve the issues you have experienced?

QUESTIONS TO GUIDE THE STORIES OF INDIVIDUALS

1. Do you believe you have experienced discrimination on the basis of your race by real estate agents or owners in any of the following ways:
 - /// refusing to allow you to inspect a property;
 - /// refusing to rent a property to you;
 - /// applying extra conditions when you are applying to rent a property (e.g. such as requiring a higher bond amount or requiring guarantors);
 - /// denying or limiting access to a facility that is available to other tenants;
 - /// refusal to extend or renew the lease, just make it short-term
 - /// failing to provide adequate maintenance that is available to other tenants or is reasonable to expect;
 - /// harassing you and/or your family or other tenants of the property e.g. visiting property more than necessary or without notice;
 - /// changing the terms on what you are required to do when leaving the property such as extra cleaning fees, how you are required to clean the property, withholding bond money;
 - /// advising you that a property has been leased when you find out later that it has not been; or
 - /// any other examples.
2. If you have answered yes to any of the above, please tell us what happened and why do you think that the treatment you received was on the basis of your race?

e.g. were direct comment made and /or are you aware of other applicants/tenants being treated differently
3. How has this experience affected you?
4. What is your current housing situation?
 - a) Renting a property
 - b) Staying with friends/family
 - c) Supported accommodation
 - d) Other (e.g. caravan)
5. Is there anything else you would like to tell us about your experience/s in the private rental market?

COMPLETED SUBMISSIONS

After you have completed your Submission you can return it to the Equal Opportunity Commission as follows:

- /// close of business **Tuesday 30 September 2008** for Metropolitan submissions
- /// close of business **Friday 17 October 2008** for Regional submissions.

By Mail: Commissioner for Equal Opportunity:
Private Rental Inquiry
PO Box 7370
Cloisters Square
PERTH WA 6850

By Email: eoc@equalopportunity.wa.gov.au

By Fax: (08) 9216 3960

By TTY²: (08) 9216 3936

² Telephone Typewriter.