

# Supported Accommodation Group Homes

## Real Home or Hostel

Within most policies, standards and values intended to determine the level and quality of care and support for those in our society with lifelong intellectual and multiple disabilities, is the human right to live in a real home with similar rights to most others in the general community.

One of the main rights of those with a real home, is the right to determine who enters one's home. If owning the home, only police with a warrant can legally enter without the owner's permission, as the owner has rights under common law. If renting the home, the only addition is the landlord having given due notice, as the person renting has rights under the residential tenancies act.

Despite all the human rights hype, the residents of supported accommodation group homes, most of whom have paid defined rent for years, have no rights under the residential tenancies act.

The Department of Human Services, Victoria, has ensured this, through their engineering of section 23(a) of the residential tenancies act. This section blocks the rights of the act from anyone living in a residential service. This is a home where people need support to live.

Having no real residential tenancy rights in the home for which they are paying defined rent, means their home is not a home, but a hostel. A hostel is where management and staff are in control. Whereas a home is where the residents and/or their stakeholders control the support they receive - the residents decide their staff and service contract.

The Department of Human Services (DHS), Victoria, are currently seeking to further ensure residents of supported accommodation group homes live in hostel situations within its intended B&L (Board & Lodging) fee structure which bundles rent and housekeeping together, masking the rent component to further ensure residents will never be entitled to real residential tenancy rights - the control of their home like most in the general community.

It is clear the DHS is under pressure from the NDIS to bundle charges to make group home fee structures, across Australia, similar to aged-care – hostel and institutional style, where residents have few rights.

The original intention of the NDIS was to make services entitlement based, through the introduction of ISP funding (funding in the pocket of the consumer). Thereby, group homes changing from state government block funding to federal government

ISP funding would see each resident of a group home receive their support service funding (support staff wages and associated overheads) in the form of an ISP.

Together with real residential tenancy rights, the residents, as a group, would have the financial and legal power to choose their service provider and directly negotiate their service and support contract.

As individuals, each resident would have the financial power to move to another group home service provider.

This level of choice and control for the residents of supported accommodation group homes across Australia is clearly no longer the intention of the NDIS, who appear bent on a mini-institution concept – aged-care style care and support.

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**NOTE: We are always interested in feedback and information; general, specific, good or bad.**

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