



**Government
of South Australia**

Minister for Human Services

Level 12 South
1 King William Street
Adelaide SA 5000
GPO Box 2832
Adelaide SA 5001
DX 115
Tel 08 8463 6560
Fax 08 8463 4480

Our ref: 19MCOR/0025
Your ref: 7260927/7261550

Ms Nat Cook
Member for Hurtle Vale
PO Box 158
WOODCROFT SA 5162

Sent by email: Tristan.rust@parliament.sa.gov.au

Dear Ms Cook,

Freedom of information application

I refer to your application under the *Freedom of Information Act 1991* (the Act), received by the Office of the Minister for Human Services on 4 February 2019 seeking access to:

Since 17 March 2018, copies of all correspondence (including but not limited to hardcopy or electronic letter, emails, diary entries and any other correspondence) to the Member for Waite, Sam Duluk MP.

Since 17 March 2018, copies of all correspondence (including but not limited to hardcopy or electronic letter, emails, diary entries and any other correspondence) from the Member for Waite, Sam Duluk MP.

After consultation with your office on the 8 March 2019, it was agreed to combine two of the freedom of information requests as referenced above, into one response.

Unfortunately, a determination was unable to be made within the 30 days, therefore it is considered to be a 'deemed refusal' under section 19(2)(b) of the Act. However, our office has continued to process your application outside of this timeframe. Section 19(2)(a) of the Act provides that an agency can release documents outside of the thirty-day timeframe, and this is still taken to be a determination under the Act.

Fifteen documents have been identified as falling within the scope of your application and I have determined to release twelve documents in part and release three documents in full.

Documents 1-10 and 12-13 contain personal information in relation to a third party and I consider that the release of this information would be an unreasonable

disclosure of information related to the third party's personal affairs and have determined it to be exempt pursuant to clause 6(1) of Schedule 1 of the Act.

Please find enclosed a copy of the documents, and a document schedule containing a brief description of the documents.

If you are dissatisfied with my determination, you can seek an internal review by writing to the Minister for Human Services as the Principal Officer of the agency. Your request should be sent within 30 days of your receipt of this letter.

In accordance with the requirements of Premier and Cabinet Circular PC045, details of your FOI application, and the documents to which you are given access, may/will be published on the agency's disclosure log. A copy of PC045 can be found at <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars>.

If you have any questions in relation to this matter, please contact Amanda Hockings, Office Manager, on telephone 8463 3388 or by email at amanda.hockings2@sa.gov.au. If you are dissatisfied with the outcome of your FOI application, you have the right to complain to the Ombudsman SA. Please contact the Ombudsman directly on (08) 8226 8699.

Yours sincerely



Amanda Hockings
ACCREDITED FOI OFFICER

13 / 5 / 2019

SCHEDULE OF DOCUMENTS – 19MCOR/0025/0026

Freedom of information application from the Ms Nat Cook seeking access to Since 17 March 2018, copies of all correspondence (including but not limited to hardcopy or electronic letters, emails, diary entries and any other correspondence) to and from the Member for Waite, Sam Duluk MP

No	Author	Addressee	Date	Description of document	Determination	Reason
1.	Sam Duluk MP – Member for Waite	Minister for Human Services	01/08/2018	Letter on behalf of a constituent regarding concerns about the behaviour of new tenants at the Housing SA unit complex	Released in Part	Exempt – Clause 6(1) – personal affairs
2.	Minister for Human Services	Sam Duluk MP – Member for Waite	03/10/2018	Minister Signed Response - concerns about the behaviour of new tenants at the Housing SA unit complex	Released in Part	Exempt – Clause 6(1) – personal affairs
3.	Sam Duluk MP – Member for Waite	Minister for Human Services	30/08/2018	Letter on behalf of a constituent regarding a Housing SA transfer	Released in Part	Exempt – Clause 6(1) – personal affairs
4.	Minister for Human Services	Sam Duluk MP – Member for Waite	02/11/2018	Minister Signed Response - constituent query regarding a Housing SA transfer	Released in Part	Exempt – Clause 6(1) – personal affairs
5.	Sam Duluk MP – Member for Waite	Minister for Human Services	31/08/2018	Letter regarding a serious assault at a housing SA tenancy at Blackwood	Released in Part	Exempt – Clause 6(1) – personal affairs
6.	Minister for Human Services	Sam Duluk MP – Member for Waite	02/11/2018	Minister Signed Response - a serious assault at a housing SA tenancy at	Released in Part	Exempt – Clause 6(1) – personal affairs
7.	Sam Duluk MP – Member for Waite	Minister for Human Services	31/08/2018	Letter on behalf of a constituent regarding delays in resolving maintenance concerns	Released in Part	Exempt – Clause 6(1) – personal affairs
8.	Minister for Human Services	Sam Duluk MP – Member for Waite	05/11/2018	Minister Signed Response – on behalf of a constituent regarding delays in resolving maintenance concerns	Released in Part	Exempt – Clause 6(1) – personal affairs
9.	Sam Duluk MP – Member for Waite	Minister for Human Services	16/10/2018	Letter on behalf of a constituent regarding accessing the bond for two properties he owns in Bedford Park	Released in Part	Exempt – Clause 6(1) – personal affairs
10.	Minister for Human Services	Sam Duluk MP – Member for Waite	12/12/2018	Minister Signed Response – constituent query regarding difficulties accessing bonds for two of his rental properties	Released in Part	Exempt – Clause 6(1) – personal affairs
11.	Sam Duluk MP – Member for Waite	Minister for Human Services		Invitation to discuss why palliative care matters to people who are approaching death	Released in Full	
12.	Sam Duluk MP – Member for Waite	Minister for Human Services	15/05/2018	Letter on behalf of a constituent who has concerns regarding a tenant of a Housing SA home in Kingswood	Released in Part	Exempt – Clause 6(1) – personal affairs

SCHEDULE OF DOCUMENTS – 19MCOR/0025/0026

No	Author	Addressee	Date	Description of document	Determination	Reason
13.	Minister for Human Services	Sam Duluk MP – Member for Waite	21/06/2018	Minister Signed Response – Constituent concerns regarding a tenant of a Housing SA home in Kingswood	Released in Part	Exempt – Clause 6(1) – personal affairs
14.	Sam Duluk MP – Member for Waite	Minister for Human Services	16/01/2019	Letter on behalf of concerned constituents regarding Housing Trust homes in Blackwood	Released in Full	
15.	Minister for Human Services	Sam Duluk MP – Member for Waite	08/03/2019	Minister Signed Response – concerned constituent queries regarding the proximity of Housing SA homes and their tenants to a kindergarten in Blackwood	Released in Full	



SAM DULUK MP

MEMBER FOR WAITE



1/7-9 Young Street, Blackwood SA 5051

Post: PO Box 445, Blackwood SA 5051

Phone: (08) 8278 5844

Email: waite@parliament.sa.gov.au

Our Reference: 180418

The Hon. Michelle Lensink MLC

Minister for Human Services

Level 12 South

1 King William Street

ADELAIDE SA 5000

By email: DHSMinisterforHumanServices@sa.gov.au

Dear Minister,

I am writing to you on behalf of my constituent, [REDACTED]

[REDACTED] currently lives in a group of Housing SA homes which recently have been disturbed by new occupants. Sadly, [REDACTED] has had to listen to verbal altercations and cars hooning around late at night. As one of the many [REDACTED] of our community living in these Housing SA buildings, she is disturbed by these events.

For my constituent's benefit, could you please advise me as to the following:

- 1) What can Housing SA do to help prevent anti-social behaviour at their residences?
- 2) What assurances can you offer my constituent that Housing SA will resolve this matter?

Your attention to the matter is appreciated

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P.P. Henson'.

Sam Duluk MP
Member for Waite

1 August 2018



**Government
of South Australia**

Minister for Human Services

Level 12 South
1 King William Street
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Fax 08 8463 4480

18MHA/0092

Mr Sam Duluk MP
Member for Waite
PO Box 445
BLACKWOOD SA 5051

Dear Mr Duluk,

Thank you for your letter on behalf of your constituent, [REDACTED] regarding her concerns about the behaviour of new tenants at the Housing SA (HSA) unit complex where she lives.

I am informed that HSA have investigated [REDACTED] complaints and have ensured the new tenant understands the consequences of further disruptive behaviour on their tenancy. This has included the provision of a formal written warning.

HSA takes reports of disruption and anti-social behaviour very seriously and investigates all complaints in line with the Disruptive Behaviour Policy. I have enclosed further information about the process and actions taken by HSA when complaints about disruptive behaviour are received.

I encourage [REDACTED] to report any further disruptive behaviour to HSA on 131 299 to ensure prompt and appropriate action takes place. Alternatively, [REDACTED] can contact Martin Rowe, Operations Manager on 8208 6228.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in cursive script that reads "Michelle Lensink".

Hon Michelle Lensink MLC
MINISTER FOR HUMAN SERVICES

3 / 10 / 2018

Encl: Disruptive behaviour fact sheet



Disruptive Behaviour

Investigation of Complaints

Complaints about the disruptive behaviour of a Housing SA tenant, other household members or their visitors, will be investigated by a Housing Officer from the local regional office.

The Housing Officer will:

- consult with all parties and where appropriate, obtain external verification of the incident (e.g. Police, other neighbours etc);
- determine if the complaint can be substantiated and whether it constitutes a breach of the tenant's Conditions of Tenancy; and
- assess the nature and frequency of the complaint to determine what action should be taken.

Importantly, Housing SA will endeavour to maintain contact with complainants to keep them informed of progress, while having regard to each person's rights to privacy.

Management of Disruptive Behaviour

Substantiated complaints that are determined as being *infrequent and minor* in nature will result in the Housing Officer:

- counselling the disruptive tenant; and
- issuing a **verbal warning**. This warning will remind the disruptive tenant of their responsibilities under the Conditions of Tenancy and the consequences if disruptions continue.

If another infrequent / minor incident is reported and substantiated over the next six months, another **verbal warning** will be issued. One further infrequent / minor complaint that occurs within six months of the second verbal warning will result in the disruptive tenant receiving their first **formal**

written warning and an Acceptable Behaviour Contract will be established with the tenant.

Subsequent complaints received over the next six months will be dealt with by either:

- issuing of a verbal warning if the complaint is substantiated but deemed to be of a *minor and infrequent* nature or
- issuing a **second formal written warning** if the disruption is considered *moderate/serious and ongoing* and the management of the disruption will be transferred from the local regional office to Housing SA's Regional Response Team (RRT) which will intensively monitor the tenancy for a further period.

Substantiated complaints that are considered *moderate/serious and ongoing* (regardless of whether a verbal warning has been issued) will result in Housing SA:

- issuing the tenant with a **first formal written warning (or second if a first formal written warning had been issued in the previous six months)** and
- negotiating an Acceptable Behaviour Contract with the tenant and any support services identified as being able to assist the tenant to manage the disruptive behaviour (if one does not already exist).

Please note: If you are transferred due to disruption, you will be placed on a probationary lease.

If you are housed on a probationary lease, fixed term lease or transfer due to disruption and engage in disruptive behaviour, this will impact on your lease arrangements. Infrequent and minor cases of disruptive behaviour will result in an extension of your probationary lease or shorter lease being offered. If you are found to be causing

moderate/serious and ongoing disruption, Housing SA may not renew your lease.

How to make a complaint.

To make a complaint about a disruptive public housing tenant, you can:

- complete an online form at www.sa.gov.au/HousingSAcustomer
- call Housing SA on 131 299 Monday to Friday 8.30 am to 5.30 pm
- visit a Housing SA office.

If you believe your safety or the safety of others is at risk call the police on 131 444 (or 000 in an emergency).

If the complaint relates to a property that is not public housing – e.g. it is rented privately, Housing SA cannot deal with your complaint.

All complaints are kept confidential and treated seriously. If you provide your contact details Housing SA will contact you within two working days to talk about your complaint.

If you choose to remain anonymous Housing SA will be unable to let you know what is happening with your complaint, and taking action may be difficult.

Housing SA
GPO Box 292
ADELAIDE SA 5001

General enquiries: 131 299*

Maintenance enquiries: 131 288

Email: housing@dcsl.sa.gov.au

*Calls from mobile phones attract higher call charges



SAM DULUK MP

MEMBER FOR WAITE



1/7-9 Young Street, Blackwood SA 5051

Post: PO Box 445, Blackwood SA 5051

Phone: (08) 8278 5844

Email: waite@parliament.sa.gov.au

Hon. Michelle Lensink MLC
Minister for Social Housing
Level 12 South
1 King William Street
ADELAIDE SA 5000

By email: DHSMinisterforHumanServices@sa.gov.au

Ref: 180538

Dear *Michelle* Minister,

I am writing on behalf a gentleman whose parents live in Eden Hills within my electorate, regarding a Housing SA transfer.

[REDACTED] contacted my office to discuss his need to transfer to a Housing SA home nearer to his ageing parents. He has given consent for his matter to be discussed with the Minister and the Department of Human Services.

[REDACTED] is concerned for the welfare of his parents as his father is [REDACTED] and the [REDACTED] would prefer to be transferred to [REDACTED] to be near to his family if required.

[REDACTED] is also currently studying a graduate certificate in Business at UniSA and needs to live in Adelaide to attend his classes.

I am advised that [REDACTED] applied for a transfer 18 months ago and has enquired as to its progress on several occasions.

For [REDACTED] benefit, could you please advise me on the following:

- Would it be possible for [REDACTED] Housing SA transfer to be considered urgent, given the need to assist his elderly and disabled family members?
- Could you please advise me on the progress of [REDACTED] application for transfer within Housing SA?
- What other assistance can be offered to [REDACTED] by Housing SA to progress his application for transfer?

Your attention to this matter is appreciated.

Yours sincerely

Sam Duluk MP
Member for Waite

30 August 2018



**Government
of South Australia**

Minister for Human Services

Level 12 South
1 King William Street
Adelaide SA 5000
GPO Box 2832
Adelaide SA 5001
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Tel 08 8463 6560
Fax 08 8463 4480

18MHA/0139

Mr Sam Duluk
Member for Waite
PO Box 445
BLACKWOOD SA 5051

Dear Mr Duluk *Sam*

Thank you for your letter on behalf of your constituent, [REDACTED] of [REDACTED] regarding his request for a Housing SA (HSA) transfer.

I am advised that [REDACTED] was approved for a Category 1 transfer registration in August 2017 requesting areas close to his parents in [REDACTED]. [REDACTED] HSA met with [REDACTED] recently to discuss the expected waiting times for his preferred transfer areas and he agreed to add a range of metropolitan areas to his application. This will provide increased opportunities and may help to speed up his transfer.

HSA will contact [REDACTED] as soon as a suitable property becomes available. Unfortunately, it is not possible to advise when a property will become available to offer [REDACTED] due to few vacancies and high demand.

[REDACTED] may also be interested in registering for HSA's Tenant Exchange program. Registered tenants can search the exchange register, available at regional HSA offices, for properties of interest. Once a tenant identifies a suitable property and the other tenant agrees to exchange, they contact HSA to approve the exchange.

Should you or [REDACTED] have any further queries, wish to discuss the availability of Tenant Exchange or assistance in more general terms, please contact Nicole Travers, Operations Manager on 8648 8919.

I hope this will assist you to respond to [REDACTED]

Yours sincerely

Nicole Travers

Hon Michelle Lensink MLC
MINISTER FOR HUMAN SERVICES

2 / 11 / 2018



SAM DULUK MP

MEMBER FOR WAITE



1/7-9 Young Street, Blackwood SA 5051

Post: PO Box 445, Blackwood SA 5051

Phone: (08) 8278 5844

Email: waite@parliament.sa.gov.au

Hon. Michelle Lensink MLC
Minister for Social Housing
Level 12 South
1 King William Street
ADELAIDE SA 5000

By email: DHSMinisterforHumanServices@sa.gov.au

Ref: 180521

Dear Minister *Michelle* Lensink,

I am writing regarding the stabbing incident that occurred in the suburb of [REDACTED]

The serious assault took place in a Housing SA dwelling on [REDACTED] Could you please respond to the following:

- What measures are being taken to protect the safety of long standing housing trust tenants who do not cause problems for the wider community?
- What monitoring is taking place of housing trust residents in my electorate, to ensure they are not causing trouble for their neighbours or SA Police?

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Sam'.

Sam Duluk MP
Member for Waite

31 August 2018



**Government
of South Australia**

Minister for Human Services

Level 12 South
1 King William Street
Adelaide SA 5000
GPO Box 2832
Adelaide SA 5001
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Fax 08 8463 4480

18MHA/0145

Mr Sam Duluk MP
Member for Waite
PO Box 445
BLACKWOOD SA 5051

Dear Mr Duluk *Sam*

Thank you for your letter regarding a recent serious assault at a Housing SA (HSA) tenancy in [REDACTED]

In response to your queries, I can advise that HSA has a disruptive complaints process that allows neighbours, or other concerned residents to report incidents that may breach a tenant's 'Conditions of Tenancy'. This can include, but is not limited to, the following situations:

- Commit or permit the breach of any law on the premises
- Cause or permit any interference with the reasonable peace, comfort, or privacy of anyone living in the vicinity of the premises
- Keep or permit to be kept any animal that is a nuisance or which causes danger to any other person

HSA investigates all complaints received through this process.

I am advised HSA is able to control who lives at a HSA tenancy as an extra person in the household and conducts annual home visits and inspections to monitor the property condition and any support needs of the tenant, which can include disruptive or anti-social behaviour. The frequency of the home visits can be increased should SAHA have any concerns.

HSA, in common with other landlords, does not have the authority to monitor or ban the attendance of visitors to a property. However, the tenant is responsible for the behaviour of their visitors and a complaint can be lodged against a tenant in relation to a visitor's behaviour.

Regarding the incident in [REDACTED] I am informed the tenant called for police and ambulance assistance themselves. No residents in the vicinity contacted HSA to lodge a complaint or discuss any concerns.

I hope this information is of assistance. If you have any further queries, please contact Martin Rowe, Operations Manager on 8208 6228.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Michelle Lensink".

Hon Michelle Lensink MLC
MINISTER FOR HUMAN SERVICES

2 / 11 / 2018



SAM DULUK MP

MEMBER FOR WAITE



1/7-9 Young Street, Blackwood SA 5051

Post: PO Box 445, Blackwood SA 5051

Phone: (08) 8278 5844

Email: waite@parliament.sa.gov.au

Hon. Michelle Lensink MLC
Minister for Social Housing
Level 12 South
1 King William Street
ADELAIDE SA 5000

By email: DHSMinisterforHumanServices@sa.gov.au

Ref: 180539

Dear Minister *Michelle* Lensink,

I am writing on behalf of a constituent of mine, [REDACTED]
[REDACTED]

[REDACTED] is a housing trust tenant and has raised concerns about the length of time it takes to have repairs undertaken to her home, [REDACTED]

For my constituent's benefit, could you please advise me as to the following:

- Why was there a delay in attending to the water leak at [REDACTED] house?
- What process is in place to ensure damage to housing trust homes are attended to as quickly as possible?
- What assurances can you offer my constituent that Housing SA will repair damages in a timely manner in the future?

Yours sincerely

Sam Duluk MP
Member for Waite

31 August 2018



**Government
of South Australia**

Minister for Human Services

Level 12 South
1 King William Street
Adelaide SA 5000
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Tel 08 8463 6560
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18MHA/0148
Your ref: 180539

Mr Sam Duluk MP
Member for Waite
PO Box 445
BLACKWOOD SA 5051

Dear Mr Duluk *Sam*

Thank you for your letter on behalf of [REDACTED]
[REDACTED] regarding delays in resolving maintenance concerns at her Housing SA
property.

Housing SA (HSA) acknowledges and apologises for the delays and
inconvenience reported by [REDACTED]. The delays to resolve the water leak were
due to the poor management of the work by the Multi-Trade Contractor (MTC).
HSA informs me that the remaining associated repairs were completed on 11
October 2018.

HSA assures me that they are working with the MTC to improve outcomes for
tenants. [REDACTED] feedback is greatly appreciated and will be used to improve
the standard of customer service provided in the future.

I hope this information will assist you in responding to [REDACTED]

Yours sincerely

Michelle Lensink

Hon Michelle Lensink MLC
MINISTER FOR HUMAN SERVICES

5 / 11 / 2018





SAM DULUK MP

MEMBER FOR WAITE



1/7-9 Young Street, Blackwood SA 5051

Post: PO Box 445, Blackwood SA 5051

Phone: (08) 8278 5844

Email: waite@parliament.sa.gov.au

Hon. Michelle Lensink MLC
Minister for Human Services
Level 12 South, 1 King William Street
ADELAIDE SA 5000

Via email: dhsministerforhumanservices@sa.gov.au

Ref: 180626

Michelle
Dear Minister,

I am writing on behalf of a constituent of mine, [REDACTED]
[REDACTED] regarding accessing the bond for two properties he owns
in [REDACTED]

The two flats each have a \$520 bond and [REDACTED] is seeking to have the Rental
Bond paid back into his account.

[REDACTED] states that he needs to pay for damages left behind from the previous
tenants. He is unable to contact one of the previous tenants because they have
moved overseas.

To access the Rental Bond he will be required to pay a \$160 fee to Housing SA and
attend a tribunal in the city, where it will be decided if he is able to receive the bond
back.

For the benefit of my constituent could you respond to the following questions:

- For what purpose does [REDACTED] have to pay the \$160 fee to attend the tribunal?
- Can [REDACTED] access the Rental Bond without having to pay for the tribunal?
- What happens to bond money that is not claimed by a tenant or landlord?

Your attention to this matter is appreciated.

Yours sincerely

Sam Duluk MP
Member for Waite

16 October 2018




**Government
of South Australia**

Minister for Human Services

Level 12 South
1 King William Street
Adelaide SA 5000
GPO Box 2832
Adelaide SA 5001
DX 115
Tel 08 8463 6560
Fax 08 8463 4480

18MHA/0258

Mr Sam Duluk MP
Member for Waite
1/7-9 Young Street
BLACKWOOD SA 5051


Dear Mr Duluk

Thank you for your letter regarding the difficulties your constituent, [REDACTED] is experiencing accessing bonds for two of his rental properties.

I am advised that Mr Paul McNulty, Operations Manager for the Compliance and Collections Unit of the South Australian Housing Authority (SAHA) contacted [REDACTED] directly to discuss the matter further.

I understand that during the conversation with [REDACTED] it was established that the two bonds were not provided by SAHA, and were in fact cash bonds paid to [REDACTED] by previous tenants in June 2008 as [REDACTED] had established a practice of allowing the outgoing tenant to pass the bond on to the incoming tenant.

- For bond matters requiring a resolution by the South Australian Civil and Administrative Tribunal (SACAT), a fee of \$73.00 must be paid to SACAT, not SAHA, before an application will be listed for a conference or hearing.
- [REDACTED] could have asked the tenants to sign a Bond Refund Form, returning the bond to him, if the tenants had agreed to refund the landlord.
- In respect to any unclaimed funds, the Commissioner of Consumer and Business Services makes a determination according to Legislation.

I would encourage [REDACTED] to liaise with Consumer and Business Services on 131 882 and SACAT on 1800 723 767 to recover any outstanding bonds.

For further information and advice regarding rental properties and bonds, [REDACTED] should consider accessing the sa.gov.au website, which provides helpful information regarding all facets of leasing accommodation.



I trust this information assists you to respond to your constituent. Should you or [REDACTED] require further assistance in this matter, please contact Mr Paul McNulty on 8207 0384.

Yours sincerely

Michelle Lensink

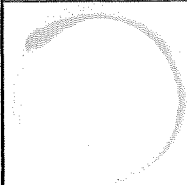
Hon Michelle Lensink MLC
MINISTER FOR HUMAN SERVICES

12/12/2018



Mr Sam Duluk MP, Member for Waite &
Mr Chris Picton MP, Member for Kairnā
invite you to discuss **why palliative care
matters to people who are approaching
death.**

Meet members of the Board of Palliative Care
SA, users of palliative care services and their
families along with palliative care service
providers for a conversation over morning tea.



World hospice &
palliative care day



PalliativeCare
SOUTH AUSTRALIA

MORNING TEA

October 18, 2018 | 10:30 AM

Old Chamber, Parliament House

North Terrace, Adelaide

RSVP to Tracey

8271 1643 or pallcare@pallcare.asn.au

Palliative Care

• BECAUSE I MATTER •

When used, palliative care improves patient care experience and quality of life, reduces use and costs of hospital and medical services, helps family caregivers and may even extend survival



PalliativeCare
SOUTH AUSTRALIA



SAM DULUK MP

MEMBER FOR WAITE



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Phone: (08) 8278 5844

Email: waite@parliament.sa.gov.au

Hon Michelle Lensink MLC
Minister for Housing
Level 12 South
1 King William Street
ADELAIDE SA 5000

Email: DHSMinisterforHumanServices@sa.gov.au

Ref: 180288

Dear Minister,

I am writing on behalf of a constituent of mine who is has concerns regarding a tenant of a Housing SA home in [REDACTED]

My constituent and her family are close neighbours of [REDACTED] which she understands is a Housing SA property. Sadly, the tenant, an older woman, passed away during the week after Christmas in 2017. After her passing, her son moved into the home. He had not lived at this address previously to my constituent's knowledge.

Since the change in tenancy, my constituent has barely had a full night's sleep due to the behaviour of the neighbour and his visitors. The worst instance of this was a banging on her door after midnight only to find a woman, hysterical and covered in blood. My constituent informs me that there appears to be continual use and trade of drugs at this address. She and her family have made many reports to the Sturt division of SA Police about behaviour at [REDACTED]

The other concern my constituent has is that the home is right near [REDACTED]. She, [REDACTED] is concerned for the welfare of children near this home where domestic disturbances and drug use is apparent.

My constituent and her husband have also contacted Housing SA about this matter.

For my constituent's benefit, could you please advise me as to the following:

- 1) After the passing of a tenant, is it common practice for a relative to take over a lease of a Housing SA home?
- 2) Does the current tenant have a long-term lease?
- 3) What can Housing SA do to help prevent anti-social behaviour at their residences?
- 4) What assurances can you offer my constituent that Housing SA will resolve this matter?

Your attention to this matter is appreciated.

Yours sincerely,

Sam Duluk MP
Member for Waite

15 May 2018



**Government
of South Australia**

Minister for Human Services

Level 12 South
1 King William Street
Adelaide SA 5000
GPO Box 2832
Adelaide SA 5001
DX 115
Tel 08 8463 6560
Fax 08 8463 4480

18MSHO/0389
Your ref: 180288

Mr Sam Duluk MP
Member for Waite
PO Box 445
BLACKWOOD SA 5051

Dear Mr Duluk *Sam,*

Thank you for your letter dated 15 May 2018, on behalf of your constituent, regarding behaviours of concern at the Housing SA property at [REDACTED]

Housing SA advises me that action was initiated in January 2018 to remove an unauthorised person from the property. Once Housing SA secured an order for vacant possession of the property through the South Australian Civil and Administrative Tribunal, the person was permitted to remain in the property for a short time until he was able to secure alternative accommodation.

I understand the person vacated the property on 19 May 2018 and the property will now undergo vacancy maintenance prior to re-allocation. Your constituent has been notified of this and asked to contact the South Australia Police and Housing SA should further concerns arise regarding unauthorised people at the property.

In relation to your specific questions, I can provide the following information:

- After the passing of a tenant, is it common practice for a relative to take over the lease?
 - Housing SA is able to transfer a property to a partner or other family member under its Same Address Transfer (SAT) Policy once in the life of the tenancy. In this case, the person in question did not meet the eligibility criteria for a SAT. In determining whether a person is eligible for a SAT, Housing SA may consider their eligibility for public housing and how long they have lived in the property.



- Does the tenant have a long-term lease?
 - In the case of an approved SAT, the ordinary lease conditions apply. Where a SAT is not approved, Housing SA may offer a person a holding lease to ensure there is a legal agreement in place while they take steps to vacate the property. The holding lease in this case was valid for three months, with the possibility of an extension, if required.
- What can Housing SA do to help prevent anti-social behaviour at their residences?
 - When signing their lease agreement, new Housing SA tenants are informed of their responsibility to ensure that the peace and privacy of their neighbours is not disturbed. Housing SA has a comprehensive Disruptive Behaviour Policy and Procedures to manage disruption and is required to respond promptly and take appropriate action when disruption is reported.
- What assurances can you offer my constituent that Housing SA will resolve this issue?
 - Housing SA resolved this issue by promptly investigating the complaint made by the constituent and securing alternate accommodation for the person in question.

I am advised that the Disruptive Behaviour and Same Address Transfer Policies are accessible at: <https://dhs.sa.gov.au/services/housing-sa/housing-trust-policies>

I hope this information will assist you to respond to your constituent. If you have any further queries, please contact Martin Rowe, Housing SA's Acting Operations Manager, on (08) 8208 6205.

Yours sincerely



Hon Michelle Lensink MLC
MINISTER FOR HUMAN SERVICES

21/6/2018



SAM DULUK MP

MEMBER FOR WAITE



1/7-9 Young Street, Blackwood SA 5051

Post: PO Box 445, Blackwood SA 5051

Phone: (08) 8278 5844

Email: waite@parliament.sa.gov.au

Hon. Michelle Lensink MLC
Minister for Social Housing
Level 12 South
1 King William Street
ADELAIDE SA 5000

By email: DHSMinisterforHumanServices@sa.gov.au

Ref: 190009

Dear Minister Lensink,

I am writing on behalf of concerned constituents of mine regarding Housing Trust homes on Gladstone Road, Blackwood.

An issue that has been brought to my attention is the proximity of Housing Trust homes and their tenants with anti-social tendencies to a nearby kindergarten.

For the benefit of my constituents could you respond to the following questions:

- What is being done to ensure Housing Trust tenants living on Gladstone Road are respectful to the houses they live in and to their neighbours?
- What does the Department do if residents in Housing Trust homes display anti-social tendencies?
- If someone has a concern about a Housing Trust tenant what procedure should they follow to lodge a complaint?

Yours sincerely

A handwritten signature in black ink, appearing to be 'Sam', with the initials 'PP' written above it.

Sam Duluk MP
Member for Waite

16 January 2019



**Government
of South Australia**

Minister for Human Services

Level 12 South
1 King William Street
Adelaide SA 5000
GPO Box 2832
Adelaide SA 5001
DX 115
Tel 08 8463 6560
Fax 08 8463 4480

18MHA/0028

Mr Sam Duluk
Member for Waite
PO Box 445
BLACKWOOD SA 5051

Dear Mr Duluk

Sam

Thank you for your letter regarding the proximity of Housing SA (HSA) homes and their tenants to a kindergarten in Gladstone Road, Blackwood. I understand some of your constituents are concerned about possible anti-social behaviour of some tenants.

I am advised HSA own 21 dwellings in Gladstone Road, comprising two detached houses and three medium density unit complexes.

I am further advised an audit of disruptive complaints lodged against the Gladstone Road tenancies shows there were two substantiated complaints during 2018, the latest being in August 2018.

HSA take reports of disruptive or anti-social behaviour very seriously and investigate all complaints in line with the Disruptive Behaviour Policy and Procedure.

Housing Officers conduct a home visit to every tenancy on an annual basis. During these visits, the property is inspected, any tenancy issues or support needs are discussed and appropriate action taken.

HSA tenants are expected to be respectful of neighbours at all times. Complaints about a HSA tenancy can be made by phone on 131 299, online at sa.gov.au or in person at any HSA regional office. When HSA receives a complaint regarding the behaviour of a tenant or their visitors which breach the tenant's Conditions of Tenancy, the complaint is investigated in accordance with the Disruptive Behaviour Policy and appropriate action taken.

Complaints are investigated by liaising with the complainant (unless reported anonymously) and other parties including Mental Health Services, South Australia Police (SAPOL), other neighbours and the allegedly disruptive tenant and their support services, if appropriate.

When a complaint is substantiated, the tenant will receive either a verbal warning (step) or a formal written warning (strike), for more serious or frequent disruptive behaviour. The tenant is warned that any further incidents of disruption may put their tenancy at risk and the tenancy may also be referred to HSA's specialist Regional Response Team for intensive support and management. Should further incidents of disruptive or anti-social behaviour be substantiated, depending on the severity and or frequency, HSA will consider seeking eviction via the South Australian Civil and Administrative Tribunal (SACAT) under Section 90 of the *Residential Tenancies Act 1995*.

I am informed residents may also seek eviction of a disruptive neighbour independently from HSA via the SACAT Tribunal. For more information about this option, please contact SACAT on 1800 723 767 or at the website: <http://www.sacat.sa.gov.au/>.

Following an eviction for disruptive or anti-social behaviour, the SAHA Allocations Officer will take additional care placing a new tenant in the property to minimise the risk of any further disruption to neighbours.

HSA encourages neighbours or any affected member of the public to contact SAPOL in the first instance if the behaviour of a HSA tenant or their visitors is criminal in nature. HSA can be contacted directly if the disruptive behaviour does not require police attendance as outlined above. The incident will then be tasked to a Housing Officer for investigation and appropriate action and the complainant will be advised of the outcome.

I trust this information assists you in responding to your constituents.

Yours sincerely



Hon Michelle Lensink MLC
MINISTER FOR HUMAN SERVICES

8 / 3 / 2019