

Threshold is a national housing charity with regional advice centres in Dublin, Cork and Galway. We provide frontline services across Ireland to people with housing problems in the private rented sector. Our primary objective is to prevent homelessness by advocating for tenants through our advice services and through our dedicated national Tenancy Protection Service. Our vision is an Ireland where everyone has access to affordable, secure, suitable and good quality housing.

It is our experience that the best way to deal with the problem of homelessness is to prevent people from becoming homeless in the first place. Through our services we are aware that the most significant cause of increased homelessness has been through people losing their homes in the rented sector. Low and middle income households are finding it increasingly difficult to access affordable secure private rented housing.

Threshold advocates for a rights based approach to housing and regards adequate housing as a human right. Housing was recognized as part of the right to an adequate standard of living in the 1948 Universal Declaration of Human Rights and in the 1966 International Covenant on Economic, Social and Cultural Rights. Everyone should have the right to live somewhere in security, peace and dignity. Access to adequate housing is a precondition for the enjoyment of other human and socioeconomic rights, including the rights to health, privacy and education.

Adequate housing is a precondition for the exercise of the right to work, a right which must be touchstone for the Department of Employment Affairs and Social Protection. As the Supreme Court has noted the right to work goes to the essence of human personality and forms an inherent part of human dignity¹. In order for this right to be fully vindicated individuals must have access to secure and affordable housing.

Interim Tenancy Sustainment Protocol

Threshold enjoys a positive working relationship with the Department of Employment and Social Protection and the relevant local authorities to support families facing eviction, in particular those facing unaffordable rent increases. Threshold provides those at risk of economic eviction with information and advice on the rent supplement (RS) scheme. Through the Interim Tenancy Sustainment Protocol (ITSP) agreed with the Department, Threshold facilitates access to additional financial support for households in receipt of RS who are at risk of homelessness. We support and advocate for clients throughout the ITSP Protocol process, from application stage right through to

¹ N.H.V -v- Minister for Justice and Equality and Ors. [2017] IESC 35

tenancy sustainment. Since the establishment of the ITSP Protocol Threshold has referred over 3011 cases to the Department.

Threshold is also well placed, due to its expert knowledge of the rental market and mediation in landlord and tenant relationships, to ensure that rent uplifts are a measure of last resort. Building on our existing relationship with the Department, Threshold can provide our expertise on tenancy law, including illegal rent increases, and advice on alternative housing solutions, to ensure that RS recipients are not put at risk of homelessness.

The Protocol mandates rent uplifts for six months. After the initial 6 months expires, Threshold's staff carry out a review of each individual case. The review involves linking in with both the tenant and the landlord to confirm that the tenancy is still in place and that there are no outstanding issues within the tenancy. After this review is carried out, Threshold will submit an application to the Department requesting that the higher level of rent supplement be continued for a further six month period. Due to the success of this Protocol, Threshold has become the point of contact for clients in receipt of ITSP payments for other issues relating to their tenancy, whether it be notice of terminations or minimum standards breaches. The valuable support and mediation Threshold provides between landlords and a tenant has a positive impact of tenancy sustainment and contributes greatly to homelessness prevention.

We urge Department staff to utilise the Protocol with Threshold in order to ensure that RS recipients who need the uplift can avail of it, have their tenancies protected and stay in their homes. While Article 38 discretion is an avenue open to Department staff, Threshold's Tenancy Protection Service (TPS) also provides frontline engagement with RS recipients faced with rent increases. The ITSP Protocol process is a highly successful homelessness prevention measure which Threshold is fully committed to supporting, alongside all the other homelessness prevention interventions provided by the Department.

Rent Supplement

The purpose of RS is to provide short term income support for people living in private rented accommodation who cannot provide for the cost of their accommodation and meet the eligibility criteria. RS continues to be the appropriate payment for people under certain circumstances and Threshold strongly urges that RS continue to exist in parallel with the Housing Assistance Payment (HAP) scheme and suggests that it is not phased out. It has been flagged through our services that some individuals who should be able to apply for RS are being told they have to apply for HAP instead. This is particularly worrying when an individual or family is at risk of homelessness and cannot avail of

RS on the '*substantial change in circumstance*' ground. Quick access to RS under these circumstances is vital for those who could afford the rent at the beginning of their tenancy but find themselves unable to continue to pay the rent because of a substantial change in their circumstances, such as unemployment, during their tenancy.

The provision of RS is required while the transition to the HAP scheme continues. Flexibility is needed and tenants should not be economically disadvantaged and put at risk of homelessness while the transitional issues with the HAP rollout are ironed out. It is our experience that the transfer from RS to HAP results in tenants in some parts of the country being financially worse off.

Threshold has serious reservations about the administration of HAP at present. Delays in either the transfer of tenants to, or the establishment of, HAP tenancies are resulting in arrears thus jeopardising the landlord/tenant relationship and placing tenancies at risk. Moreover many landlords who currently have tenants in receipt of RS are hesitant to move to the HAP scheme contrary to the housing assistance equality provision introduced in January 2016. This worrying trend has been highlighted by Irish Commission for Human Rights and Equality.

Threshold continues to advocate for the reform of the RS scheme to ensure that information about rent supplement payments available to tenants seeking to rent a property is less visible to landlords.

The overwhelming impression from our clients is that landlords are reluctant to sign up to HAP because of their mistrust of the scheme, wish to avoid unnecessary delays in starting tenancies and receiving rent and also because of a misapprehension that signing up to HAP ties them into a contract with the Local Authority. These factors have contributed to tenancy breakdown and the risk of homelessness. As a result, the on-going availability and flexibility of RS is a vital safety net for tenants in these circumstances.

Community Employment

Threshold has been a participant in the Community Employment scheme for 18 years. In that time we have sponsored 155 people. There are currently 11 CE staff in Threshold across Dublin and Cork. Community employment has two fundamental objectives: - labour market inclusion and supporting the provision of services undertaken by community and voluntary organisations. While our participation in the scheme has been positive, CE itself is in need of reform, including:

- Targeting younger participants
- Greater flexibility in the scheme to reflect the diversity of the sector

- Greater consideration to closely match a prospective participant to a scheme that aids and supports their employment and education goals.
- Similarly, more information and direction regarding available schemes according to the skills mix of the applicant
- Changes to reflect almost full employment and recruitment / retention challenges

More specifically, the relationship between the scheme sponsor and the department's development officer is vital. An updated method of contact between the two is needed. The new Welfare Partners site is a welcomed start but an easier mode of communication between the Sponsor and DSP with regard to the delivery of programme requirements is needed.

Procedures should also be developed to allow for quicker referral of participants to start the scheme. At the moment the time between recruitment/interview and start date is too long. Consideration should be given to streamlining the process of approval after a potential employee has been interviewed and selected. It can often take up to one month to secure approval from DSP.

The individual learning plan (ILP) for CE participants is designed to identify and develop the individual's education and training needs through one to one meetings with the CE Supervisor. In the case of Threshold, CE participants are primarily those who are interested in the field of information provision, advice and advocacy. The majority of our employees have already achieved a major level 7 award. The current training budget of €250 per person for external training is underused, primarily because participants cannot access the level of training desired. The spectrum and budget of the training on offer does not complement a level 7 or higher award.

Threshold welcomes the opportunity to make this submission to the Department of Employment and Social Protection in advance of Budget 2018. In order to protect tenants and to prevent a continued rise in homelessness, it is critical that all RS claimants can secure a payment that reflects actual market rents. In addition, the way the RS scheme operates must be both responsive and flexible enough to provide greater security for tenants during the national rollout of HAP and the transition from RS to HAP. Threshold's Tenancy Protection Service (TPS) provides frontline, direct experience to inform policy in relation to social protection issues. Threshold deals not only with RS but the entire range of legal and policy aspects across the Private Rented Sector and we offer our information and analysis as a resource to the Department. Threshold's TPS relies on the goodwill and collegiality of the Department regarding the success of the ITSP and the uplift of RS has benefitted many people and families using our services. We look forward to an on-going dialogue with the Department.



**An Roinn Tithíochta, Pleanála,
Pobail agus Rialtais Áitiúil**
Department of Housing, Planning,
Community and Local Government



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