

HOUSING REGISTRAR

REGULATORY UPDATE REPORT 2018-19



The Housing Registrar

Our vision

A community housing sector that provides access to safe, secure and affordable housing solutions to Victorians in need.

Our purpose

To contribute to the development, growth and continual improvement of the Victorian community housing sector through proactive, risk-based, and outcomes-focused regulation.

Our priorities

- Organisational excellence
- Better regulation
- Strong partnerships and engagement

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The Registrar's foreword – living our purpose

I am pleased to present the first edition of our Regulatory Update Report from the Housing Registrar. This 2018-19 Regulation Update Report provides a yearly update on priority reform projects, regulatory news and sector updates for the previous financial year. This includes reporting on the Housing Registrar's progress against its 2018-20 Strategic Plan and priorities of:

- organisational excellence;
- better regulation; and
- strong partnerships and engagement.

This report also provides an overview of key priorities and areas of focus for the Housing Registrar in 2019-20.

The Regulatory Update Report is published separately to the *Sector Performance Report 2017-2018* (published in July 2019) which contains detailed analysis of sector performance for the financial year ended 30 June 2018). The Housing Registrar's new format of two separate publications supersedes our previous publication of one annual report¹.

The Housing Registrar, as a business unit within the Department of Treasury and Finance (DTF), supports the Registrar of Housing Agencies in the delivery of the Registrar's functions and exercising powers under Part VIII of the *Housing Act 1983* (the Housing Act). The Registrar is an independent statutory function located in a separate portfolio to the Director of Housing. This separation is to ensure independence of the regulator and minimise any opportunity for conflicts with the funding and policy setting arm of government.

The purpose of the Housing Registrar, reflected in its 2018-2020 Strategic Plan, is to contribute to the development, growth and continual improvement of the Victorian community housing sector through proactive, risk based and outcomes-focused regulation. This approach is intended to translate into positive outcomes for the community housing sector and vulnerable Victorians (the tenants and prospective tenants of the community housing sector).

¹ The Regulatory Update Report does not contain financial information relating to the operations of the Housing Registrar. This information is reported on in the Department of Treasury and Finance's (DTF's) 2017-18 Annual Report, which can be viewed at dtf.vic.gov.au.

The Housing Registrar has delivered significant reform projects this year against its priorities. The delivery of these projects has enabled the Housing Registrar to meet its obligations in relation to the Minister's² Statement of Expectations (SoE). This reform is aimed at increasing transparency, reducing regulatory red-tape and refining the Housing Registrar's risk-based approach to regulation.

Key deliverables against the SoE in 2018-19 include:

- developing internal Key Performance Indicators (KPIs) for the Housing Registrar;
- implementing a range of transparency reforms, including changing public performance reporting of compliance outcomes and regulatory intervention under the regulatory framework.
- establishing a compliance requirement for all registered agencies to publish their policies and procedures related to 'tenancy management' and 'rent setting' online in accessible format;
- developing a Horizon Scanning Framework to provide more intelligence on emerging risk to regulatory analysts and the sector;
- completing Annual Regulatory Reviews a month earlier than the previous year;
- reviewing and subsequently amending the risk-based Regulatory Engagement Tool;

- publishing new and refreshed guidance materials to support registered agencies understanding of their compliance requirements, including Corporate Group Structures and Reportable Events guidance; and
- completing a suite of enhancements to the Community Housing Information Management and Engagement System (CHIMES) to improve user experience and system functionality.

In 2019-20, the Housing Registrar will maintain its focus on increasing transparency and reducing regulatory burden, as well as other ongoing efforts to achieve better regulation. The Housing Registrar will continue to participate in the Review of the National Regulatory System for Community Housing (NRSCH) and seek further alignment and information sharing opportunities to improve regulation outcomes in Victoria and across Australia. To achieve our goals, we will continue to nurture the strong relationships we have with stakeholders and build new ones.

We look forward to continuing our efforts to drive positive outcomes for community housing in Victoria.

Yours sincerely

Bernard Gastin

² The Assistant Treasurer is the current Minister, however at the time of issuing the SoE the portfolio minister was the Minister for Finance.

Our priorities

The Housing Registrar is committed to contributing to the development, growth and continual improvement of the Victorian community housing sector through proactive, risk-based, and outcomes-focused regulation.

This commitment reflects the:

- Registrar's objectives, powers and functions under the Housing Act;
- the Ministerial Statement of Expectations (SoE) for the period 1 January 2018 to 30 June 2019; and
- the Housing Registrar's 2018-2020 Strategic Plan.

The Assistant Treasurer, Hon Robin Scott, has portfolio responsibility for Part VIII of the Act, which establishes the Registrar. The Minister provided a SoE for the Housing Registrar in 2018, setting out his expectations of the Housing Registrar's contribution to the Government's program to reduce red tape, as well as broader improvements for the Housing Registrar's performance. This Regulatory Update Report presents the Housing Registrar's progress against the Minister's SoE for the period 1 July 2018 to 30 June 2019.

As part of the Housing Registrar's strategic planning day in July 2018, the team identified there was need to invest in refining its vision and purpose. The intention was that with renewed clarity the Housing Registrar would be able to better live its purpose, to deliver proactive, risk-based and outcomes-focused regulation, to help serve Victorians in need of access to safe, secure and affordable housing solutions.

The Housing Registrar developed its 2018-2020 Strategic Plan, containing three priorities and refreshed values that drive the way we work.

This report outlines the regulatory activities undertaken in the first year of the Housing Registrar's two-year Strategic Plan, against three priorities of:

- organisational excellence;
- better regulation; and
- strong partnerships and engagement.

To learn more about the Victorian Housing Registrar, please visit our website:

<http://www.housingregistrar.vic.gov.au>. The website includes information on Victoria's regulatory system for community housing, including Performance Standards and guidance materials as well as newsletters and reports.

The Housing Registrar's 2018-20 Strategic Plan is presented below:



Strategic Plan 2018–2020



Organisational excellence

The Housing Registrar is proactively building capability to meet current and future challenges. In 2018-19, the Housing Registrar undertook several activities to promote organisational excellence including:

- preparing a new 2018-20 strategic plan, identifying clear priorities (see also 'Our priorities' section) linked to our workplan and individual performance plans;
- developing standardised performance plans across the team to support consistency and transparency as part of bi-annual assessments;
- identifying 'how we work', considering what our values mean to us to help drive how we work, delivering our key cultural measures of success;
- identifying key performance indicators (KPIs) – to measure the Housing Registrar's performance, efficiency and alignment with objectives;
- designing a horizon scanning framework – incorporating aspects of future thinking into compliance activities to improve business intelligence; and
- enhancing our capacity building through attendance at a range of internal and external learning and development opportunities.

The Housing Registrar is committed to:

Ensuring the Housing Registrar has the capabilities to meet current and future challenges by enabling a high performance culture that values and supports our people.

Key performance indicators

The SoE directed the Registrar to:

'... develop a set of key performance indicators to provide greater public accountability and transparency about how effectively the Housing Registrar is registering and regulating registered agencies to achieve the desired regulatory outcomes of growth and quality service delivery to meet social objectives.'

In identifying KPIs, the Housing Registrar started with the first principles of its regulation contained in the Housing Act, Performance Standards and Intervention Guidelines and reflected in the Housing Registrar's:

- 2018-2020 Strategic Plan (including its three priorities of organisational excellence, better regulation and strong partnerships and engagement);
- six principles of good regulation; and
- four objectives in the Regulatory Framework.

The following KPIs were selected mapped to what 'success looks like', to ensure KPIs are linked to the intended outcomes of the regulatory framework and 2018-2020 Strategic Plan.

KPIs	What success looks like
KPI 1: Compliance, monitoring and enforcement activities are undertaken in a coordinated, streamlined and timely manner	<ul style="list-style-type: none"> ▶ Regulatory approach that evolves to keep pace with the operating environment of regulated entities <p>KPIs associated with this success factor: 3, 5, 6</p>
KPI 2: Communications and engagement with registered agencies and other stakeholders are outcomes-driven, clear and timely	<ul style="list-style-type: none"> ▶ Delivery of regulation with a degree of efficiency at the least cost to Government <p>KPIs associated with this success factor: 1, 3</p>
KPI 3: Regulatory and compliance risks are identified, closely monitored and proactively mitigated proportionate to the risks being managed	<ul style="list-style-type: none"> ▶ An active and obvious regulatory system that acts appropriately <p>KPIs associated with this success factor: 2, 4</p>
KPI 4: The regulator contributes to continuous improvement of the regulatory framework	<ul style="list-style-type: none"> ▶ Effective and efficient regulatory framework that imposes the least necessary burden to maintain the standards <p>KPI associated with this success factor: 2, 6</p>
KPI 5: The regulator promotes transparency in the regulatory system and the sector	<ul style="list-style-type: none"> ▶ Open data and intelligence for the public, financiers and policy makers to make informed decisions <p>KPIs associated with this success factor: 5</p>
KPI 6: The regulator does not unnecessarily impede the efficient operation of registered agencies.	<ul style="list-style-type: none"> ▶ Encourages investment to benefit social outcomes ▶ Improves tenant outcomes and protects Victorians in need <p>KPI associated with this success factor: 3, 5</p> <p>KPIs associated with this success factor: 2, 5</p>

Performance against these KPIs will be published in the Housing Registrar’s next annual Regulatory Update Report. Assessment against each of the KPIs will include a short narrative outlining the Housing Registrar’s performance over the past 12 months, the evidence to support the assessment and any action items arising from assessment (where applicable).

Horizon scanning

The Housing Registrar undertook a review of the value and feasibility of implementing a Horizon Scanning Framework (the framework) in consultation with the NRSCH. The review identified that Horizon Scanning is a useful regulatory and capacity-building tool that should be incorporated into the Housing Registrar’s regulatory activities.

Horizon Scanning is a structured evidence-gathering process involving researching, collecting data and reviewing a broad range of information sources. The aim of this process is to identify potential risks and opportunities and assess their effects on the sector, regulatory environment and the Government’s housing priorities.

The purpose of this framework is to refine risk-based regulation in line with the Housing Registrar’s Strategic Plan for 2018-2020 and its response to the SoE.

The Housing Registrar has found that the benefits of Horizon Scanning include:



Implementation of the horizon scanning framework will be carried out in three stages. The first stage involved the preparation of the draft framework, outlining the steps to undertake the scanning and evaluation. A Horizon Scanning Register has been developed to record emerging issues.

The data collected will include economic data, tenant outcomes, policy developments, census data (tenant profiling), environmental scanning outcomes and data generated from analysis tools (including property locations, density and gap analysis). Identification of external trends and drivers (including formal public inquiries and changes to law) will also form an integral part of the horizon scanning function. The Housing Registrar will trial the framework during 2019-20 and adjust it as necessary, addressing practical challenges encountered during the process and further aligning with NRSCH findings.

The next two stages of the project will be publication of the framework in June 2020 and publication of the Horizon Scanning report in 2020-21.

Internal capacity building

Internal capacity building is a key deliverable for the Housing Registrar's priority of organisational excellence in the 2018-20 Strategic Plan. Over the course of the year, the Housing Registrar attended a range of internal and external learning and development opportunities to support delivery of our work program, including:

- A range of seminars on regulation with topics covering:
 - different forms of regulatory complexity and the challenges posed by each;
 - lessons for regulators on governance and performance from the Financial Services Royal Commission;
 - risk management frameworks;
 - the difference between the performance of a regulator and the performance of regulation;
 - making the most of limited resources to undertake effective and efficient reactive regulatory activity;
 - emerging trends and best practices in government regulation and addressing corruption risks in the public sector;
- two visits from NRSCH representatives. To explore differences in the national and Victorian community housing systems to support closer alignment of both the Victorian system and the national system;
- CHIA training: *Introduction to the Residential Tenancy Act 1997, Social Housing the Bigger Picture*;
- Institute of Public Administration Australia training;
- CPA Australia and Chartered Accountants Australia and New Zealand professional development;
- DTF training (including on Aboriginal Cultural Awareness and Mental Health and Wellbeing training).

Better regulation

In 2018-19, the Housing Registrar undertook several activities to promote better regulation including:

- promoting timelier delivery of the annual regulatory reviews process;
- promoting greater transparency through:
 - (a) publishing a compliance guidance note – *agency publication of key policies guidance* – requiring registered agencies to publish key tenancy management and rent setting policies online, in an accessible format;
 - (b) identifying processes for new online performance reporting of annual compliance reviews. From the 2019-2020 annual regulatory review cycle onwards, annual compliance assessment outcomes will be made publicly available on the Housing Registrar’s website. Any formal intervention action by the Registrar under the Intervention Guidelines will also be published from 1 July 2019;
- delivering enhancements to the Housing Registrar’s information management system CHIMES – addressing business requirements that were identified and prioritised from registered agency user feedback, system testing and ongoing user experience;
- publishing new and refreshed guidance materials to support agencies and aligned to the NRSCH (*Corporate Groups and the Victorian Regulatory Framework* guidance and *Reportable Events*);
- reviewing the regulatory engagement tool (RET) – the operational effectiveness of the RET including risk indicators and risk weightings, as well as testing of the functionality of the tool; and
- streamlining financial performance reporting – identifying areas where the financial performance template can be improved.

Our commitment to promote better regulation by:

- » Supporting registered agencies to achieve good governance, financial viability and quality tenancy and asset management through regular compliance assessment.
- » Reducing the regulatory burden on registered agencies.
- » Facilitating greater investment in the sector by promoting confidence in the performance of registered agencies.
- » Making our regulatory approach and processes more accessible and transparent.
- » Identifying opportunities for improvement, including through feedback mechanisms.

Annual regulatory reviews

Annual regulatory reviews are one of the major responsibilities of the Housing Registrar in the regulatory calendar to assess registered agencies' compliance with Performance Standards consistent with Section 95 of the Housing Act. Sections 105 and 106 of the Housing Act also require agencies to meet specific reporting and declaration requirements as part of the annual regulatory review process. During the annual regulatory review, registered agencies must demonstrate the following:

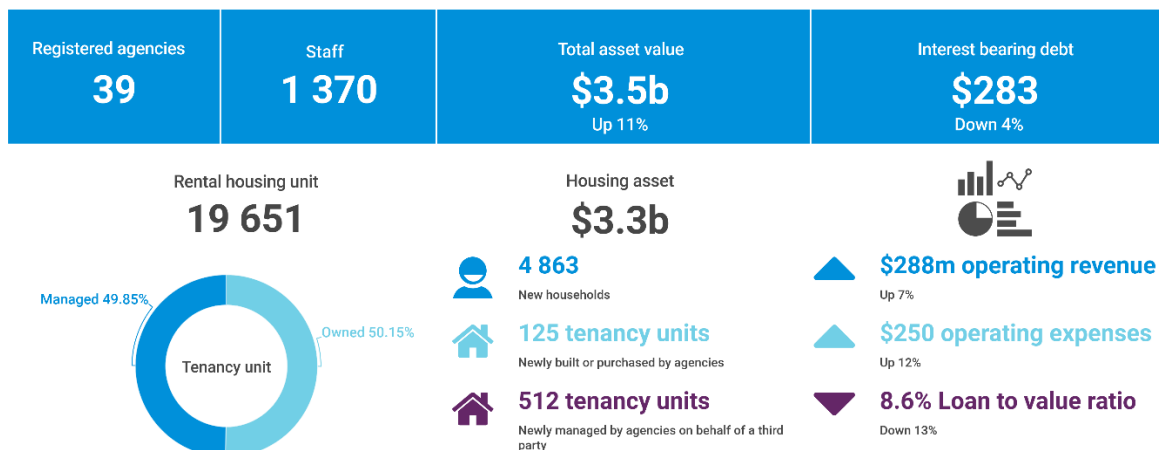
- compliance with Performance Standards;
- compliance with other legislative and regulatory requirements; and
- achievement and continuous improvement, against key performance measures (KPMs) and other measures contained in the registered agency's annual business plan.

The annual regulatory review outcomes for 2017-18 indicate that the community housing sector performed well overall.

Of the 39 registered agencies, 36 were assessed as meeting all Performance Standards, an improvement from 35 in 2016-17. Two registered agencies had some capacity to meet the Performance Standards, compared to four registered agencies in 2016-17. These two registered agencies agreed to comply with regulatory plan action items to attain compliance with Performance Standards in 2019-20. One registered agency failed to meet several Performance Standards. As a result, the Registrar issued a binding instruction under section 132 of the Housing Act, to address compliance issues against governance, management, probity and tenancy management Performance Standards.

At 30 June 2018, the registered sector employed 1 370 staff and had 19 651 tenancy (rental) units under management, of which housing associations managed 73 per cent and housing providers 27 per cent. The registered sector owned 10 155 properties with a total asset value of \$3.5 billion. Interest bearing debt dropped by 4 per cent from 2017-18 to 2018-19, to \$283 million.

The diagram below provides an overview of the sector snapshot for 2017-18.



Publication of key policies by registered agencies

The Housing Registrar released a Guidance Note, *Publication of Key Policies by Registered Agencies*, to registered agencies in February 2019. Guidance notes identify the level of performance or compliance expected of registered agencies. This Guidance Note required registered agencies to have tenancy management and rent setting policies and procedures readily available, in a variety of formats, through their website.

The key drivers of this Guidance Note promote:

- fairness, transparency and responsiveness by registered agencies in delivering housing assistance to tenants, residents and other clients;
- better outcomes for tenants and prospective tenants, assisting them to understand how tenancies are managed and maintained;
- compliance with the Housing Registrar's Performance Standards, which represent the standard of operation required under the Housing Act (Section 95); and
- stakeholder confidence in the community housing sector.

Registered agencies were required to publish their policies on their websites by 30 April 2019. In June 2019, lead regulators completed audits on each of their registered agencies, taking into consideration any extension requests. Chief Executive Officers of each registered agency were formally notified of the outcomes of the audits through letters sent at the end of June 2019.

The Housing Registrar worked closely with the sector and CHIA to ensure greater transparency from publication of tenancy management and rent setting policies. This has included the Registrar requiring registered agencies to be transparent to tenants on how rent is calculated. For rooming houses and units which are not separately metered, there may be additional charges included that comprise the rent (including charges for utilities such as water and electricity). There is no regulatory or legal requirement to charge these amounts separately, however registered agencies must be able to communicate to tenants how their rent is calculated.

Stage two of this project to be conducted in 2019- 20 will commence identifying and promoting better online policy practices across the sector, with an emphasis on both accessibility and content. This stage recognises that policies published on registered agency websites should be in a clear, easy to read format, and accessible to tenants and prospective tenants.

Online performance reporting

The SoE outlined specific housing regulation objectives and performance enhancement opportunities for the Housing Registrar, including enhancing transparency in public reporting of the performance of individual registered agencies as well as for the sector 'as a whole'.

The Housing Registrar currently publishes de-identified data on individual registered agencies and the sector on its website, including:

- the sector performance report, containing detailed statistics and analysis of the registered sector; and
- a link to individual registered agency KPMs and asset data, as available on the Victorian Government's DataVic website.

The Housing Registrar's website also includes a link to all registered agency audited accounts, as available on the Australian Charities and Not-for-profits Commission website. The Housing Registrar's public register also provides summary information on each registered agency, including names of all board members.

A feedback paper was circulated to the sector in June 2019 that outlined the Housing Registrar's proposal to promote greater accountability and transparency in the management, delivery and regulation of community housing in Victoria, and closer alignment to the NRSCH.

The feedback paper was based on desktop research of other jurisdictions, both within Australia and overseas, that found there are benefits for regulators, registered agencies and other stakeholders to move to greater transparency in performance reporting of the sector. These major benefits include:

- continuously improving the capability of the sector, with registered agencies being able to benchmark their own performance against comparable registered agencies;
- empowering and protecting tenants, as tenants compare their landlord's performance against others, which can influence service delivery, supporting better tenant outcomes;
- promoting market confidence to facilitate growth in the sector, from the private sector and government; and
- promoting the accountable use of government investment in the sector.

Based on consultation and feedback from the sector in July 2019, the actions over the page were agreed to move to greater transparency in performance reporting.

The Housing Registrar is committed to promoting greater accountability and transparency in the management, delivery and regulation of community housing in Victoria, and closer alignment to the NRSCH, and this will remain a key priority in 2019-20.

Publish annual regulatory review outcomes

- Annual regulatory review outcomes, by registered agency, will be available from the 2018-19 reporting period in the Housing Registrar's public register. Information will take the form of a table outlining compliance against each of the seven Performance Standards against the criteria of 'met', 'capacity to meet' and 'did not meet'.
- This information facilitates comparison of outcomes with other registered agencies and is consistent with public performance reporting requirements as part of the NRSCH.

Publish formal intervention

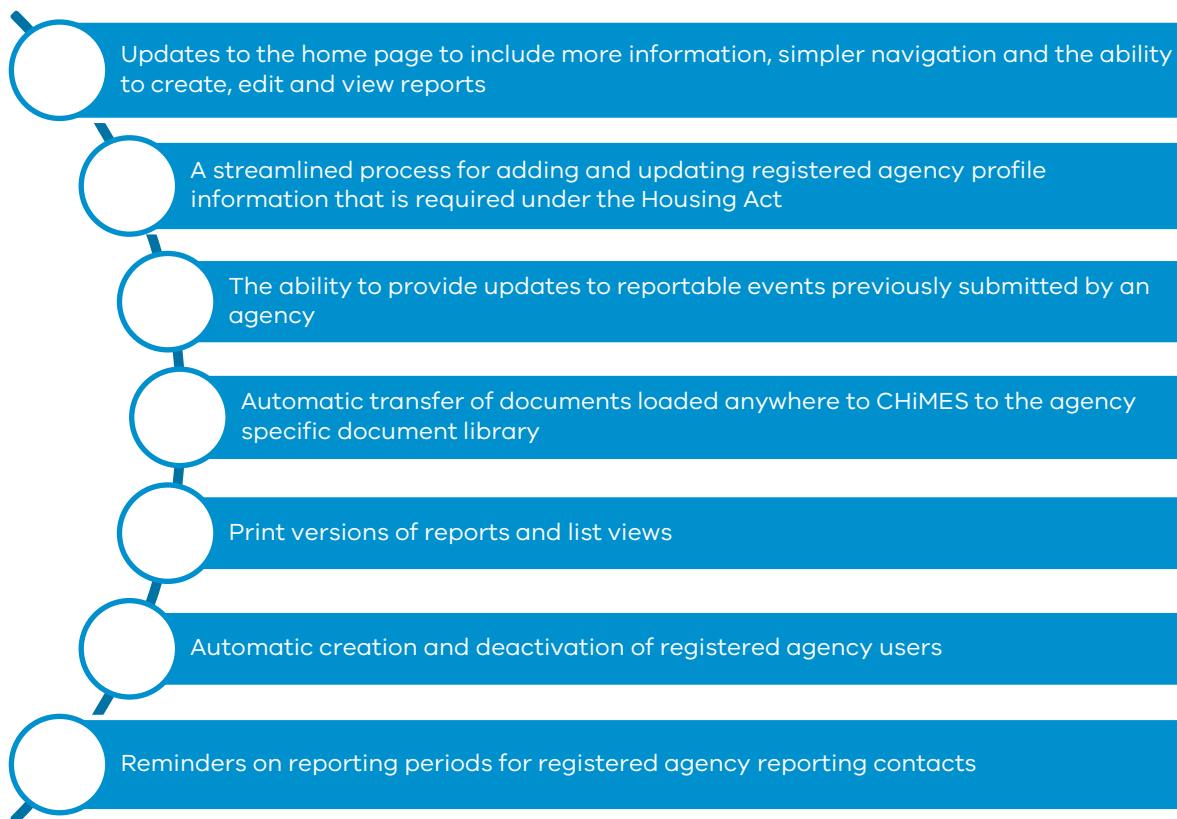
- Formal intervention by the Registrar under the Intervention Guidelines issued on or after 1 July 2019 will be published on the Housing Registrar's public register.
- This information is consistent with public performance reporting requirements as part of the NRSCH.

CHiMES enhancements

In March 2019, the Housing Registrar commenced making a suite of enhancements to CHiMES, its cloud-based IT system. CHiMES was developed by the Housing Registrar in 2015 for the regulation and monitoring of registered agencies. It is built on the Salesforce platform and includes an internal site for Housing Registrar staff and a purpose-built Partner Community used by approximately 150 registered agency users across the 39 registered agencies.

The enhancements addressed 56 business requirements that were prioritised from internal review, registered agency's user feedback, system testing and ongoing user experience. Housing Registrar staff worked closely with the software development team over three months to define, build and test the requirements with the aim of improving system useability and making information and reports easier to find, update and action.

The project was completed on 11 June 2019 with the deployment of the enhancements to the live CHiMES system. Improvements to the system provide benefits to registered agencies including:



Corporate groups and the Victorian Regulatory Framework

The corporate group structure that a registered agency operates within may impact its ability to comply with Performance Standards and the Registrar must consider whether appropriate governance and inter-entity arrangements are in place. The Registrar must also be satisfied that operating in a corporate group will not adversely affect the ability of the registered agency to carry out its function of providing affordable housing to people on low incomes.

The *Corporate Groups and the Victorian Regulatory Framework* provides guidance for registered agencies on regulatory risks which may arise operating under corporate group structures and identify options for mitigating these risks. This information may assist registered agencies operating within the NRSCH, or in Western Australia, that wish to operate in Victoria. This guidance was published online in November 2018.

Process for engaging with the Registrar

When applying for registration, or to become a subsidiary of a non-registered agency under a corporate group structure, early engagement with the Registrar is recommended to ensure that the proposed corporate structure does not present any regulatory risks.

Key steps in the approval process include:

- early notification to the Registrar of any registration request or proposed changes to the corporate group structure requiring approval under the Housing Act;
- provision of any preliminary information for review by the Registrar;
- meeting with the Registrar and representatives from the Housing Registrar if required to discuss the application;
- providing any further information sought by the Registrar (noting that the Registrar may require any further information that is considered appropriate to the application and may refuse an application if that information is not provided under section 82 of the Housing Act);
- obtaining appropriate professional advice where necessary, and the development of a comprehensive risk analysis with mitigation strategies; and
- where appropriate, developing and implementing a stakeholder engagement strategy to support the process.

Reportable events

The Housing Registrar undertook a review of its reportable events guidance in June 2019 to reduce regulatory burden and streamline reporting requirements as part of ongoing efforts to drive continuous improvement to its regulatory framework.

A reportable event is any event that has or may have a significant impact on a registered agency's compliance with Performance Standards and/or other regulatory obligations under the *Housing Act 1983*.

The Housing Registrar must be informed as soon as practicable after a reportable event is identified, and it is the responsibility of the registered agency to disclose these events through the Housing Registrar's IT system, CHiMES. Serious issues which are reportable events should be reported to the Housing Registrar within 72 hours. Failure to notify the Housing Registrar within 72 hours of becoming aware of the issue or of the event occurring where these subsequently come to the attention of the Registrar, will be considered in compliance assessments of the registered agency.

As part of the review, several opportunities were identified to reduce the reportable event list, from 38 down to 26 items, across each of the seven Performance Standards. In finalising the revised list, the Housing Registrar considered the risks and mitigation strategies in reducing and/or amalgamating the event options available to report against.

Changes to the reportable events guidance were communicated to the sector in July 2019, effective immediately with CHIMES updated to reflect the revised reportable events. Subsequent feedback from the sector assisted in refining the definition of a reportable event and timeliness of reporting for serious issues. Revised guidance was circulated to the sector in August 2019 and updated on the Housing Registrar's website.

Regulatory Engagement Tool review

The Housing Registrar's Regulatory Engagement Tool (RET) is a risk profiling tool which identifies relative risks associated with an individual registered agency and drives the frequency of regulatory engagement each year. In 2018-19, the Housing Registrar initiated a project to undertake a review of the RET. The purpose of the project was to review the operational effectiveness of the RET, reassess risk indicators and risk weightings, and test RET functionality considering regulatory outcomes and past registered agencies performance.

Where areas of improvement are identified, the RET will be amended to ensure outcomes are consistent with the scope, complexity and risks of the individual registered agency and that engagement frequency is adequate.

The review includes the following steps:

- 1 Comparison of RET outcomes with compliance outcomes and the identification of inconsistencies between the two.
- 2 Reviewing the risk weightings in the RET and running sensitivity testing to assess the responsiveness of the RET to adverse findings.
- 3 Gathering further data on registered agency risks and discussing potential additional risk indicators.
- 4 Identification of opportunities to integrate the findings from the horizon scanning project (as outlined in the 'Organisational excellence' section) into the RET.
- 5 Identification of options to simplify the RET.
- 6 Re-considering risk weightings including financial and non-financial performances.
- 7 Developing and testing the new model with past data.
- 8 Running scenario analyses to formulate risk escalation steps for certain events.
- 9 Integration of the new tool to CHIMES.
- 10 Continual re-assessment of the viability of the amended RET in a changing environment.

To date, the Housing Registrar has completed steps one to four of the project which has resulted in the identification of several opportunities to improve the RET. In 2019-20, the Housing Registrar will continue to work on implementing these improvements and progressing steps five to 10 in order to implement the revised RET for the 2019-20 annual regulatory review cycle.

Review of the financial performance report template

During the year, the Housing Registrar reviewed and updated the Financial Performance Report (FPR) template. The FPR is an Excel-based tool which the Housing Registrar uses to gather financial information from registered agencies. The FPR assists in the assessment of the financial performance and viability of individual registered agencies as well as enabling the Housing Registrar to consolidate the data to calculate the sector's overall volume and financial performance.

The scope of the review included:

- whether the FPR captures all relevant data required to undertake a deeper analysis in relation to the capacity of the registered agency and the sector to grow;
- whether there is scope to separate out some of the aggregated entries to obtain a more detailed view of the registered agency;
- how to enhance review mechanisms to cross check the data entered into the FPR to identify discrepancies before FPR is submitted;

- consideration of ways to collect targeted information in relation to registered agency's development and financing activities;
- methods to capture and record construction works in progress; and
- introducing budget and budget variance columns into the template to analyse business performance and help to identify and focus on the causes of variance.

Several areas where the FPR template could be revised to achieve these outcomes have been identified. However, considering the complexity of the FPR template and to allow registered agencies enough time to familiarise themselves with the changes, implementation of these revisions will occur in stages.

In 2018-19, to reduce regulatory red tape the Housing Registrar introduced a reduced forecast period of 10 years down from 15 years in the FPR and eliminated the half-yearly reporting in December for Housing Associations. Further, the FPR template now includes current year budget and budget variance columns. Registered agencies will provide their budgeted figures for the financial year and the tool will calculate the budget variance between the budgeted figure and the actuals.

In forthcoming months, the Housing Registrar will continue to integrate other changes into the FPR template and prepare guidance materials for registered agencies regarding these changes. It is envisaged that all changes will be integrated into the FPR template before the 2019-20 annual regulatory review cycle.

Strong partnerships and engagement

Over the past year, the Housing Registrar has proactively sought to strengthen collaboration with its key stakeholders and has worked to continuously build open and engaged relationships. This has been demonstrated by:

- sector feedback from the annual regulatory review process;
- actively participating in a range of stakeholder forums including the NRSCH registrar's forums and communities of practice meetings, delivering CHIA training on regulation for boards, participation in the NRSCH review, and delivering training for the Australasian Housing Institute's, Regulation & Regulatory Frameworks for Community Housing Seminar in Wellington, New Zealand;
- refreshing our communications strategy including our quarterly newsletter, Equip, as well as our approach to delivering Sector Forums and our Annual Report/Sector Performance Report;
- continuing to review and improve complaints processes (both internally and sector-wide);
- Working closely and collaborating with CHIA and DHHS on shared reform and capacity-building opportunities.

We are committed to:

- » proactively building high-value and purposeful relationships
- » being visible, open and engaged
- » raising awareness of the regulatory system and the Housing Registrar's role
- » providing advice and guidance to the community housing sector to support the regulation of registered agencies

Sector feedback

The Housing Registrar is committed to formally soliciting feedback from the regulated sector to improve and streamline regulatory approaches and processes through its annual compliance cycle survey.

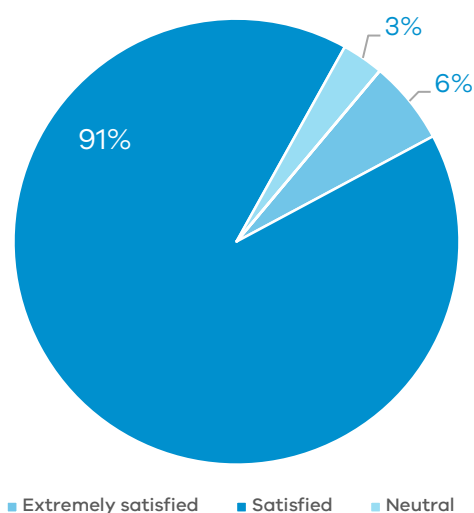
Sector feedback received from the 2017-18 survey was used to drive improvements in three key areas:

- All 2017-18 annual compliance reviews were completed by the Housing Registrar and results provided to registered agencies a month earlier than the previous year (2016-2017).
- CHiMES functionalities and user friendliness (as outlined in the 'Better regulation' section).
- The Housing Registrar's RET (as also outlined in the 'Better regulation' section).

The annual compliance cycle survey was conducted in May 2019 following the completion of the 2017-18 compliance cycle. The voluntary survey was sent out to all registered agencies and included 23 questions across six areas. There was an 85 per cent response rate across the sector.

Information and resources

Satisfaction with Housing Registrar's available information and resources



94 per cent of registered agencies were satisfied or extremely satisfied with the Housing Registrar's available information and resources. The most useful documents identified included the FPR, KPMs' guidance document and the *Performance Standards for Registered Agencies* publication.

Suggestions for improvements included enhancements to both CHiMES and the CHiMES user guide. Most of these system-related issues have been addressed through the most recent CHiMES enhancements.

Registration type	Number of surveys sent	Number of surveys returned	Per cent returned (%)
Housing associations	10	9	90
Housing providers	29	24	83
Total	39	33	85

Contact with the Housing Registrar team

The survey asked four questions regarding registered agencies' contact with the Housing Registrar team. These questions related to Housing Registrar staff and their understanding of the registered agency's business, professionalism, consistency in applying evidence and referencing of compliance guidelines.

94 per cent of responses ranked the Housing Registrar as good or very good within these areas.

Positive comments from registered agencies regarded responsiveness to queries, thoroughness in responses and approachability. One concern was raised regarding Housing Registrar staff handovers when a new analyst was assigned to a registered agency. Registered agency feedback identified areas for improvement which has been considered as part of the Housing Registrar's ongoing continuous improvement initiatives in the 2019-20 workplan.

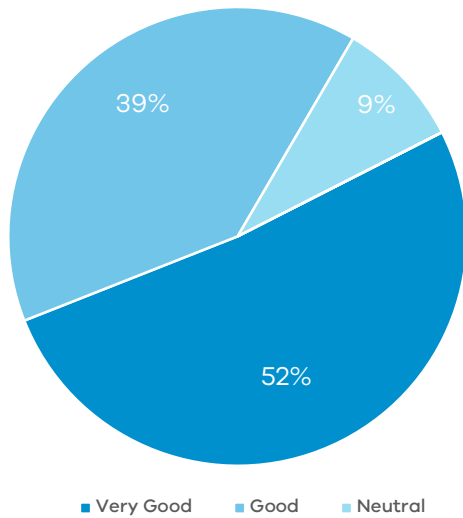
Compliance assessment process

Six questions were asked regarding the compliance assessment process. Topics included the usefulness of regulatory meetings, additional reporting, expectation management and timeliness in providing the final regulatory report.

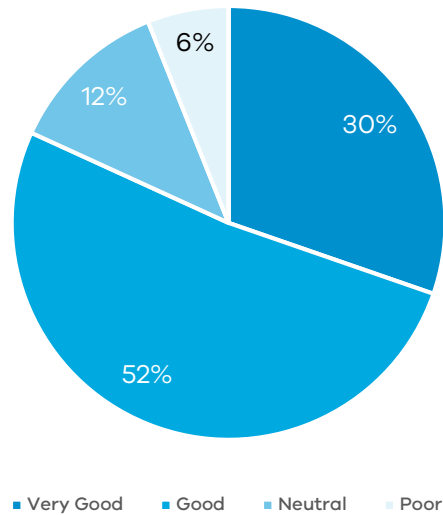
89 per cent of responses ranked the Housing Registrar as good or very good within these areas.

The two graphs over highlight the responses received regarding the Housing Registrar's timeliness in seeking further information to finalise registered agencies reporting and then providing the final annual regulatory review report.

Follow-up of reporting occurred within a reasonable timeframe



The final compliance assessment report was provided in a reasonable time



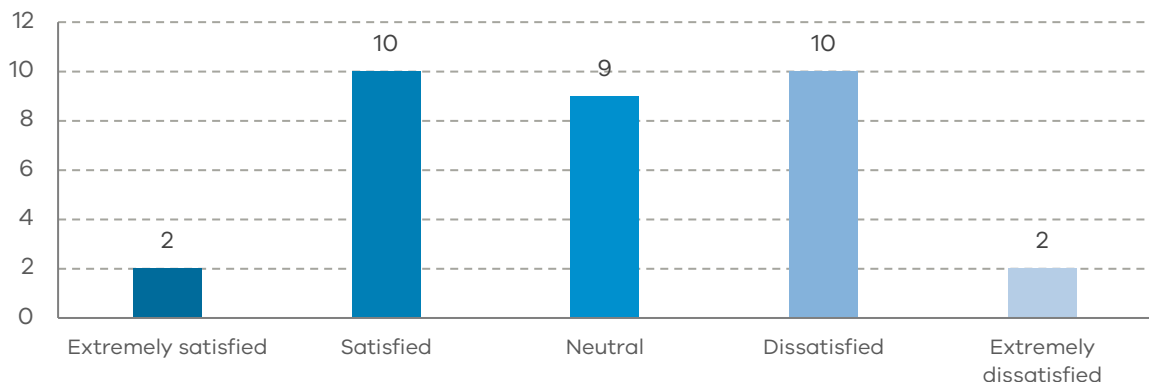
Positive feedback from registered agencies included receiving regulatory meeting questions in advance. Concerns included:

- (a) some regulatory plan items being too broad and provided too close to the end of financial year to facilitate timely implementation; and

- (b) the Registrar taking too strict an approach with legislative requirements marked as not met due to late submission of report/s.

CHiMES

How satisfied were you with the accessibility and usability of CHiMES?



One question was asked regarding registered agencies' satisfaction with CHiMES. An equal number of respondents were satisfied and dissatisfied by their user experience.

Two open-ended questions were asked regarding the useability and usefulness of CHiMES with responses summarised below.

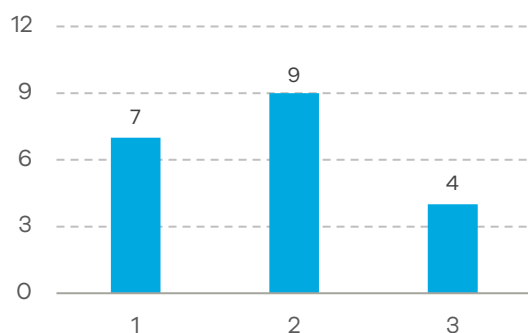
CHiMES functions	
Useful/easy to use	Not useful/difficult
<ul style="list-style-type: none"> • Compliance section • Reporting deadlines • Library • Asset list 	<ul style="list-style-type: none"> • Evidential Reporting • Change requests • Reportable Events • Inability to print KPMs

Registered agency feedback regarding CHiMES has been rectified as part of the CHiMES enhancement project.

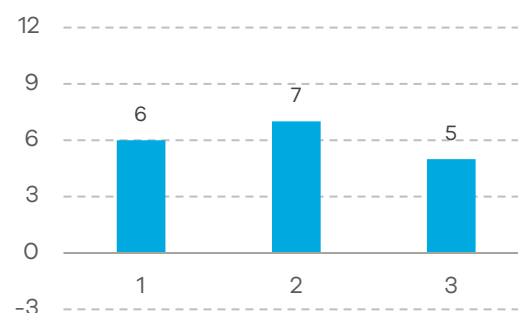
Benefits of the regulatory system

Registered agencies were asked to pick up to three benefits (ranked 1 to 3) of the regulatory system from a possible nine options. The four most selected benefits were:

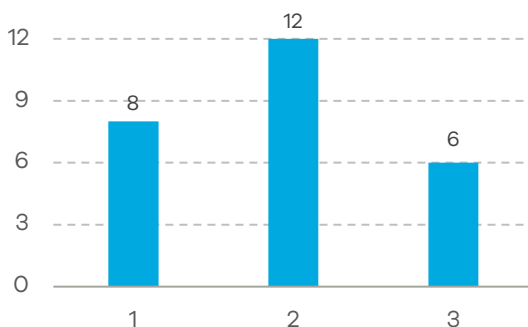
Identified areas for business improvement



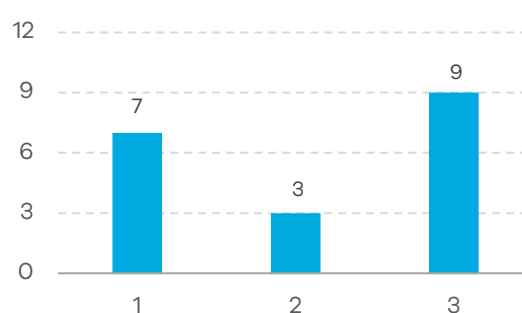
Improved proactive management of services assets and risks



Improved business processes and systems



Improved regulatory compliance



Comments from registered agencies specifically regarding benefits of the regulatory system included feedback on Victoria joining the NRSCH and guidelines to implement downsizing for tenants.

Continuous improvement

Feedback from registered agencies on continuous improvement opportunities for the Housing Registrar included:

- updates to the FPR and KPM templates;
- DHHS relationship building;
- training for registered agencies on CHiMES and regulation; and
- timing of the annual survey.

Feedback from the 2018-19 survey will be used to support the development of the Housing Registrar's 2019-20 workplan.

Regulation and Regulatory Frameworks for Community Housing Seminar – Wellington New Zealand

In May 2019 the Housing Registrar presented at the Australasian Housing Institute's, Regulation & Regulatory Frameworks for Community Housing Seminar in Wellington, New Zealand with Janet Goodwin, CEO of South Port Community Housing Group. South Port presented a social housing provider perspective on registration and regulation. Housing Registrar Director, David Schreuder, discussed Victoria's regulatory approach and growth in the sector since the introduction of regulation.

David also met with staff from the Community Housing Regulatory Authority for a more in-depth discussion and comparison of the Victorian and New Zealand approaches to regulation and opportunities for information sharing.

Sector consultation and engagement

A key focus for the Housing Registrar has been to foster stronger partnerships and engagement with external stakeholders to promote the Housing Registrar's profile and presence as a trusted regulator, driving an effective risk-based regulatory approach. Key examples of our renewed efforts this year include:

- working with and alongside the NRSCH to better align systems, share Victoria's strengths, enhance the Victorian Regulatory Framework and communicate changes accordingly. This has involved attending regular Registrar Advisory Group forums (including face to face meetings in Adelaide and Hobart) and Communities of Practice meetings.
- proactively working to understand and influence reform opportunities as part of the NRSCH review in conjunction with DHHS, CHIA and NRSCH Registrars.
- negotiating information sharing protocols with the National Housing Finance and Investment Corporation (NHFIC) to support loans, investments and grants to encourage investment in housing, with a focus on affordable housing.
- conducting two Housing Registrar forums in December 2018 and May 2019 to highlight the progress of key pieces of work against our workplan and to share technical expertise and insights with representatives from across the sector.
- refreshing the Housing Registrar's quarterly newsletter, Equip, launched in December 2018. The newsletter reflects renewed efforts to enhance communication with the community housing sector in line with the Housing Registrar's 2018-20 Strategic Plan.
- publishing new guidance materials and reviewing some existing guidance materials, as discussed in the Better Regulation section of this report. Items include the updated corporate group structures guidance (December 2018); online policies guidance note (February 2019) and reportable events guidance (July 2019).
- presenting at the Australasian Housing Institute's, Regulation & Regulatory Frameworks for Community Housing Seminar in Wellington, New Zealand in May 2019, with Janet Goodwin, CEO of South Port Community Housing Group.
- presenting at CHIA's training session: Regulation for Boards, with Maddocks. This training session was specifically designed for Community Housing Board Members.
- publishing the recent 2017-18 Sector Performance Report to increase the effectiveness and quality of our external reporting. The main driver for reviving this report was to ensure information is available more quickly, focused on key data and metrics which may impact the sector. Next year the Housing Registrar will seek to publish this report in April/May.
- promoting ongoing efforts to improve and streamline our complaints approach.

Delivery of the Housing Registrar's communications strategy will continue to feature as a strong component of our next annual workplan. Key areas of focus include:

Updating online guidance materials, including CHiMES user guides.

Refreshing the Housing Registrar's website.

Publishing information on the Housing Registrar website regarding the refreshed complaints management approach (including factsheets).

Continuing to work closely with interstate regulators to influence both the State and national framework in aligning, sharing Victoria's strengths and exploring ways to enhance Victorian framework.

Continuing efforts to raise the Housing Registrar's profile and promote its role as a regulator. The management team will be attending the National Housing Conference in Darwin in August 2019.

Complaints framework

The Registrar's role in complaints management is provided for in Subdivision 2 (Dispute Resolution) within Division 5 (Duties and Functions of Registered Agencies) of Part VIII of the Housing Act. The Housing Act identifies the Registrar as an external party a complaint can be referred to about a registered agency if certain conditions are met.

Under the Housing Act, a complaint that falls under the jurisdiction of the Registrar:

- is from a tenant or prospective tenant of a registered agency and concern a rental housing matter (s. 96);
- may not be referred to VCAT under the *Residential Tenancies Act 1997* (s.96);
- has been directed formally to the registered agency (s.98); and
- after at least 30 days has not been resolved (s.98).

Several key drivers have prompted the Housing Registrar to undertake a review of its complaints management framework during 2018-19 including:

- increased stakeholder interest in complaints management;
- an increasing number of complaints and enquiries coming into the Housing Registrar, including many that do not fall within our jurisdiction;
- a need for improved communication with stakeholders regarding the Registrar's role in complaints management; and
- a commitment to outcomes, risk-based regulation.

The overall objective of the review is to achieve greater regulatory oversight from a more targeted framework.

To date, the complaints framework review has included:

- a review of interpretation and application of the provisions in the Housing Act;
- exploring ways to reduce the regulatory burden on government, registered agencies and tenants;
- consideration of the types of complaints we are receiving and whether our role in these is consistent with that of a regulator; and
- a review of the NRSCH approach and how we can more closely align the two frameworks.

Key preliminary findings from the review include:

- The complaints mechanism in the Housing Act is designed to ensure that registered housing agencies have appropriate complaints processes in place.
- The Registrar's complaints focus should be on investigating complaints which are indicative of systemic failures to meet Performance Standards and pose a risk to the registered agency and tenants (such as governance failures, conflicts of interest, corruption, reputational issues and breaches of policy, etc).
- When the Registrar investigates complaints, the process is to review the registered agency's handling of the complaint to ensure it followed its internal policies and procedures, was compliant with Performance Standards and behaved in a fair, transparent and responsive way.
- When a complaint falls outside the Registrar's statutory complaints jurisdiction, the Registrar still has discretion to investigate evidence of systemic issues and use intervention powers under the Housing Act (however this is discretionary and will be done outside of the complaints framework).
- While the focus is on systemic issues, individual tenancy matters related to compliance with Performance Standards may be considered, taking into account the seriousness of the complaint, whether there is a history of similar complaints about the registered agency and its potential to impact on tenants.

Work on the review of the complaints framework will continue into 2019-20 and will include the following key tasks and outputs:

- review of the operation of the existing Memorandum of Understanding (MOU) between the Registrar and DHHS for the investigation of complaints;
- consideration of the current MOU between the Minister for Housing and the Assistant Treasurer including improvements for complaints referral going forward;
- comparison of the public and community housing complaints management systems with a view to aligning and improving complaints processes for social housing across government;
- finalisation of internal policies and procedures as well as key stakeholder documents including fact sheets; and
- consultation with key stakeholders prior to finalisation.

Highlights from registered agencies initiatives

Assistive technology for people living with a disability has a new home

The Assistive Housing Hub (The Hub) in Preston is the new home for some of Australia's state-of-the-art assistive technologies for people with a disability.

The official opening of The Hub on 15 May 2019 marked the beginning of a new era for Loddon Mallee Housing Services trading as Haven; Home, Safe and Active Community Housing Ltd³. They plan to mainstream awareness of assistive technologies and home modifications and extend access to people living with a disability in public, social and the private rental sector through a national social media campaign.

The Hub showcases the latest in communication systems and home automation, architectural hardware and furniture fittings, and connected healthcare monitoring supplied by pro bono partners Techsmax, Hafele and Tunstall Healthcare.

³ Active Community Housing Ltd merged with Haven; Home, Safe in a move that will see the combined not-for-profit organisation provide more homes and services to people living with a disability across Victoria.

People with disabilities, their families and carers will be able to experience how assistive technology combined with universal design furnishings and interiors can improve their quality of life and live more independently. Occupational Therapists, builders/developers and other Community Housing providers can use The Hub and its expert consultants as a resource centre to plan and deliver high-quality disability housing and home modifications.

The Hub's website is now live. Visitors to the site can sign up for news notifications and product updates. A virtual showroom is under development and will feature 360-degree viewing, online product demonstrations, webinars, and appointment services.

Later this year, The Hub partners will also open a display suite in Brunswick. The display suite is one of four Liveable Housing Design Standards' platinum-level units under construction. Platinum-level includes design elements that best accommodate ageing-in-place and people with higher mobility needs.

Quote from Ken Marchingo AM, CEO of Haven; Home, Safe:

'The Hub is a bold new concept to provide both a physical and virtual space in which people living with a disability in public, community and private rental housing can experience how various products, systems, devices and technologies can help them achieve greater independence, reduce support needs, increase participation, and become more connected with their community.'

Quote from Chris Glennen, Executive Director – Haven; Home, Safe (former CEO of Active Community Housing):

'The Hub is an innovative extension of our Better Homes Better Lives home modifications service we currently deliver across Victoria. This is a new service delivering in home automation and communications, systems and telehealth monitoring and support options and builds on our 20-year mission to provide high-quality housing and services to support people with disabilities to live independently in local communities.'

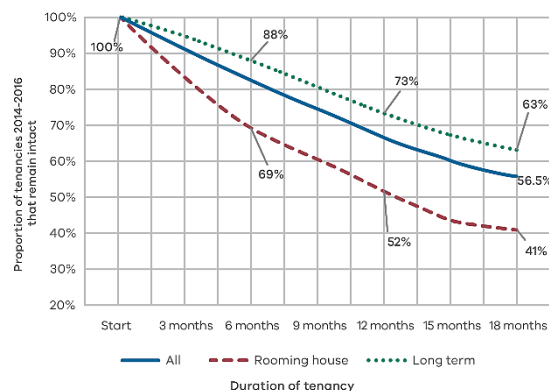
Occupancy patterns at Unison Housing: A summary of a recently released research report

Guy Johnson, Susan McCallum, Juliet Watson⁴

Social housing provides safe, secure, long-term accommodation for some of the most disadvantaged households in the community. Social housing organisations in Australia must deal with expectations to house people with complex needs, build more cohesive communities, and, at the same time remain financially viable. For social housing providers tenancy turnover can be a serious issue simply because high turnover can have significant social and economic costs.

In February this year the Unison Housing Research Lab released a report on tenancy turnover at Unison, *Who stays, who leaves and why?* Although there are several ways of examining tenancy turnover we looked at the proportion of tenancies that remained intact or that exited within a specified period, what is often called the decay rate. We examined decay rates among 967 tenancies that commenced in 2014, 2015 and 2016.

Figure 1 – Decay rate, long term housing and rooming houses

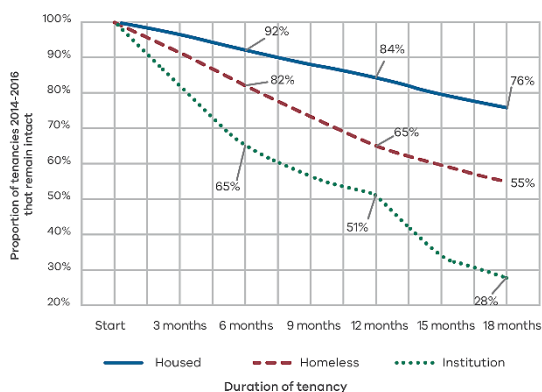


We found a high rate of tenancy decay, with just under half (43 per cent) of tenancies ending within 18 months. The rate of tenancy decay in the 18-month period is higher than reported by social housing providers elsewhere in Australia. However, there was substantial variation in decay rates depending on what types of housing people were accommodated in. Figure 1 shows that the rate of decay (tenancy loss) is higher in rooming houses than in self-contained housing. After 18 months, 37 per cent of long-term tenancies had ended compared to 59 per cent of rooming house tenancies.

⁴ The authors are part of the Unison Housing Research Lab. The Lab is a unique education and research collaboration between RMIT University and Unison Housing. The Lab is located in the Social and Global Studies Centre, one of two research centres in the School of Global, Urban and Social Studies (GUSS). The Lab was established in 2017 and is funded for five years to develop and implement a collaborative teaching program and undertake innovative policy and practice relevant housing research informed by the experiences of services users and providers.

We also found substantial variation depending on the housing circumstances of households prior to entering Unison Housing (Figure 2). More specifically, we found that among those who were homeless prior to entering Unison Housing just under half (45 per cent) of tenancies had ended after 18 months. In contrast, just over a quarter (26 per cent) of those who were housed prior to entry had exited. Among those who were in some form of institutional accommodation (e.g. prison, hospital) prior to entering Unison, nearly three quarters (72 per cent) were no longer housed after 18 months.

Figure 2 – Decay rate by entry class, 2014-2016



Our examination revealed a number of other factors that appeared to contribute to high rates of tenancy loss. For instance, we found that tenancy loss is highest among those 24 or younger when they commenced their tenancy, and lowest among those aged 55 and over at commencement. Similarly, we found that Indigenous households have much shorter tenancies.

Our investigation also looked at the reasons why people left. We found that Unison residents left their housing for both positive (what we call pull factors) and negative reasons (push factors).

Most exits (59 per cent) were due to negative reasons, such as rent arrears or conflict with neighbours. However, reasons for leaving vary according to the duration of the tenancy, with positive exits increasing with longer tenures. Among those that left within 11 months of their tenancy commencing, 64 per cent left for negative reasons, while among those that had been housed for 24 months or more 49 per cent left for negative reasons.

Based on these findings the Lab made several recommendations. Of central importance is the need for targeted and supportive tenancy management strategies for those at risk of early tenancy termination – younger people, Indigenous households, residents who were homeless or in institutional accommodation prior to allocation, and those in rooming houses.

Public and community housing (social housing) plays a vital role in providing people with safe and affordable accommodation options. Eligibility restrictions mean that most residents have few, if any, alternative housing options. As such, sustaining tenancies and preventing negative exits is central to reducing homelessness. This requires collecting better data, including information that illuminates more clearly the 'push' and 'pull' factors that prompt exits. By combining improved data collection with the early identification of high-risk tenancies Unison will be in a better position to meet the needs of all tenants in future years.

A full copy of the report can be found at: <https://www.unison.org.au/about-us/publications>

Justifying housing's importance: collaborative research paves the way

In March, Housing Choices Australia and the Community Housing Industry Association (CHIA) held a public event called Shaping Futures: A New Economic Story for Housing at the Victorian State Library. Over 120 colleagues from housing, advocacy, government, academia, financial and development sectors attended to hear an outline of the tri-nation research and a lively panel discussion.

Marking the publication of the Shaping Futures final report, the event explored the need for a new, more economically-oriented perspective that justifies the importance for housing among government priorities.

The Shaping Futures program was a 2016-2018 knowledge exchange and policy analysis initiative bringing together housing industry stakeholders and a team of internationally renowned academics from Australia, Britain and Canada (the ABC countries).

Alongside counterparts from the other two countries, Australian sector participants included Housing Choices Australia, Bridge Housing, Brisbane Housing Company, Community Housing Ltd and University of New South Wales.

Policy and 'on the ground' insights were collected through interviews and forums with industry partners and stakeholders between 2016 and 2018 across the three countries. The project was a genuinely international academic and industry collaboration, drawing on high quality research, from the direct experience of communities, city halls, boardrooms and governments.

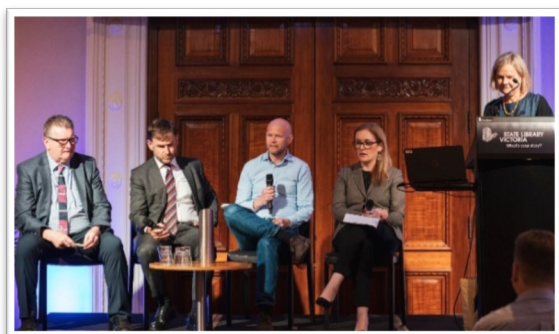
The Shaping Futures consortium analysed current housing policy challenges faced by the ABC country policymakers and critiqued the conventional housing policy narratives that have guided official thinking over the past 20-30 years.

At the event, Professor Duncan Maclennan, (from the University of Glasgow and UNSW City Futures Research Centre) outlined the newly published research.

Applying econometric modelling, the report quantifies some of the wider economic and productivity costs incurred by under-performance within a housing system and highlights the potential productivity gains from expanding housing investment programmes in Australian metropolitan areas.

Wendy Hayhurst from CHIA moderated a panel of senior experts to discuss how to create the right economic models and imperatives to better govern and guide housing marketplace.

The panel included Associate Professor Andi Nygaard (Swinburne University, Centre for Urban Transitions), Catherine Rooney (Infrastructure Victoria) and Stephen Anthony (Industry SuperFunds).



Key messages from the Shaping Futures research program

The research sought to define more progressive policy narratives robust enough to thrive within the tough competition for resources that prevail within public policy-making and budgetary processes.

There is increasing recognition that post-1980s housing policy orthodoxies and their underlying narratives are no longer fit-for-purpose. System-wide analysis of complex housing markets is essential in formulating evidence-informed policy solutions.

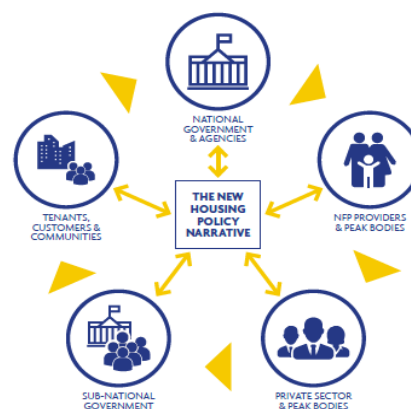
Shaping Futures argues that we need to construct a new story that places economic productivity and the effective management of pressured metropolitan markets at the heart of a re-energised housing policy.

A new economic narrative needs to centre on working with the three levels of government and the private sector to deliver quality, affordable housing stock in volume.

The much needed 200 000 social housing and 200 000 affordable housing units can be successfully built and managed by 2028 but the effort needs to be systematically coordinated.

All sectors have unique areas of expertise to contribute to the solution. The question is, what are the opportunities for them to work together in order to turn the much needed investment in housing supply into long-lasting and impactful critical infrastructure?

There is now considerable empirical evidence that housing outcomes can and do impact on productivity and growth.



Impact can be made by looking at sensibly measured housing outcomes and asking policymakers whether their programmes are redistributing income and wealth; increasing social mobility; enhancing economic productivity; and lessening our environmental footprint. The report and research program⁵ can be viewed at:

<https://shapingfutures.gla.ac.uk>

⁵ Housing Choices regularly participates in and co-funds research conducted by AHURI, various research centres and several Universities interdisciplinary research teams. Research, such as The Shaping Futures program, promotes a discussion on the opportunities for community and private sectors to work together. Events based on sharing findings provide opportunities to link research findings to the CHIA national plan and to reflect upon best methods to collectively advocate and propose solutions that rebalance the contribution and value of multi-stakeholder involvement

Priorities for the year ahead

In 2019-20, the Housing Registrar will continue to work towards delivery of its 2018-20 Strategic Plan and priorities of:

- organisational excellence;
- better regulation; and
- strong partnerships and engagement.

Key projects for 2019-20 include:

- **Transparency reform**

- public performance reporting – reporting on 2018-19 annual compliance outcomes and regulatory interventions and establishing a working group to facilitate public reporting of registered agencies KPM data;
- the Housing Registrar’s performance framework – trialling the framework by collecting KPI evidence and reporting information in our 2019-20 Regulatory Update Report; and
- Registered agency policies online – working with agencies to review their online policies, identifying and promoting areas of better practice.

- **Tenant outcomes**

- complaints – exploring ways to improve our complaints practices (including releasing fact sheets for tenants in consultation with stakeholders) and promoting a complaints culture across the sector; and

- Indigenous Australians – considering outcomes for Indigenous Australians and the role of our regulatory system as part of the Community Housing Aboriginal Cultural Safety Framework working group.

- **Risk-based approaches**

- Horizon Scanning – trialling the new framework during 2019-20 and adjusting it as necessary to address any practical challenges and to align with NRSCH findings. The final framework will be published in June 2020, followed by publication of the Horizon Scanning report in 2020-21; and
- Regulatory Engagement Tool: implement the revised RET for the 2019-20 annual regulatory review cycle.

- **National regulation**

- NRSCH Review – participating in the Review and considering options for Victoria; and
- NRSCH – continued cost-effective alignment and information sharing.

Communications

- implementing our refreshed reporting approach – publishing the 2018-19 sector report and 2019-20 regulatory update report;
- continuing publication of quarterly newsletters;
- refreshing our website;
- updating guidance materials (e.g. our intervention guidelines, pending the outcomes of the NRSCH review, and CHiMES user guides);
- continuing efforts to raise the Housing Registrar's profile and promote its role as a regulator; and
- exploring options to provide training to the sector (e.g. on Victoria's regulatory system and CHiMES).

As a team we look forward to continuing efforts to drive positive outcomes for community housing in Victoria.



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