EXECUTIVE SUMMARY

FINAL REPORT NO. 363

Understanding discrimination effects in private rental housing

Authored by

Sophia Maalsen, University of Sydney Peta Wolifson, University of Sydney Dallas Rogers, University of Sydney Jacqueline Nelson, University of Sydney Caitlin Buckle, University of Sydney Publication Date September 2021 DOI 10.18408/ahuri7324501



Title

Understanding discrimination effects in private rental housing —Executive Summary

Authors

Sophia Maalsen, University of Sydney Peta Wolifson, University of Sydney Dallas Rogers, University of Sydney Jacqueline Nelson, University of Sydney Caitlin Buckle, University of Sydney

ISBN

978-1-922498-30-4

Key words

Private rental market, discrimination, intersectionality, PropTech, housing access.

Series

AHURI Final Report

Number

363

ISSN

1834-7223

Publisher

Australian Housing and Urban Research Institute Limited Melbourne, Australia

DOI

10.18408/ahuri7324501

Format

PDF, online only

URL

https://www.ahuri.edu.au/research/final-reports/363 (full report)

Recommended citation

Maalsen, S., Wolifson, P., Rogers, D., Nelson, J. and Buckle, C. (2021) Understanding discrimination effects in private rental housing, AHURI Final Report No. 363, Australian Housing and Urban Research Institute Limited, Melbourne, <u>https://www.ahuri.edu.au/research/finalreports/363</u>, doi: 10.18408/ahuri7324501.

AHURI

AHURI is a national independent research network with an expert not-for-profit research management company, AHURI Limited, at its centre.

AHURI's mission is to deliver high quality research that influences policy development and practice change to improve the housing and urban environments of all Australians.

Using high quality, independent evidence and through active, managed engagement, AHURI works to inform the policies and practices of governments and the housing and urban development industries, and stimulate debate in the broader Australian community.

AHURI undertakes evidence-based policy development on a range of priority policy topics that are of interest to our audience groups, including housing and labour markets, urban growth and renewal, planning and infrastructure development, housing supply and affordability, homelessness, economic productivity, and social cohesion and wellbeing.

Acknowledgements

This material was produced with funding from the Australian Government and state and territory governments. AHURI Limited gratefully acknowledges the financial and other support it has received from these governments, without which this work would not have been possible.

AHURI Limited also gratefully acknowledges the contributions, both financial and in-kind, of its university research partners who have helped make the completion of this material possible.

Disclaimer

The opinions in this report reflect the views of the authors and do not necessarily reflect those of AHURI Limited, its Board, its funding organisations or Inquiry Panel members. No responsibility is accepted by AHURI Limited, its Board or funders for the accuracy or omission of any statement, opinion, advice or information in this publication.

AHURI journal

AHURI Final Report journal series is a refereed series presenting the results of original research to a diverse readership of policy-makers, researchers and practitioners.

Peer review statement

An objective assessment of reports published in the AHURI journal series by carefully selected experts in the field ensures that material published is of the highest quality. The AHURI journal series employs a double-blind peer review of the full report, where anonymity is strictly observed between authors and referees.

Copyright

© Australian Housing and Urban Research Institute Limited 2021

This work is licensed under a Creative Commons Attribution-NonCommercial 4.0 International License, see <u>http://creativecommons.org/licenses/by-nc/4.0/</u>.



Executive summary

Key points

- Discrimination in the private rental sector (PRS) occurs throughout the entire rental system, from property procurement and investment prior to the search for a rental property, through to eviction.
- The aims of this scoping project were to:
 - examine discrimination across age, gender, race and indigeneity
 - determine the mediating impact of informal tenancies, increases in sharing and non-standard accommodation, and the increasing role of digital technologies
 - identify omissions in existing policy, law and practice
 - inform a wider research and policy agenda to further understand and address discrimination in Australia's PRS.
- Socio-economic status and income shapes choice and intersects with age, race, gender, disability, and other factors. There is an intersectional experience of discrimination in the PRS with differing effects for those facing one or more areas of structural disadvantage. There is also an accumulative burden—financial, psychological, and physical—in those who experience discrimination.
- The growing number of informal and shared tenancies increases the potential for discrimination. Informal tenants have few renter's rights and those in share-housing can also face discrimination by other tenants, including via little-regulated digital technologies.

- Digital housing technologies—and their differential use and regulation —mediate discrimination across the rental system. At present, they reflect the power imbalance between landlords and tenants, however international examples show they can be used to support tenants.
- The COVID-19 pandemic has highlighted systemic problems in Australia's PRS, particularly relating to: income and employment-based discrimination; threat of eviction; energy costs; and social security.
- An intersectionalised response is needed, which attends to the complex issues facing people in the rental market and works to rebalance disparities that enable discrimination in the PRS, particularly between landlord and tenant. More work is needed to better understand intersectional discrimination across the rental system to better shape responses.
- These responses should be holistic, addressing structural discrimination —with attention to health, energy, social security, labour, transport, climate, ageing, immigration and cyber security policies—and multi-scalar, through direct mechanisms to reduce discrimination in the PRS and by reshaping the broader property and rental markets. The latter requires foci on domestic and foreign investment, construction and planning, and specific regulations affecting public, social and private renters.
- The power imbalance between landlords and tenants in Australia is profound; it drives discrimination in the PRS. This imbalance cannot be addressed without relieving pressure from the PRS (particularly at the lower end) by increasing public and social housing and low-cost rental supply, and by reducing incentives for investment properties, among a wide range of other measures, to discourage private accumulation of multiple housing assets.
- Attention to the incentives, rights and responsibilities of landlords, agents and tenants is needed. Specific and minimum standards needed include: clear and comprehensive rental agreements; agent professionalisation; and minimum dwelling standards.

- There is a key, collaborative role for government, researchers, and the tenancy advocacy sector in data-driven efforts to address discrimination. Data gaps exist in terms of residence, ownership, and investment, as well as bond returns, and eviction numbers and causes. More research is also needed to understand the potentially discriminatory effects of decisionmaking algorithms increasingly used in digital real estate technologies, and to examine the use of technologies for tenant monitoring.
- Differential outcomes of policies in place points to the need for improved understandings of historical housing policies and local context to appropriately target housing strategies. Relatedly, cultural understandings and perceptions of private renting are profoundly tied to national contexts. Shifting perceptions of renting in Australia, generally seen as inferior to home ownership, is a necessary medium to long-term policy project to be supported by advocacy and research.
- Targeted responses to the issue of discrimination in the PRS should be based on up-to-date and accessible data and should be used for timely responses to issues facing particular groups. 'Bad' (such as violent or destructive) tenants, for example, are a vulnerable group that may require specific efforts to be housed.
- Critical policy areas for immediate action, relate to evictions, housing supply, social security, negative gearing, property standards and access to data sets.
- Collaborative opportunities for policy, research, and advocacy should focus on the actions and motivations of agents and landlords; data for discrimination auditing; geographical (including urban, regional, rural) differences; developments and the impacts of digital real estate; and pro-tenant digital development.

Key findings

Discrimination in the Australian PRS is a common, but difficult to pin down, problem. There is a nebulous distinction between discrimination and discretion, and discrimination occurs in both subtle and overt ways across the rental process. As a result of these challenges, discrimination is often a tangential concern in regulation of the PRS. Policies that have led to the commodification of housing as a financial asset have placed growing pressure on the private rental market, unevenly weighted at the lower end of the market. Exacerbated by inadequate supplies of public, social, and affordable housing, this pressure has created a profound power imbalance, between landlords and tenants, that drives discrimination. A highly competitive private rental market creates more opportunities for discrimination to take place when agents, landlords, and (sharing) tenants exercise discretion. As a result of this power imbalance, undesirable costs, quality, size, location, and sharing situations are commonly endured; these unfavourable conditions are experienced unevenly, with certain people more likely to experience them as a result of discrimination based on one or more factors. Socio-economic status and income shape choice and intersect across all other social categories subject to discrimination.

New and emerging mechanisms of discrimination in the PRS also require improved understandings and increased attention in policy. Growing dependence on the informal housing sector, for instance, means a greater number of renters are not protected by formal rental agreements. Share-housing in the informal sector is also on the rise. The expansion of digital real estate technologies (PropTech), increasingly used to manage, mediate, and control rental properties and tenants has reshaped how tenants, landlords and agents navigate the PRS. These changes are profoundly reshaping Australia's PRS, and pathways for discrimination within it, and are currently not sufficiently addressed by policy.

This is the Final Report of an AHURI Scoping Project that examines these issues, focusing on understanding discrimination effects in Australia's PRS. Through an international evidence review and expert panel conducted with housing and discrimination experts and tenant advocates, the project finds that the multifaceted Australian policy landscape in relation to private renting obfuscates attention, and solutions, to individual experiences of discrimination. These experiences are intersectional and complex, mediated by differential state rental policies, local and national housing markets, the highly variable use, and regulation of housing technologies, as well as individual (and broader societal) prejudices.

Beyond those direct influences in the areas of renting and housing more broadly, the project finds that discrimination cannot be addressed in isolation. Key to individual experiences of discrimination in the Australian rental market are policy-driven inequities that exist beyond the areas of housing and renting. The structural nature of discrimination means that its effects are embedded in policy areas that intersect with housing such as energy, ageing, taxation, and the environment, and therefore discrimination in the PRS cannot be addressed independently of the broader policy landscape. Addressing discrimination in the PRS requires holistic policy solutions.

By impacting the numbers of those who can access private rental housing at all, such inequities obfuscate the true scale, types, and modes of discrimination in accessing private renting. Such inequities therefore also present problems for housing researchers. Relatedly, important gaps in data and its access exist relating to the following: residence, ownership, and investment; rentals, bonds, and evictions; and technology. For instance, data on attempts to access the private rental market, and locations of renters and evictions does not accurately reflect the quality, size and location of rental properties accessed. These data gaps represent barriers to understanding discrimination, and to responding through policy and technology design and use. Presently, limited-scale projects that have access to data around private renting provide valuable information for understanding the sector and, hence, for research and policy development. Similarly, there are international examples where technologies have been used to benefit tenants.

COVID-19 has underscored precarity in areas of Australia's PRS by making long-term and systemic problems in housing more visible (Maalsen et al. 2020). The differential impact of the pandemic on renter's experiences of discrimination reveals the unsuitability of the market in relation to rental needs. Home was positioned as a key site of defence against the pandemic but the ability to access secure and appropriate housing, and security of

tenure was unevenly felt (Rogers and Power 2020; Maalsen et al. 2020). A temporary moratorium on eviction, rent deferrals and rent reductions showed that it was possible to address precarity and improve tenant outcomes. However, rather than addressing the long-term systemic issues, the Australian Government's intervention was to protect the significant economic impact of the PRS as both a site of employment and a place to house labour (Maalsen et al. 2020).

Research and policy development options

This scoping report lays out a framework for a wider research and policy agenda to further understand and address discrimination in Australia's PRS. Research and policy development through this framework should be intersectional—with holistic and balanced responses for people-focussed policy—and data driven—for informed and targeted solutions. The project identifies a critical need to address discrimination in the PRS by reforming rental policy and reforming policies that intersect with housing as part of the broader policy landscape in which housing and renting is situated. In other words, the structural nature of discrimination means that addressing discrimination in the PRS also requires addressing policies that exacerbate housing inequality such as taxation, retirement, and energy policies. Addressing discrimination cannot be done in policy silos.

The report also finds several areas where immediate policy responses are necessitated, which adds to an existing weight of evidence for urgent reform of Australia's housing system. In those cases, highlighted below as 'priorities', there is an abundance of evidence for the validity of these specific interventions, and these actions will have an immediate impact on the extent of discrimination across Australia's PRS. The other 'intersectional' and 'data-driven' responses discussed below are no less critical. However, research, advocacy and policy should work urgently to determine and target specific solutions through the framework identified in this scoping report. Along this vein, the report also scopes collaborative opportunities between researchers, renter advocates and government, to better understand the issues of discrimination in the Australian PRS and hone responses.

Intersectional: people focussed and holistic

Structural discrimination results from broader societal inequalities and reproduces these structures of disadvantage in the way that the PRS operates. Addressing structural discrimination in the PRS requires shifts across the policy spectrum: in the labour market, social security system, transportation, healthcare, energy, climate, immigration, ageing, and cyber security.

Structural factors also play a key role in determining the size and scope of the informal rental system. Due to the added issues with the dwelling quality, standards, and tenant rights in the growing informal market—and added difficulty in regulating it—those policy areas tied to its growth should be given substantial attention. This includes those that shape employment and income level stability, such as labour market restructuring and social security. Addressing stagnant wages and the adequacy of income support payments should be prioritised.

Mechanisms that reshape the housing market to remove pressure from the PRS are essential to reduce discrimination. These mechanisms require a recognition of the interrelatedness of the PRS with public and social housing and homeownership, and hence, consideration of the tax and other financial regulations that shape these markets. Unsustainable pressure at the lower end of the private rental market must be alleviated as a key enabler of an affordable PRS. Where people live—and in many cases are forced to live—can have significant impacts on their cost of living, particularly where transportation is limited or inaccessible. Therefore the location of housing is an important factor that should be considered in tandem with other policy concerns, in the areas of development application processes, urban planning, construction, taxation settings, and the supply and availability of housing across private, social and public rental properties. Some important changes required include:

- increasing public and social housing stock, particularly by attending to the geography of need. This stock could also set industry-wide quality, amenity, and energy efficiency standards
- construction tied to renter demand; addressing unsolicited proposals, market-led proposals and exclusive mandates, and uneven developer influence in planning processes

- financial and tax incentives to build for and rent to low socio-economic status tenants; and to provide housing for tenants who experience discrimination along other lines and who may have different needs
- reducing incentives for multiple investment properties including negative gearing, limiting corporate buy-ups in distressed housing contexts, and zoning to limit co-living spaces likely to exacerbate unaffordability
- rental controls
- crisis housing for victims of domestic violence or other highly vulnerable groups must also be available and suitable, including being adequately secure and allowing pets
- financial assistance to accompany labour mobility policies through, for example, Australian Government regional funding models
- real estate foreign investor rules to limit interference with housing supply availability
- taxing vacant properties.

While at the individual level, discrimination may manifest as prejudice based on race, age, gender, household size, income and so on, these prejudices are most commonly driven by biases tied to perceptions of risk. It is the institutional settings in which these biases are permitted (or not) that result in discriminatory behaviours.

Institutional exclusion mechanisms in the PRS relate to the technologies, policies, and laws in which private renting operates. Their importance is enhanced beyond their direct impacts since experiences of discrimination are shaped and compounded by existing discrimination and disadvantage. Additionally, the impacts of discrimination are exponential. Those who are discriminated against, for example, along the lines of age, gender, and race, are more likely to be forced to accept substandard properties and move frequently. In turn, this compounds the costs associated with utilities, health and mobility. Evidence suggests a growing link between housing costs in the PRS and poverty, with low rents and housing benefit payments both seen to dramatically reduce poverty levels (Tunstall et al. 2013).

Numerous institutional mechanisms in the PRS enable discrimination. Many strata arrangements, for example, prevent tenants from having pets or children. State legislated Tenancy Acts that still allow no-grounds evictions are complicit in discrimination, enabling landlords to evict tenants without reason. Other important institutional levers to reduce discrimination emerging from this report include:

- longer term and secure tenancies
- regulating rent increases. Although there are current regulations that limit increases to once per year or once per six months depending on the lease agreement, stronger regulations around the amount it can be increased, the condition of the property and the frequency of increases are encouraged
- limiting grounds for evictions, removing no grounds evictions where in place, and requiring proof of grounds
- meaningful dispute resolutions including compensation, such as partial rent refunds where repairs are not made in a timely fashion
- anti-discrimination regulation across jurisdictions
- removal of potentially discriminatory clauses in rental agreements, for example around banning pets and excluding children
- · increasing rights for informal tenants by extending protections of residential tenancies Acts
- professionalisation and standardisation in property management practices and rental application processes (see 4.1.2)
- property standards (see 4.1.2 and New Zealand Healthy Homes), around such things as heating, insulation, ventilation, mould, drainage and draughts
- addressing strata regulations to remove added opportunities for discrimination, for example, noise complaints.

Technologies

Regulating new digital technologies (see 1.2.1), their design and use, should also be a key institutional focus of efforts to address discrimination in the PRS. The ways in which users of such technologies are unwittingly practicing or experiencing discrimination through use of these technologies is little understood and may be entirely obfuscated within algorithm designs. Regulations should for example, consider transparency of data collection, use and potential sharing; provide a choice for opting into the service or not; ban rent bidding apps; and restrict the use of surveillance technologies. With the rise of informal tenants and digital 'flatmate-finding' technologies, more research is also needed to understand these technologies themselves, and the motivations and decisions of those using them. For example, platforms such as flatmates.com.au and spareroom.co.uk, among others, have become popular avenues for finding flatmates. Such platforms usually require users to enter personal and demographic information, like age, gender, rent range and employment status, alongside a photo and a personal description. While this data is ostensibly used to algorithmically match users to potential flatmates and refine their searches, it can be used to discriminate and essentialise, particularly when it relates to sexuality, religion, and culture (Maalsen and Sadowski 2019: 122). Technologies are also inclusive of rent bidding apps, property management technologies, surveillance technologies, smart locks, and biometric entry systems, which are increasingly being used in managing tenants and automating evictions, particularly in the United States (US) (McElroy et al. 2020).

Balanced: managing incentives, rights, and responsibilities

The power imbalance between landlords and renters in Australia amplifies the potential for discrimination across the entire rental system. Anti-discrimination policy must focus on diminishing this imbalance on multiple scales. In particular, managing the incentives, rights, and responsibilities of landlords, as well as agents and renters, is a complex and essential requirement. The responsibilities of landlords and agents are often unclear and can be circumvented—particularly when tenants have few alternative options—and the distinction between discretion and discrimination can be ambiguous.

In Australia, a range of policies that have encouraged the financialisation of housing, including negative gearing and the expectation of capital gains, have over-incentivised housing as an asset for those who can afford it. These incentives have primarily benefitted existing owner-occupiers and created profound imbalance in the system that must be remedied by directly addressing these policies.

Discretion by landlords and agents around financial and legal risk places many groups at substantial risk of discrimination. Improving supply (especially in the middle and lower end of the PRS as well as in public and social housing) is necessary to minimise this risk. In addition to rebalancing the rental supply, responses that address discrimination should utilise incentives for non-discriminatory behaviours and disincentives for discriminatory behaviours.

The following were identified as points of tension and suggest possible interventions:

- There is substantial variation in the professional standards of landlords and agents. Differences in the information
 provided to potential tenants about properties for rent, including emphasising rules over features for example,
 underscores the need for standards in agent behaviour and information provided to tenants. Professionalising
 standards within property management could also include standardising practices around housing inspections
 and the need for repairs.
- Competing incentives and motivations of agents and landlords relating to length of tenure (see Box 1) and
 property upkeep that should be understood more fully to better manage incentives, rights, and responsibilities
 in order to diminish discrimination. For example, new digital technologies can potentially be used to link
 tenants with landlords (where the former meet appropriate standards), thereby removing some of these
 competing incentives.

- Setting specific and minimum standards for repair and dwelling condition (see the Aotearoa/New Zealand Healthy Homes standards) and improving enforcement mechanisms through, the inclusion of standards in rental agreements and clear and functioning processes for their enforcement.
- Easy to understand and comprehensive rental agreements to be signed by landlords as well as tenants. Rental agreements should clearly set out rights and responsibilities of each party—including around bond returns— as well as processes for disputes where onus of proof is fairly placed. Contact information for relevant tenants' associations should be provided in rental agreements in case of disputes. Access to assistance (financial, linguistic, legal) should be available.
- Redressing the power imbalance between tenants and landlords will make it easier to address discrimination. Pathways for redress must be worth pursuing for tenants; they must be affordable, not overly time consuming, straightforward, and where appropriate, compensation should be paid and/or the opportunity to continue in a tenancy. More broadly, financial penalties and disincentives should apply when landlords behave poorly, such as delaying or avoiding repairs.
- The decline in home ownership, which coincides with the growth of the PRS, has likely produced another troubling secondary effect. Exclusion, both real and imagined, of renters from urban planning consultation processes, has the effect of diminishing the input of this large and growing group in planning decisions. Tenants should be made aware of their rights, and this should extend to encouraging their inclusion in such public debates and discussions. This issue is undoubtedly tied to the problem of length of tenure, as well as the pre-determined character of 'consultation' outcomes.

Informed: knowing contexts and addressing data gaps

There is a critical need to address key data gaps on experiences of discrimination in Australia's PRS. The Report identifies key gaps that relate to both specific rental data and discrimination in Australia's PRS more broadly. The data gaps identified by the report are not exhaustive but rather are key areas identified by the expert panel as necessary for addressing discrimination. The need for more consistent, temporally, and spatially granular and quality data on the following areas was identified:

- residence, ownership, and investment: including primary place of residence, landlord ownership and accumulation patterns, and geographies of housing need
- rental rates and bonds: including accurate rents and bond returns monitoring, with discrimination markers, and calculating the cost of the bond trust system compared to alternative options
- eviction: including more consistent and accurate monitoring of numbers and causes across jurisdictions, data on landlord and agent motivations and good landlord-tenant relationships
- technology use: for the production of advocacy tools, as well as data to better understand the discriminatory effects of certain PropTech algorithms, and to better understand the extent and scope of tenant monitoring by landlords and property managers.

Recognising gaps in data is a crucial step in implementing more effective tools against discrimination. Addressing data gaps allows for ongoing monitoring of the types and modes of discrimination and hence, the ability to address it in targeted ways.

There are significant opportunities to leverage new digital technologies that offer significant opportunities to better inform anti-discrimination strategies and tools for the PRS. At the same time, the current and emerging local and global landscape of digital technologies adds another layer to discrimination in Australia's PRS. To date, policies have largely been reactionary, where significant issues have arisen because of such technologies. Ongoing research is required to inform a comprehensive typology of PropTech, and how it impacts the rental market. Such a typology is necessary to pre-empt new discrimination drivers and respond in a timely way to gaps in existing regulation.

Targeted: utilising data for responsive and pre-emptive policy

The complexity of discrimination in the PRS that emerges throughout this report highlights the need for data to inform specific, targeted responses. Policy should be responsive rather than reactive. That is, where regulatory gaps or other issues are identified, timely and targeted responses should follow. Data can also be used to preempt where issues may arise. Understanding the lessons from global research on Artificial Intelligence (AI), PropTech and other housing market trends, for instance, will help Australia prepare for potential new avenues of discrimination in the PRS.

The following should be addressed to develop targeted responses to the issue of discrimination in the PRS:

- Suitable data requires ongoing funding and availability to produce useful, sound data; Chapter 2 demonstrates the importance of correct, up-to-date data underpinning targeted responses.
- Data access by advocates is essential for ongoing auditing of discrimination. The Australian Government and state and territory governments can enable this through open access data sets.
- Advocates and researchers should inform the types of data collected to ensure its utilisation and address security concerns.
- Specific regulation of discriminatory elements, particularly those targeting the most vulnerable, such as predatory payday lenders and certain bond insurance products, as well as the issue of pets in rental properties.
- Specific changes in many policy areas including mental health, superannuation, and energy are essential to address discrimination in the PRS.
- PropTech also needs to be better regulated. Developers, users, and legislators need to be aware of the assumptions coded into the tools and how they may discriminate and perpetuate existing inequalities. The pace of development requires a highly attentive approach to regulation in this area.
- Although most PropTech currently appeals to landlord and agent interests, technology can be used to benefit tenants. The Anti-Eviction Mapping Project, for example, uses digital technologies to enable housing activism, and map and visualise housing dispossession, while also providing tools for resistance (Anti-Eviction Mapping Project).
- Priorities and opportunities for policy, research, and advocacy

Discrimination is widespread in the Australian PRS. The dearth of research on the subject to date reflects poorly on the urgency in which responses are required. The report identifies several critical policy areas demanding immediate action. These are:

- removing 'no-grounds' justification for evictions where in place
- increasing supply of public and social housing and low-cost private rental options particularly in, and proximate to, labour-dense locations to decrease pressure on the lower end of the PRS
- developing specific and minimum quality, efficiency, repair, and maintenance standards for all Australian rental accommodations, and meaningful tools for their enforcement
- making existing Australian Government, state and territory government rental data sets available to tenant advocacy groups and housing researchers
- developing professionalism standards for all real estate agents and property managers and standards for rental applications and agreements
- removing negative gearing incentives for investment properties.

Finally, the report also scopes collaborative potential, with researchers, renter advocates and government, to better understand the issues of discrimination in the Australian PRS. These include:

- more research to understand the actions and motivations of good and bad agents and landlords and discriminatory behaviours
- the development of a discrimination auditing system in the rental sector informed by up-to-date data;
- further research on geographic differences to understand, for example, rural, regional and urban differences
- collaborative work to hone the specific data requirements to enable improved monitoring of discrimination in the PRS, and to enable the development of technologies to diminish discrimination in the PRS
- further collaborative research to understand the practicability of the report's recommendations in different Australian policy contexts, to determine more specific policy actions
- improving understandings of PropTech across the stages of the rental system associated with discriminatory outcomes and specific regulations to address these outcomes.

The study

This scoping study establishes a better understanding of discrimination in Australia's PRS. Discrimination in the PRS is widely acknowledged as a problem among housing advocates, yet is difficult to identify in practice. To date there has been limited research about the scope of and solutions to this problem in the Australian context. The risk that particular groups will be unable to access rental accommodation because of their race, gender, age, or other factors will likely increase with growing dependence on the informal housing sector. A growth in property technologies, which are increasingly used to manage, mediate and control rental properties and tenants, is also likely to exacerbate discrimination.

Adopting an intersectional approach, the Project included an evidence review of Australian and international literature on discrimination in the PRS. Existing evidence of discrimination across a range of social categories, as well as on the mediating role of digital property technologies, was identified. This review was followed by an expert panel discussion with Australian and international experts in housing, technology and discrimination including from academia, tenant unions, and housing peak bodies, to calibrate the evidence with Australian experiences and conditions.

The study sought to:

- examine discrimination across age, gender and sexuality, and race and indigeneity
- determine the mediating impact of informal tenancies, increases in sharing and non-standard accommodation and the increasing role of digital technologies
- · identify omissions in existing policy, law and practice
- inform a wider research and policy agenda to further understand and address discrimination in Australia's PRS.

Corresponding with these aims, the research was conducted in two stages:

- 1. an international review of the literature
- 2. an expert panel with peak bodies and housing researchers.

Evidence review

To establish existing knowledge on the topic of discrimination in the PRS, the first phase of the project consisted of a review of Australian and international research evidence on discrimination in the housing sector in two parts.

In the first part of the review, there was a focus on informality and digital technologies as enabling new mechanisms of housing discrimination. The first part also established the intersectional framework for examining discrimination.

The second part of the review used the intersectional framework to seek to understand discrimination in the PRS across selected categories of discrimination: socio-economic status, age and the life course, gender and sexuality, and race.

The review drew on literature relating to policy from Australia and comparative housing market settings, such as the United Kingdom (UK), New Zealand and countries in Europe with a substantial PRS.

Expert panel with peak bodies and housing researchers

The review of Australian and international evidence on discrimination in rental housing was tested and calibrated to current Australian conditions through an expert panel hosted on the video conferencing software, Zoom. The expert panel included three representatives from Australian tenant advocacy groups, including the Tenants' Union of NSW and Shelter NSW (TUNSW). The other panel members were housing academics involved in the Anti-Eviction Mapping Project in the US with particular expertise in digital real estate technologies—a focus of the project. A further eight academics with expertise across the areas of housing, digital real estate, and discrimination from Australia also participated.

The panel's time was structured using five housing stages identified in the evidence review as points where discrimination can take place and be addressed:

- 1. procurement and investment
- 2. advertising and tenant selection
- 3. rental agreement and bond management
- 4. tenancy, repairs, and maintenance
- 5. eviction and advocacy.

The panel helped to identify priorities for policy, gaps in the evidence-base, opportunities for collaboration, and areas for further research.



Australian Housing and Urban Research Institute

Level 12, 460 Bourke Street Melbourne VIC 3000 Australia +61 3 9660 2300 information@ahuri.edu.au ahuri.edu.au twitter.com/AHURI_Research facebook.com/AHURI.AUS

in Australian Housing and Urban Research Institute