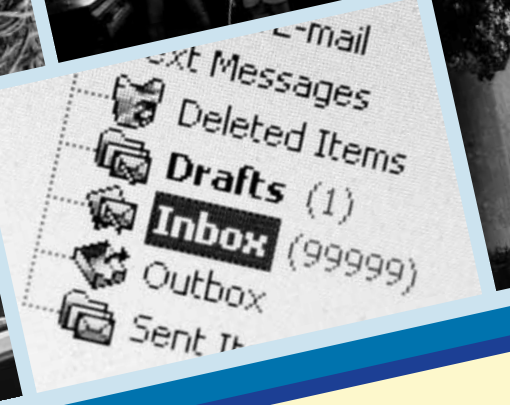




Tenants' Union
of New South Wales

ANNUAL REPORT 2010-2011



Tenants' Union of NSW

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The Tenants' Union of NSW has represented the interests of residential tenants in New South Wales since 1976. We are:

- a non-profit membership-based co-operative
- a community legal centre specialising in residential tenancies law and accredited by the National Association of Community Legal Centres
- the peak resourcing body for the statewide network of Tenants Advice and Advocacy Services.

Who we work for

We aim to represent the interests of all tenants in New South Wales, including:

- Aboriginal tenants
- boarders, lodgers and other marginal renters
- private tenants
- public and social housing tenants
- residential park residents.

What we do

Our work involves:

- advocating for the reform of policies and laws affecting tenants
- conducting strategic litigation to advance the interests of tenants
- supporting Tenants Advice and Advocacy Services.

Vision

A society in which people in New South Wales are able to access safe, secure and affordable rental housing.

Mission

We aim to make a positive difference to the lives of residential tenants in New South Wales, and particularly tenants who are economically and socially disadvantaged.

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Chairperson's message

"... every one of the external reviewers spoke very highly about TU's capacity to pull off this project and your general, all-round excellence. We did not receive one negative or cautionary comment."

This feedback from the Law and Justice Foundation of NSW in response to a successful grant application for updating the *Tenants' Rights Manual* sums up the excellent work done by the Tenants' Union to promote the rights of people in New South Wales to safe, secure and affordable rental housing.

This has been another active and productive year for the TU.

Our work is guided by our 2011 to 2013 strategic plan. Priority areas include working with Aboriginal people and organisations to improve outcomes for Aboriginal tenants, ensuring better protections for boarders and lodgers, conducting strategic litigation in rent increase cases, and working to minimise the risks to tenants from the transfer of public housing to community housing providers.

Highlights for this year include providing resources and training to assist with the rollout of the new *Residential Tenancies Act*, developing a paper on Aboriginal community housing in New South Wales in partnership with the NSW Aboriginal Tenants Advice Network, Shelter NSW and NCOSS, and developing a policy aimed at improving the conditions of people living in marginal renting situations, such as boarders and lodgers.

We continued to carry out our core business activities, including conducting strategic litigation, supporting the Tenants Advice and Advocacy Network, developing tenancy resources, providing training in tenancy issues and carrying out work to bring about law reform.

Our ability to achieve our objectives relies on working closely with our partners, particularly the Tenants Advocacy and Advice Services, the Park and Village Service and the Older Persons Tenants' Service, which play such a central

role in ensuring the rights of tenants around New South Wales. We could not achieve what we do without them. We also have a close working relationship with Dtarawarra Aboriginal Resource Unit, and an Aboriginal steering committee informs our work with Aboriginal tenants. We work collaboratively with a range of other organisations such as Legal Aid NSW, Community Legal Centres NSW and Shelter NSW.

I am pleased to report that our financial position remains sound. Our funding agreements with NSW Fair Trading and the Commonwealth Attorney-General's Department are effective until 2013. We would like to thank both these funding bodies for their ongoing support, including an additional \$400,000 from NSW Fair Trading for the Tenants Advice

Priority areas include improving outcomes for Aboriginal tenants, protections for boarders and lodgers and minimising risks to tenants from the transfer of public housing to community housing.

and Advocacy Network to provide support for tenants in understanding the new *Residential Tenancies Act*.

A grant from the Law and Justice Foundation of NSW and Fair Trading NSW will allow us to publish a hard copy of a new edition of the *Tenants' Rights Manual* and also to provide free access to it via our website.

This year has continued to see a strong focus on the governance of the organisation, which underpins the ability of the TU to achieve its objectives. We revised the governance policy and developed a policy development protocol with the Tenants Advice and Advocacy Network. Our risk management has been strengthened through the development of a comprehensive risk management policy, which will be reviewed on a yearly basis. We are undertaking a rigorous process of accreditation with the National Association of Community Legal Centres.

We have continued to streamline our financial reporting to ensure that our reports are transparent, timely and easy to understand. Board members refreshed their financial skills with financial training from Matrix on Board. I would like to particularly thank our treasurers, Ruth Simon and Charmaine Jones, and our Finance Officer, Rachel Burns, for their excellent work.

Contributions by colleagues in the Tenants Advice and Advocacy Network, TU members, volunteers and staff combine to ensure that the TU continues as the respected voice for tenants' interests in New South Wales. I would like to acknowledge the excellent work of the staff, led by the Executive Officer, Gregor Macfie, who has provided strong leadership to the organisation. Gregor left the TU in June 2011 to take up a position as Director, Research and Policy with the NSW Commission for Children and Young People. We have been very fortunate to have Julie Foreman, formerly the Learning and Development Coordinator, act as Executive Officer following Gregor's departure.

My special thanks to the Board of Directors for their hard work and ongoing commitment to the TU.

I would particularly like to thank Ruth Simon, who retired from the Board in 2011. Ruth has been a Board member since 2003 and has made an enormous contribution to the

Tenants' Union. Ruth has worked closely with both staff and Board members, generously sharing her wisdom and experience. As Director of Dtarawarra, she has been an important link between the tenancy and Koori networks and has run cultural awareness training for the tenancy network for a number of years.

Ruth received the Aboriginal Justice Award in 2008 for her advocacy and community legal education role for Aboriginal tenants and tenancy organisations. We will miss Ruth but look forward to continuing to work with her in her role as Director of Dtarawarra.

I am delighted to welcome two new Board members in 2011 – Paula Rix and Dominic Grenot. Both Paula and Dominic have extensive experience in housing issues in New South Wales.

This will be my last year as Chair of the Tenants' Union of NSW. I have been a Board member since 2005 and worked with some wonderful and inspiring staff and Board members during this time. I have been very fortunate in having worked with three outstanding Executive Officers – Michelle Jones, Gregor Macfie and Julie Foreman.

The TU is a strong and vibrant organisation that works hard to make a difference to tenants in New South Wales. I wish everyone continued success in the years to come.

Sue Scott

Executive Officer's report

"I am just a renter." This is how many people who call the Tenants' Union start a conversation. For us at the TU, you are not 'just a renter', you are one of the one in four people in New South Wales who happen to rent their home. You are who we work for.

After many weeks, months and years of contributing to consultations, drafting submissions and conducting research on needed changes, we welcomed the commencement of the *Residential Tenancies Act 2010* on 31 January 2011. A number of

provisions in this new law reflect the TU's position. Significant reforms include:

- co-tenants fleeing domestic violence can end their tenancies early without compensation to their landlords
- tenancy database listings that are inaccurate, incomplete, ambiguous, out of date or unjust in the circumstances can be amended or removed by tribunal order
- tenants in rent arrears can pay off the arrears and save their tenancies

- termination notices can be declared retaliatory and revoked by tribunal orders if issued by landlords when tenants have asserted their rights.

The TU staff worked exceptionally hard to ensure tenants and tenant advocates around New South Wales had timely access to training, resources and support on the new law. This included publishing factsheets for tenants, developing in-depth resources and training for advocates and facilitating discussion and reflection among Tenants Advice and Advocacy Services about their experiences.

We provided increased advice and legal backup to the services and negotiated extra funding from the Rental Bond Board for all services for the first six months of this year.

There is still unfinished business in tenancy law reform. One area where reform is long

We welcomed the commencement of the Residential Tenancies Act 2010 on 31 January 2011. A number of provisions in this new law reflect the TU's position.

overdue is in the regulation of 'marginal renting'. We made significant gains in this area with consultations, a stakeholder roundtable, increased media coverage and launch of our final policy paper.

In May, the Minister for Fair Trading, the Hon. Anthony Roberts, announced in Parliament his government's commitment to improve regulation of the boarding house industry to ensure safe and secure housing for residents. We look forward to working with the government on these reforms.

The Aboriginal housing sector is undergoing significant, complex and contested reforms. With direction from the Aboriginal Tenants Advice Network and in collaboration with Shelter NSW and NCOSS, we commissioned a review of the reforms and future directions.

The resulting document is being used by Aboriginal services to respond to the reforms and as an education tool for non-Aboriginal services.

We continued to run test cases in tenancy, Aboriginal housing and residential parks law and made significant strategic gains including:

- ensuring that Local Aboriginal Land Council members have control of tenancies – this court decision has been used successfully by Aboriginal tenant advocates to save their clients' tenancies
- clarifying the interpretation of electricity 'supply' in residential parks by representing 70 clients who will no longer be overcharged for electricity.
- confirming that an executor of a deceased estate need not personally reside in the premises to be covered by residential parks legislation
- clarifying that tenants can leave during a fixed term tenancy agreement without penalty when the landlord does not disclose their intention to sell.

Our education program offered 17 courses to over 320 participants. Seven tenant advocates achieved a national vocational qualification, seven upgraded their qualifications and 12 completed part qualifications. We partnered with the Public Interest Advocacy Centre and Legal Aid NSW to train other community workers in the new law.

Of course, none of these achievements would have occurred without the professionalism, commitment and dedication of the TU staff.

We welcomed Leo Patterson Ross as Legal Support Officer. He replaced Elizabeth De Freitas in this one-year contract position.

Congratulations to Senior Policy Officer, Chris Martin, who graduated with a PhD in the Faculty of Law at The University of Sydney in May. His thesis is entitled 'Government housing: Governing crime and disorder in public housing in New South Wales'.

Sadly, two valued staff members resigned – Gregor Macfie and Phill Byrne. Gregor provided leadership throughout the entire period of this report and the achievements listed here reflect his hard work, commitment and strategic

approach. Phill oversaw the growth of the TU's innovation in technology. We wish both of them every success in their new endeavours.

On a personal note, as Acting Executive Officer I would like to thank the staff and Board of the TU for their support, patience and hard work during this period of transition.

Julie Foreman

Acknowledgements

The TU relies on the experience and expertise of the Tenants Advice and Advocacy Services to work effectively. They are the engine room of advice and advocacy for tenants.

The TU benefits from the generosity and assistance of several key stakeholders: NSW Fair Trading, Legal Aid NSW and Community Legal Centres NSW. I would like to thank them for their continued assistance and collaboration.

Many other volunteers, supporters and organisations enable the TU to do its work.

Thank you to everyone who has contributed over the past year. We could not have done it without you.

• Advice line volunteers: Min Ah Chung, Sarah Wang, Alex Jackson, Maya Mausli, Diana McMahon, Luisiana Vulagi, Alex Young, Emily Bullock, Pierre Houbert, Judy Singer, Melissa Stahle, Vina Xiao • Christmas hotline staff: Barbara Paradis, Mary Flowers, Arthur McCulloch • Carolyn Grenville • Tim Leach • Earth Catering • Community and Public Sector Union • TAAP Assessors Group • Tenants' Union of Queensland • Gilbert and Tobin • Gavin Blatchford • Bronwyn McCutcheon • Law and Justice Foundation of NSW • Aboriginal Steering Committee: Sam Josephs, Ruth Simon, Renee Williams, Elizabeth Wilson, Gemma McKinnon • Sharon Callaghan • Aboriginal Housing Project Committee • Policy Reference Group • Robert Blanzan • Carol Barr • Vivian Clifton • Nick Eastman • Shelter NSW • NCOSS • The Gallery • Warren Gardiner • Mary Perkins • Digby Hughes • Julia Murray

Objectives

We work toward our mission by striving to meet these objectives:

1. To maintain and enhance the level and quality of information, advice and representation to tenants on tenancy law matters – both directly and through our support of Tenants Advice and Advocacy Services
2. To have a positive impact on public opinion, policies and practices affecting tenants
3. To build a strong and dynamic organisation capable of providing high-quality services and advocating effectively in the interests of tenants at a systemic level.

These objectives are set out in our strategic plan for 2010–2013 and form the basis of this annual report.

Objective 1: To maintain and enhance the level and quality of information, advice and representation provided to tenants

Legal advice and assistance to Tenants Advice and Advocacy Services

Instances of advice and main issues

Our solicitors provided 1,357 instances of legal advice to Tenants Advice and Advocacy Services. This is a 11 percent increase on 2009–2010 – likely due to the commencement of new residential tenancies law. The most popular issues for services seeking advice were:

- **general tenancy** – repairs, the Consumer, Trader and Tenancy Tribunal, termination of tenancies, fees and charges
- **Aboriginal tenancy** – termination of tenancies
- **residential parks** – electricity availability charges, interference with sale of dwellings by park owners and assignment of site agreements.

The advice and assistance we provided to Tenants Advice and Advocacy Services was informed by:

- 47 visits to these services by our staff
- advice from our Aboriginal Steering Committee
- regular meetings of service coordinators.

Legal practice management and compliance

Our internal policies were applied in the conduct of the legal practice, including fortnightly meetings of legal practice staff.

An annual professional indemnity insurance cross-check was conducted in July 2010 and no problems were detected.

Up-to-date training for solicitors

Our solicitors undertook training in order to better support Tenants Advice and

Advocacy Services and to meet professional requirements. This included professional development courses delivered by Community Legal Centres NSW, training in legal practice management, and mandatory professional training in equal employment opportunity principles and related matters.

Solicitors also attended the National Association of Community Legal Centres 2010 conference.

Legal advice and assistance to tenants

Tenants Advice Line

We operated the Tenants Advice Line with the assistance of volunteers on Mondays from 3:00 to 6:00pm. This service resolved or referred 818 calls from tenants – an average of 20 per week.

Advice for an identified group – prisoners

In partnership with LawAccess NSW, we provided a service that facilitated immediate telephone advice for prisoners. A prisoner calling LawAccess with a tenancy issue is connected directly to our Principal Legal Officer. We had identified that prisoners required such a service based on their limited access to telephones.

Strategic litigation cases – highlights

We ran 13 cases of strategic significance.

Determining the measure for excessive rent increases in social housing

We challenged a rent increase on behalf of tenants of a Local Aboriginal Land Council in the Consumer, Trader and Tenancy Tribunal. The aim of the matter was to show that the relevant market for social housing provider rent comparison is not the private rental market.

We appealed a tribunal decision in the Supreme Court regarding rent increases and the relevant market for comparing the rents of social housing providers. The appeal was heard and the decision reserved. Our appeal was not upheld.

In another case, a group of tenants received a rent increase notice from their landlord, a Local Aboriginal Land Council. They sought an order in the Consumer, Trader and Tenancy Tribunal that the rent increase was excessive.

As affordability is not a relevant factor, we argued that the nature of the landlord itself (as a social housing provider) and its place in government programs gives the tribunal reason to find that a rent increase is excessive – even if the rent is less than the general level of market rents.

Local Aboriginal Land Council members have control over tenancies

We acted for two tenants who were each given a termination notice by their landlord, a Local Aboriginal Land Council (LALC). The case centered around the provisions in the *NSW Aboriginal Land Rights Act 1983*, which requires a LALC to pass a resolution of the voting members concerning any “dealing with land”.

The Land and Environment Court held that the function of terminating a residential tenancy agreement is a dealing with land. As such, a LALC may only take steps to terminate a tenancy if that course is approved by the voting membership of the council. This decision cannot be delegated to internal or external management.

The judgement was reported in *Local Government and Environmental Reports of Australia*. It has been used successfully by advocates to save their clients’ tenancies.

It is currently subject to appeal and may lead to amendment of legislation.

Tribunal should account for landlord blaming tenants

Tenants applied for compensation for interruption to their peace, comfort and privacy by their landlord (a Local Aboriginal Land Council). The interruption arose because the landlord sent a letter to all of its tenants that intended to bring a number of them into disrepute.

The expected strategic gain is to protect the integrity of tribunal processes by ensuring that a landlord is unable to place illegitimate pressure on tenants who seek to enforce their rights.

Community housing providers and rent rebate cancellation

We intended to clarify the power of community housing providers to retrospectively cancel rent rebates and the jurisdiction of the *Consumer Claims Act 1998* for such disputes. Because the matter settled, there was no determination.

Tenants can leave during fixed term without penalty when intention to sell not disclosed

We acted for a tenant whose landlord failed to disclose their intention to sell the premises before entering into the tenancy agreement. The Consumer, Trader and Tenancy Tribunal clarified that a tenant in this situation can give a termination notice during the fixed term of their tenancy agreement without penalty.

Landlords’ culpability accounted for in termination cases involving abuse

In two matters, we sought to clarify the role of the landlords culpability in relation to intimidating, threatening, abusive and harassing action by the tenant. The Consumer, Trader and Tenancy Tribunal recognised that the landlord’s culpability is relevant to whether or not it should exercise its discretion to make a termination order.

Compensation for non-economic loss

In several matters, we sought to clarify and confirm the ability of the Consumer, Trader and Tenancy Tribunal to award non-economic loss compensation following the NSW Court of

Appeal case of *Insight Vacations Pty Ltd v Young*. These matters are ongoing.

Application of residential parks law after death of a resident

A decision by the Consumer, Trader and Tenancy Tribunal confirmed that the *Residential Parks Act 1998* applies after a resident's death. An executor need not live at the premises and is considered to be a resident for the purposes of administering the estate.

Tribunal can set aside previous orders

We represented a park resident in the Consumer, Trader and Tenancy Tribunal. The tribunal had previously ordered a dwelling in the residential park to be moved. It could not be moved and so the tribunal made new orders. The decision confirmed the tribunal's power to set aside orders in a prior matter.

Consumer claims jurisdiction for interference with sale of park dwellings

We tested the jurisdiction of the *Consumer Claims Act 1998* where a resident suffered losses due to interference by the park owner with the sale of a dwelling. The matter is under appeal.

Interpretation of electricity "supply" in residential parks

A park owner appealed a tribunal decision on the interpretation of electricity "supply" in the relevant code of standards. We represented 70 park residents in the District Court, where the appeal was dismissed. The park residents will now not be overcharged for electricity.

Park residents saved from eviction upon mortgagee repossession

A mortgagee with a Supreme Court order for possession of a residential park gave residents notice to vacate. We represented two of the residents and applied to the Consumer, Trader and Tenancy Tribunal for the mortgagee to be made the residents' landlord. The matters settled before hearing. Permanent residents were not evicted and they had five months without paying site fees.

Training for tenancy workers

Training for tenant advocates

Training in new legislation

We trained all 114 tenant advocates in New South Wales in the *Residential Tenancies Act 2010*. Forty-two percent of advocates were from regional areas and 58 percent from Sydney. Eleven percent were from Aboriginal services.

We conducted eight workshops. Three of these were outside Sydney.

In addition, we trained education staff from NSW Fair Trading and LawAccess NSW.

Certificate IV in Community Services Advocacy

Eighteen people were enrolled in the full qualification. Seven full and 12 part qualifications were awarded. Another seven advocates upgraded their qualifications.

Other courses

We provided training to 216 people, including volunteers. Forty-three percent were from regional services and 57 percent from Sydney. Eleven percent were from Aboriginal services.

We conducted courses in:

- introduction to tenancy advice and advocacy
- community education
- working with clients with mental health issues
- consumer claims – including use of the new *Australian Consumer Law*
- negotiation at the Consumer, Trader and Tenancy Tribunal
- formal hearings at the Consumer, Trader and Tenancy Tribunal
- casework research using online resources
- social housing

- tenancy and criminal law.

Training for other organisations

We trained staff or volunteers from LawAccess NSW, Domestic Violence Court Assistance Scheme, Homeless Persons Legal Centre, park residents associations, community legal centres and members of the Federation of Community Housing Associations.

In partnership with the Public Interest Advocacy Centre and Legal Aid NSW we provided training for community workers who support tenants.

Identification of training needs and participant satisfaction

We surveyed training participants and their employers in accordance with the Australian Quality Training Framework. The survey canvassed: trainer quality, effective assessment, learning stimulation, training relevance, competency development, training resources, effective support and active learning.

The level of satisfaction for participants was 88 percent and for employers, 87 percent.

In consultation with Tenants Advice and Advocacy Services, service coordinators and our training reference group we developed our annual training calendar and agendas for Tenants Advice and Advocacy Network meetings.

Compliance with requirements as a registered training organisation

To maintain our status as a registered training organisation, we ensured that:

- all participants in Certificate IV in Community Services Advocacy were transferred to the new training package (CHC41008)
- the Learning and Development Coordinator updated her current qualifications in training and community services advocacy
- we audited our compliance, and that of Tenants' Union of Queensland, with

Australian Quality Training Framework standards

- we provided mandatory quality indicator data to the Australian Skills Quality Authority.

We contributed to accreditation of tenant advocates in Queensland through a partnership with the Tenants' Union of Queensland.

Materials on tenancy law and related matters

New publications developed in response to need

We developed two new factsheets to inform tenants about new provisions under the new *Residential Tenancies Act 2010*: one on tenancy issues for renters who want to leave domestic violence situations, and another on transfer of tenancies and sub-letting.

We gained funding from NSW Fair Trading and the Law and Justice Foundation to publish a new edition of the *Tenants' Rights Manual*. We anticipate publishing the manual in hard copy and online in July 2012.

Factsheets reviewed and updated

In response to the passing of the *Residential Tenancies Act 2010*, we revised and reissued:

- twenty 'Tenants Rights Factsheets' and associated sample letters
- a factsheet on tenants' basic rights and obligations in seven high-demand community languages – Arabic, Chinese, English, Farsi, Korean, Spanish and Vietnamese
- a set of four easy-English factsheets targeted at clients of Aboriginal Tenants Advice and Advocacy Services.

Factsheets were published on the Tenants NSW website which received around 260,000 visits.

Reader satisfaction with our newsletter

A survey of *Tenant News* readers undertaken shortly after publication of the June 2011 issue showed the following:

- 98 percent of respondents found the writing style and language to be appropriate
- 92 percent liked the newsletter's size and shape
- 92 percent liked the design, colours and photographs
- 98 percent found the text size and layout easy to read.

Readers also expressed satisfaction with the topics we included in the newsletter. Practical advice for tenants was rated the number one topic (of interest to 78 percent of readers) followed by law reform and legislative changes (73 percent) and policy developments in social housing (70 percent).

Support for services funded under the Tenants Advice and Advocacy Program

Network meetings assist services to better support tenants

We held three meetings of the Tenants Advice and Advocacy Network. The meetings were organised in consultation with representatives from the services that form the network.

Presentations and workshops covered the following topics:

- the *Residential Tenancies Act 2010*
- registration of community housing providers
- worker self-care
- the NSW Ombudsman
- older people and the law
- new provisions for access to government information
- the Energy and Water Ombudsman of NSW

- current reforms to Aboriginal housing
- mould in rented premises
- domestic violence and tenancy
- local government regulations
- outreach to people with complex needs
- social housing estate redevelopment
- procedural fairness.

Evaluations by attendees at all meetings were generally positive.

A client enquiry database that informs service planning

Responsibility for the client enquiry database was transferred to NSW Fair Trading, which is developing a new database in consultation with us and Tenants Advice and Advocacy Services.

Advocacy for service funding pegged to demand

In anticipation of increased demands on Tenants Advice and Advocacy Services with the commencement of new residential tenancies legislation, we applied to the Rental Bond Board for increased funding. We secured a one-off grant of \$18,000 for each service.

We also made a comprehensive submission on funding for the Tenants Advice and Advocacy Program to both the Minister for Fair Trading and the Rental Bond Board. We followed up with a meeting with the minister and await a response.

Objective 2: To have a positive impact on public opinion, policies and practices affecting tenants in New South Wales

Research, policy development and advocacy on the needs of tenants

Our policies reflected in legislation and government policies and programs

Policy and research papers written and distributed

We addressed the following priorities as identified in our strategic plan for 2010–2013:

- Aboriginal housing
- marginal renters (including boarders and lodgers)
- community housing
- low-income private renters
- Housing NSW policy and practice
- safety and sustainability of rental property
- tax and housing.

Other areas we addressed were tenancy law reform – in particular the *Residential Tenancies Act 2010* and Regulation – and compensation claims for non-economic loss.

We also continued to provide a voice for tenants in media reports on housing issues, through our newsletter *Tenant News* and on our blog *The Brown Couch*.

Aboriginal housing

In collaboration with Shelter NSW, NCOSS and the NSW Aboriginal Tenants Advice Network, we commissioned a review of the impact of current reforms in Aboriginal housing in New South Wales and future directions. The report was released in February 2011 and it received coverage in sector newsletters.

We met with Aboriginal housing organisations to discuss the outcomes and published an update to the research. We also participated in the National Indigenous Housing Roundtable.

Marginal renters

We consulted with stakeholders on reform of the marginal renting sector and circulated a draft policy paper outlining a four-point plan.

In November 2010, we held a ‘Marginal Rental Roundtable’ with representatives of the community sector and government, and met separately with owners’ representatives. Feedback from participants indicated that the roundtable was considered very successful.

We also provided comment to MPs on the Environmental Planning and Assessment Amendment (Boarding Houses) Bill.

In March 2011, we launched a final policy paper, ‘Reforming marginal renting’, along with a joint statement of support signed by 24 non-government organisations. The paper was based on the draft discussed at the roundtable. It was circulated to parties contesting the state election.

We took part in consultations on boarding house reforms conducted on behalf of NSW Ageing, Disability and Home Care.

Community housing

We participated on the Registrar of Community Housing’s Advisory Forum including discussion about draft “Compliance Framework”, released for comment in September 2010.

We conducted preliminary research into the public availability of community housing providers’ tenancy management policies.

We provided comment to the Community Housing Division (CHD) of Housing NSW about guidance to providers on use of ‘no-cause’ termination notices. We understand that the Centre for Affordable Housing (CAH) is looking at providing similar guidance to affordable-

housing providers not covered by the CHD. Our discussions with the CHD and CAH on this issue are ongoing.

We had further discussion with the CHD regarding availability of community housing providers' "operational policies". The CHD was receptive to our concerns.

Low-income private renters

We made submissions to:

- Planning NSW's review of the Affordable Rental Housing State Environmental Planning Policy
- the Productivity Commissioner's Public Inquiry into Australia's Urban Water Sector.

We attended a University of Sydney workshop on the financialisation of housing and made contact with researchers. We started drafting a paper with a view to commissioning research for an alternative agenda for banking and finance reform with the objective of improved housing affordability.

Housing NSW policy and practice

We commenced a quarterly meeting with Housing NSW Client Service Operations to discuss operational issues. Advocates from the Inner Sydney and Illawarra Tenants Advice and Advocacy Services also attended to provide expert comment on selected agenda items.

We engaged in consultation on the Housing and Mental Health Agreement (a high-level agreement across a number of government departments to replace the Joint Guarantee of Service) and attended a half-day workshop, hosted by Housing NSW, to discuss the agreement. We also provided written comments on the final draft of the agreement.

We continued participation on the Housing NSW NGO Partners Reference Group and Living Communities Consultative Committee.

Safety and sustainability of rental property

With a view to making a recommendation to the Minister for Fair Trading, we placed the issue of child-safe windows on the agenda of the

Property Services Advisory Council, including options for law reform.

We expressed support for the recommendations of the Children's Hospital at Westmead in relation to children falling from residential buildings and maintain contact with the expert advisory group from the hospital.

We had continued discussion with relevant groups about the introduction of minimum safety standards for rental properties including mandatory installation of electrical safety switches and locks on high windows.

On the availability of sustainable energy subsidies to tenants we started liaison with the trade union United Voice.

Tax and housing

In a series of articles posted to our blog, we reviewed the Henry Review of the Australian taxation system. We participated in a planning meeting for National Shelter's tax policy platform.

Residential Tenancies Act 2010 and Regulation

The *Residential Tenancies Act 2010* passed in June 2010 and commenced in January 2011. It reflects a number of our key law reform priorities, including proper regulation of databases, clearer rights for share-house occupants, and options for victims of domestic violence to end their tenancy or exclude the violent person from the rented premises.

We made a submission on the draft Residential Tenancies Regulation 2010, and some of our recommendations were reflected in the final Regulation.

We consulted closely with Tenants Advice and Advocacy Services to identify technical problems with the Act and larger policy issues arising from it. We provided comment on the *Statute Law (Miscellaneous Provisions) Act 2011*, which addressed some of the technical issues.

Compensation for non-economic loss

We became aware of the decision of the NSW Court of Appeal in *Insight Vacations Pty Ltd v*

Young that proceedings relating to ‘distress and disappointment’ are subject to the *Civil Liability Act 2002*, and formed the view that this may severely limit tenants’ proceedings for compensation.

We made submissions to the Minister for Fair Trading and the Attorney-General seeking an exemption from the *Civil Liability Act 2002* for proceedings under the *Residential Tenancies Act 2010* and the *Residential Parks Act 1998*.

Meetings and correspondence with key decision makers

In the course of our policy work, we met or corresponded with:

- NSW Fair Trading
- Property Services Advisory Council
- Housing NSW
- the Chairperson and Deputy Chairperson of the Consumer, Trader and Tenancy Tribunal
- Planning NSW
- The Greens
- Greg Aplin MP, Shadow NSW Minister for Fair Trading
- Senator Mark Arbib, federal Minister for Social Housing
- Tony Burke MP, federal Minister for Sustainability, Environment, Water, Population and Communities
- Advisor to the NSW Minister for Family and Community Services
- Anthony Roberts MP, NSW Minister for Fair Trading.

Media mentions of the Tenants’ Union and our policy positions

We had 27 mentions in a variety of media, including public, commercial and community radio and television and state, national and UK newspapers. We commented on:

- rents paid by low-income tenants

- federal housing policy in relation to private and social housing tenants
- new residential tenancies legislation
- marginal renters, boarders and lodgers
- tenant database operators and tenant privacy
- public housing vacancies
- rent collection companies
- work disincentives for social housing tenants
- condition of rental properties
- international students as renters
- rent increases and housing supply.

Relationships with tenants and NGOs on strategic advocacy

All our policy and law reform work depends on our colleagues in Tenants Advice and Advocacy Services. It is through their casework and knowledge that we identify where tenants face problems and where current laws and policies fail to provide solutions.

We convened a policy reference group, which met three times. It included tenants, representatives of Tenants Advice and Advocacy Services, NCOSS, Homelessness NSW and Shelter NSW. Feedback about the usefulness of the group was positive.

In addition, we consulted, advised or collaborated with People with Disability Australia, Property Owners Association, Australian Communications Consumer Action Network, Newtown Neighbourhood Centre, National Shelter, Homeless Persons Legal Service, NSW Federation of Community Housing Associations and social housing tenant organisations.

Objective 3: To build a strong and dynamic organisation capable of providing high-quality services and effective systemic advocacy on behalf of tenants

Governance and management

Regular discussion about, reflection on and assessment of our performance

Staff met in October 2010 to review the strategic plan and challenges and opportunities for 2011. In May 2011, staff participated in an operations planning day, which led to revised processes for staff meetings and collaboration on projects.

The Board undertook a review of the performance of the Executive Officer. As part of this review, our funders indicated their satisfaction with the performance of the organisation.

We received further favourable feedback from external stakeholders in support of a funding application we made to the Law and Justice Foundation of NSW.

Clear Board and management roles and operational policies

We updated our governance and financial management policies and made available a manual of policies and procedures to the Board. The Board received comprehensive reports on performance against the strategic plan in August 2010 and January 2011.

Effective governance by a well-informed Board

The Board continued to indicate its satisfaction with the information it receives. A finance sub-committee (see below) meets monthly.

Financial solvency and monitoring and management of risks

We thoroughly revised our financial management policies and systems. This included the establishment of a Board finance

sub-committee. The sub-committee reviews and approves comprehensive monthly financial reports, which are then provided to the Board. The sub-committee met eleven times.

The Board undertook finance training in March 2011.

An annual audit of our accounts was undertaken.

Staff training

In addition to training undertaken by the solicitors (see above), staff completed training in the following subject areas:

- administration staff – bookkeeping and bookkeeping software, working with people with mental health issues, project management, occupational health and safety, emergency readiness
- legal support and policy staff – work-based research, advocacy skills and strategies
- resourcing staff – community services advocacy and coordination, contextualising and mapping for training organisations, social media marketing practice, information technology for non-profit organisations, e-learning, vocational training regulations, Certificate IV in Training and Assessment.

Best-practice industrial conditions

An industrial agreement ensures that the staff is paid at or above award and that working conditions are generous. Salary sacrificing arrangements effectively increase value of salaries paid.

Maintaining Tenants' Union membership

We had 95 active members as of June 2011.

Board and staff

Board

See Directors' Report, below.

Staff

- Executive Officer: Gregor Macfie

Administration

- Administration Officer: Patrycja Arvidssen
- Finance Officer: Rachel Burns

Legal

- Aboriginal Legal Officer: Carl Freer
- Aboriginal Paralegal: Prudence Mewburn
- Legal Support Officer: Elizabeth De Freitas, Leo Patterson Ross (from January 2011)
- Litigation Solicitor: Ken Beilby
- Principal Legal Officer: Grant Arbuthnot
- Residential Parks Legal Officer: Paul Smyth

Policy

- Policy Officer: Ned Cutcher
- Senior Policy Officer: Chris Martin

Resourcing

- IT Projects Manager: Phillip Byrne
- Learning and Development Coordinator: Julie Foreman
- Publications Officer: Luke O'Connell

Treasurer's report

The Tenants' Union of NSW Co-operative Limited receives core funding from NSW Fair Trading and the federal and state Community Legal Centre funding programs. The centre's total income was \$1,308,203 and we finished the year with a small surplus of \$6,352. The financial position of the organisation remains sound.

We thank Finance Officer Rachel Burns for her expertise. Thanks also to auditor Sandra Grollmus for her assistance throughout the year.

Please refer to the following audited financial reports of the Tenants' Union of NSW.

Charmaine Jones

Financial statements

Directors' report

The Directors of the Tenants' Union of N.S.W. Co-operative Limited present their Report and the audited Financial Statements of the Co-operative for the year ended 30 June, 2010.

The Directors have determined that the Co-operative is not a reporting entity.

DIRECTORS The Directors in office during the period 1 July 2010 to 30 June 2011 were:

- Sue Scott: Chairperson – continuing
- Jane King: Treasurer – to August 2010
- Ruth Simon: Treasurer – from August 2010 to February 2011
- Charmaine Jones: Treasurer – from February 2011
- Jennifer Rignold: Secretary – continuing
- Brendan Edgeworth: Director – continuing
- Patricia McDonough: Director – continuing
- Charmaine Jones: Director – continuing
- Ruth Simon: Director – to June 2011
- Geri Kaufman: Director – continuing
- Paula Rix: Director – from November 2010
- Dominic Grenot: Director – from November 2010

OPERATING RESULTS

There was a surplus of \$6,352 for the year ended 30 June 2011, which is a satisfactory result.

EVENTS SUBSEQUENT TO BALANCE DATE

There are no matters since the end of the financial year that have arisen which affect the operations of the Tenants' Union.

DIVIDENDS PAID OR RECOMMENDED

Under the rules of the Co-operative, no dividends are payable to members.

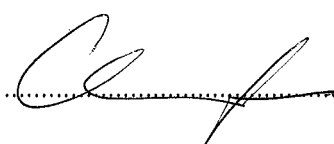
DIRECTORS' BENEFITS

Since the end of the previous financial year, no Director has received or become entitled to receive a benefit (other than a benefit included in the aggregate amount of emoluments received or due and receivable by Directors shown in the accounts, or the fixed salary of

a full-time employee of the Co-operative) by reason of a contract made by the Co-operative with the Director or with a firm in which he has made a substantial financial interest.

Signed in accordance with a resolution of the Board of Directors.

Director 

Director 

Dated this 21st day of September 2011.

Directors' declaration

The Directors of the Co-operative declare that the financial Statements and notes thereto, set out below:

Comply with Accounting Standards and the Co-operatives Act, 1992, as amended;

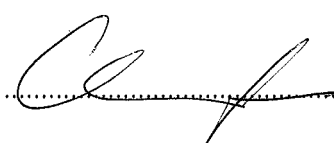
Are drawn up so as to give a true and fair view of the results of the Co-operative for its last financial year;

Are drawn up so as to give a true and fair view of the state of affairs of the Co-operative as at the end of the financial year; and

At the date of this Declaration, there are reasonable grounds to believe that the Co-operative will be able to pay its debts as and when they fall due.

No matters or circumstances have arisen since the end of the financial year which significantly or may significantly affect the operations of the Co-operative, the results of those operations, or the state of affairs of the Co-operative in financial years subsequent to the financial year ended 30 June, 2011.

Director 

Director 

Dated this 21st day of September 2011.

Auditor's independence declaration

TO THE DIRECTORS OF TENANTS' UNION OF N.S.W. Co-operative LIMITED

I declare that to the best of my knowledge and belief, during the year ended 30 June 2011, there have been:

(i) No contraventions of the auditor independence requirements as set out in the Co-operatives Act, Rules and Regulations in relation to the audit; and

(ii) No contraventions of any applicable code of professional conduct in relation to the audit.

Date 7th September 2011



SANDRA GROLLMUS
Registered Company Auditor
Registered No. 1254

Statement of financial position at 30 June, 2011

	Note	2011 \$	2010 \$
CURRENT ASSETS			
Petty Cash on Hand		400	400
Cash at Bank	2	451,057	452,080
Receivables		12,504	13,284
Bank Guarantee Deposit	3		
		<u>463,961</u>	<u>465,764</u>
NON CURRENT ASSETS			
Bank Guarantee Deposit	3	17,867	2,867
Plant & Equipment	4	36,918	114,589
		<u>54,785</u>	<u>117,456</u>
TOTAL ASSETS		<u>518,746</u>	<u>583,220</u>
CURRENT LIABILITIES			
Funds Unspent		220,015	303,531
Creditors & Accruals		31,390	24,243
Third Party Funds Held		1,673	1,879
Provisions - Staff	5	115,912	112,731
		<u>368,990</u>	<u>442,384</u>
NON CURRENT LIABILITIES			
Provisions - Staff	5	100,455	97,887
		<u>100,455</u>	<u>97,887</u>
TOTAL LIABILITIES		<u>469,445</u>	<u>540,271</u>
NET ASSETS		<u>49,301</u>	<u>42,949</u>
EQUITY			
Accumulated Funds		<u>49,301</u>	<u>42,949</u>

The accompanying Notes form part of these Financial Statements.

Statement of comprehensive income

	2011 \$	2010 \$
Operating Revenue	1,284,958	1,151,283
Interest Received	21,718	19,411
Membership Fees	1,527	4,068
	<u>1,308,203</u>	<u>1,174,762</u>
Less		
Administration Expenses	131,683	90,480
Client/Community Servicing Expenses	106,543	114,058
Occupancy Expenses	84,942	86,783
Staffing Expenses	978,683	877,584
	<u>1,301,851</u>	<u>1,168,905</u>
 SURPLUS (DEFICIT) for the year	 <u>6,352</u>	 <u>5,857</u>
 STATEMENT OF CHANGES IN EQUITY		
OPERATING SURPLUS for the year	6,352	5,857
	<u>6,352</u>	<u>5,857</u>
Accumulated funds brought forward	42,949	37,092
ACCUMULATED FUNDS carried forward	<u>49,301</u>	<u>42,949</u>

The accompanying Notes form part of these Financial Statements.

Notes to financial statements for the year ended 30 June, 2011

1. STATEMENT OF PRINCIPAL ACCOUNTING POLICIES: This financial report is a special purpose report prepared in accordance with the requirements of the Co-operatives Act, 1992 for use by Directors and Members of the Co-operative and the funding bodies. The Directors have determined that the Co-operative is not a reporting entity.

The accounting policies adopted are in accord with the law and accounting standards of the Australian Accounting Bodies unless stated below.

The following is a summary of the significant accounting policies adopted by the co-operative in the preparation of the Financial Statements:

(a) Historical Cost Basis: The financial Statements have been prepared using historical cost accounting principles which do not take into account changing money values or, except where stated, current valuations of non-current assets.

(b) Basis of Preparation: The report has been prepared in accordance with the requirements of the Co-operative Act, 1992 and the following applicable Australian Accounting Standards and Australian Accounting Interpretations:

- AASB 101 Presentation of Financial Statements
- AASB 107 Statement of Cash Flows
- AASB 108 Accounting Policies
- AASB 110 Events after the Statement of Financial Position Date
- AASB 1031 Materiality
- AASB 1048 Interpretation and Application of Standards

No other Accounting Standards, Accounting Interpretations or other authoritative pronouncements of the Australian Accounting Standards Board have been applied.

(c) Depreciation of Non-Current Assets: Non-Current Assets have been depreciated to write off each asset over the estimated useful life of the asset concerned. Either the diminishing value or the prime cost method is used, as considered appropriate.

(d) Employee Benefits: Provision is made in respect of the Co-operative's liability for Annual Leave at balance date. Long Service Leave is accrued in respect of all permanent employees as per the Tenants Union Industrial Agreement, being 6.5 weeks Long Service Leave for every 5 years continuous service. Redundancy Leave is provided in accordance with Employment Contracts.

	2011 \$	2010 \$
2. CASH		
Cash at Bank–		
Operating Account	16,554	68,363
Online Saver Account	134,503	383,717
Term Deposits	300,000	
	<u>451,057</u>	<u>452,080</u>
3. NON CURRENT ASSETS – DEPOSIT		
Bank Guarantee	17,867	17,867
Less OFT Security Deposit Contribution		-15,000
	<u>17,867</u>	<u>2,867</u>
4. PLANT & EQUIPMENT		
Plant & Equipment (cost)	74,585	71,058
Accumulated Depreciation	-56,802	-43,604
	<u>17,783</u>	<u>27,454</u>
Furniture & Fittings (cost)	108,919	108,919
Accumulated Depreciation	-89,784	-21,784
	<u>19,135</u>	<u>87,135</u>
	<u>36,918</u>	<u>114,589</u>
5. PROVISIONS		
CURRENT LIABILITIES		
Staff – Annual Leave	45,825	42,643
Staff – Employee Entitlements	70,088	70,088
	<u>115,912</u>	<u>112,731</u>
NON CURRENT LIABILITIES		
Staff – Employee Entitlements	<u>100,455</u>	<u>97,887</u>
6. GRANTS – Legal Aid Commission		
State	117,548	114,684
Federal	75,084	73,900
Federal “One Off”	42,886	51,519
	<u>235,518</u>	<u>240,103</u>

7. INCOME TAX EXPENSE: The Co-operative is a public education organisation, incorporated under the Co-operative Act, 1992, as amended, and is exempt from income tax by Section 23 (e) of the Income Tax Assessment Act, 1936 and has been granted Public Benevolent Institution status.

8. REMUNERATION OF DIRECTORS: Under the rules of the Co-operative, no remuneration is paid to Directors for their services. Necessary expenses incurred by Directors in the business of the Co-operative are refunded.

9. SEGMENT REPORTING: The co-operative operates predominantly in New South Wales, Australia where its principal activity is public education.

Statement of cash flows

	Note	2011 \$	2010 \$
CASH FLOW FROM OPERATING & FINANCING ACTIVITIES			
Receipts from Grants (incl. GST) Operating		1,254,209	1,161,821
Other Receipts		114,512	91,394
Payments to Suppliers/Employees & ATO		-1,387,935	-1,287,364
Interest Received		21,718	19,411
Net Cash (Decrease)/Increase provided by operating & financing activities	(b)	2,504	-14,738
CASH FLOW FROM INVESTING ACTIVITIES			
Payment for Property, Plant & Equipment		-3,527	-132,093
Net (Decrease) in Cash Held		-1,023	-146,831
Cash at beginning		470,347	617,178
Cash at end	(a)	469,324	470,347

NOTES TO STATEMENT OF CASH FLOWS

(a) Reconciliation of Cash

Cash at the end of the year is shown in the Statement of Financial Position as:

Petty Cash on Hand	400	400
Cash at Bank – Operating	16,554	68,363
Online Saver Account	134,503	383,717
Term Deposits	300,000	—
Bank Guarantee Deposit	17,867	17,867
	<u>469,324</u>	<u>470,347</u>

(b) Reconciliation of Cash Flow from Operating & Financing

Surplus for the year	6,352	5,857
Add/Less		
Adjustment transfer from Bond Deposit Funding	-15,000	—
Depreciation	81,199	33,280
Transfers from Provision (Net)	—	-4,007
Transfer from Share Capital	—	-2,419
	<u>72,551</u>	<u>32,711</u>
(Decrease)/Increase in Third Party Funds Held	-206	444
	<u>72,345</u>	<u>33,155</u>
Increase Staff Entitlements	5,749	
(Decrease) in Unspent Funds	-83,517	-14,157
Increase/(Decrease) in Creditors & Accruals	7,147	-36,198
Decrease (Increase) in Debtors & Prepaid Expenses	780	2,462
Cash Flow from Operating & Financing	<u>2,504</u>	<u>-14,738</u>

Statement of comprehensive income

	Note	2011 \$	2010 \$
INCOME			
Grants Received			
– Legal Aid Commission	6	235,518	240,103
– Office of Fair Trading			
– General		642,616	587,414
– Aboriginal Legal Officer		132,065	132,065
– Resident/Parks Legal Officer		90,883	92,353
– Relocation		68,000	17,000
– Grants b/fwd		56,000	2,893
Certificate IV Income		3,040	2,280
Certificate IV Management Fee		1,405	2,356
Donations		191	143
Fee for Services		3,753	7,784
Interest Received		21,718	19,411
Legal Fees			19,784
Membership Fees		1,527	4,068
Miscellaneous Income		7,133	
Network Meetings		25,000	37,433
Sales – Publications		79	318
Services Contributions		19,275	9,356
		<u>1,308,203</u>	<u>1,174,761</u>
Less			
EXPENDITURE – Schedule		1,301,851	1,168,905
Surplus / (Deficit) for the year		<u>6,352</u>	<u>5,856</u>

Schedule of expenditure

	2011 \$	2010 \$
ADMINISTRATION EXPENSES		
Annual Report/Meeting	2,596	155
Archiving	2,047	1,784
Audit Fees	5,000	5,073
Bad Debts		2,214
Bank Charges	1,071	1,483
Couriers	773	1,474
Depreciation	81,199	33,280
Equipment Maintenance	884	582
Equipment Purchases	2,019	1,834
Insurance	5,192	8,966
Library/Resources/Subscriptions	13,273	17,730
Photocopying	2,625	1,819
Postage	4,839	5,099
Printing	4,367	1,944
Stationery	5,798	7,043
	<u>131,683</u>	<u>90,480</u>

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	2011 \$	2010 \$
CLIENT/COMMUNITY SERVICING EXPENSES		
Communication Expenses	13,143	15,756
Legal Disbursements	2,749	9,758
Program & Planning Expenditure	2,036	2,037
TAAP Regional	25,979	30,012
TAAP Network Expenses	16,124	18,227
Tenant News	8,321	7,382
Travel/Accommodation/Meals	38,191	30,886
	<u>106,543</u>	<u>114,058</u>
OCCUPANCY EXPENSES		
Building Maintenance	743	5,119
Building Services	6,770	1,170
Rent	73,614	76,578
Utilities	3,815	3,916
	<u>84,942</u>	<u>86,783</u>
STAFFING EXPENSES		
Accreditation & Training		16,580
Conferences/Training	11,536	7,338
Consultants & Contractors	19,211	37,836
IT Consultancies & Materials	37,231	4,305
Leave Provisions	5,750	19,887
Practising Certificates	2,291	5,639
Professional Indemnity Insurance		1,600
Recruitment		3,238
Staff Amenities	2,006	7,133
Superannuation	72,297	61,670
Wages & Salaries	825,160	708,775
Workers Compensation Insurance	3,201	3,583
	<u>978,683</u>	<u>877,584</u>
TOTAL EXPENSES	<u><u>1,301,851</u></u>	<u><u>1,168,905</u></u>

Statement of comprehensive income – Office of Fair Trading

	2011 \$	2010 \$
INCOME		
Grant – General	642,616	587,414
– Aboriginal Legal Officer	132,065	132,065
– Resident/Parks Legal Officer	90,883	92,353
– Relocation	68,000	17,000
– Grants b/fwd	56,000	2,156
Certificate IV Income	3,040	2,280
Fee for Services	233	6,929
Miscellaneous Income	7,133	
Network Meetings		16,777
Interest Received	17,354	16,049
Legal Fees		19,784
Services Contributions	19,275	
	<u>1,036,599</u>	<u>892,807</u>

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	2011 \$	2010 \$
Less EXPENDITURE		
Administration Expenses		
– Annual Report/Meeting	2,129	131
– Archiving	1,607	1,443
– Audit Fees	3,950	4,113
– Bank Charges	847	1,235
– Bad Debts		2,214
– Couriers	610	1,229
– Depreciation	78,427	30,981
– Equipment Maintenance	1,595	466
– Equipment Purchases	698	1,511
– Insurance	4,102	7,747
– Library/Resources/Subscriptions	10,499	9,546
– Photocopying	2,110	1,469
– Postage	3,826	4,211
– Printing	3,673	1,613
– Stationery	4,583	5,900
Client/Community Servicing Expenses		
– Communication Expenses	10,449	13,074
– Legal & Practice Expenses	2,914	7,871
– TAAP Training & Network Expenses	19,041	18,227
– Tenant News	6,348	6,775
– Travel/Accommodation/Meals	30,453	25,785
Occupancy Expenses		
– Building Maintenance	579	4,216
– Building Services	5,475	936
– Rent	58,216	61,451
– Utilities	3,037	3,184
Staffing Expenses		
– Accreditation & Training		17,414
– Conferences & Training	9,113	4,835
– Consultants & Contractors	17,298	23,854
– IT Consultancies & Materials	36,225	3,912
– Leave Provisions	4,542	15,910
– Practising Certificates		4,407
– Professional Indemnity Insurance		1,200
– Recruitment		2,631
– Staff Amenities	1,593	5,434
– Superannuation	56,770	49,457
– Wages & Salaries	653,358	545,775
– Workers Compensation Insurance	2,532	2,650
	<u>1,036,599</u>	<u>892,807</u>
Surplus (Deficit) for the year	<u>0</u>	<u>0</u>

Statement of comprehensive income – Legal Aid Commission

	2011 \$	2010 \$
INCOME		
Grant Received – State	117,548	114,684
– Federal	75,084	73,900
LAC One Off Grant	42,886	27,114
Grant carried forward 2009		24,406
Fee for Services		855
Interest Received	4,365	3,361
	<u>239,883</u>	<u>244,320</u>
Less EXPENDITURE		
Administration Expenses		
– Annual Report/Meeting	466	23
– Archiving	439	341
– Audit Fees	1,050	960
– Bank Charges	225	248
– Couriers	162	245
– Depreciation	2,772	2,299
– Equipment Maintenance	186	116
– Equipment Purchases	424	324
– Insurance	1,090	1,218
– Levy		3,500
– Library/Resources/Subscriptions	2,774	4,684
– Photocopying	515	350
– Postage	1,013	887
– Printing	694	331
– Stationery	1,214	1,142
Client/Community Servicing Expenses		
– Communication Expenses	2,695	2,682
– Legal & Practice Expenses	2,126	1,886
– Tenant News	1,972	608
– Travel	7,470	4,737
Occupancy Expenses		
– Building Maintenance	164	903
– Building Services	1,294	234
– Rent	15,398	15,127
– Utilities	778	733
Staffing Expenses		
– Conferences & Training	2,422	3,543
– Consultants & Contractors	1,913	13,246
– IT Consultancies & Materials	1,006	392
– Leave Provisions	1,207	3,977
– Practising Certificates		1,232
– Professional Indemnity Insurance		400
– Recruitment		607
– Staff Amenities	413	1,200
– Superannuation	15,527	12,213
– Wages & Salaries	171,802	163,001
– Workers Compensation Insurance	672	931
	<u>239,883</u>	<u>244,320</u>
Surplus (Deficit) for the year	<u>0</u>	<u>0</u>

TAAP – Regional meetings

	2011 \$	2010 \$
INCOME		
Grant Received	25,000	20,656
Services Contributions		9,356
	<u>25,000</u>	<u>30,012</u>
Less EXPENDITURE		
TAAP Regional	25,000	30,012
SURPLUS/(DEFICIT)	<u>0</u>	<u>0</u>

Infrastructure

	2011 \$	2010 \$
INCOME		
Membership Fees	1,527	1,642
Membership Shares		2,426
Donations	191	143
Cert IV Managemt Fee TUQ	1,405	2,356
Other Publications Income	78	318
Fees for Services	3,520	
	<u>6,721</u>	<u>6,885</u>
Less EXPENDITURE		
Amenities		499
Publications & Subscriptions	100	165
Travel	269	365
	<u>369</u>	<u>1,029</u>
SURPLUS/(DEFICIT)	<u>6,352</u>	<u>5,856</u>

Database review

	2011 \$	2010 \$
INCOME		
Grant – TAAP		736
Less EXPENDITURE		
Consultants & Contractors		736
		<u>736</u>
SURPLUS/(DEFICIT)	<u>0</u>	<u>0</u>

Independent auditor's report

SCOPE: I have audited the Financial Statements of the TENANTS' UNION OF N.S.W. Co-operative LIMITED for the year ended 30 June, 2011.

THE Co-operative's Directors are responsible for the preparation and presentation of the financial Statements consisting of Statement of Financial Position, Statements of Comprehensive Income, Statement of Cash Flows and Notes and the information they contain. I have conducted an independent

audit of these Financial Statements in order to express an opinion on them to the Members of the Co-operative.

My audit was conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the Financial Statements are free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the Financial Statement and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the Financial Statements are presented fairly in accordance with Accounting Standards and other mandatory professional reporting requirements and statutory requirements so as to present a view which is consistent with my understanding of the Co-operative's financial position and performance as represented by the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

AUDIT OPINION: In my opinion, the financial report of the TENANTS' UNION OF N.S.W Co-operative LIMITED is in accordance with:

(a) The Co-operatives Act, 1992, as amended, including

(i) Giving a true and fair view of the Co-operative's financial position as at 30 June, 2011 and the performance of the Co-operative for the year ended on that date; and

(ii) Complying with the Accounting Standards and the Co-operative Regulations; and

(b) Other mandatory professional reporting requirements.



SANDRA GROLLMUS
Registered Company Auditor
Registered No. 1254

Signed at Allawah
this 7th day of September 2011.

Auditor's certification

NAME OF ORGANISATION: TENANTS' UNION
OF N.S.W. Co-operative LIMITED

FINANCIAL YEAR PERIOD: 01/07/2010 TO
30/06/2011

I hereby certify that:

(a) I am not a principal, member, shareholder, officer, employee or accountant of the Organisation or of a related body corporate as defined in Section 9 of the Corporations Act 2001;

(b) In my opinion, the attached financial statements which comprise a Statement of Financial Position, Statement of Comprehensive Income, Statement of Cash Flows, and Notes to Financial Statements of the abovementioned Organisation ("the Organisation") for the stated Financial Year Period are:

- Based on proper accounts and present fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia, and
- In accordance with the terms and conditions of the Agreement (Commonwealth of Australia, LAC & Tenants' Union of N.S.W. Co-operative Limited 1.7.2008 to 30.6.2011), a copy of which has been made available to me, in relation to the provision of community legal services.

(c) The Statement of Comprehensive Income is provided in respect of Funds for all Funding Categories.

This is an unqualified audit report.

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DATE: 7th September 2011

Credits

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