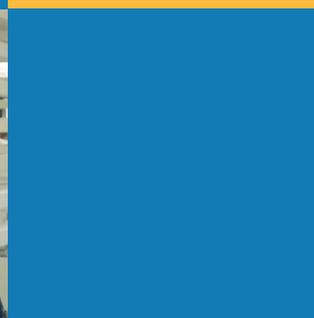
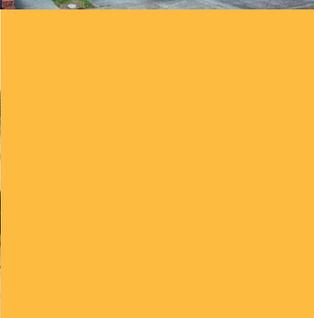
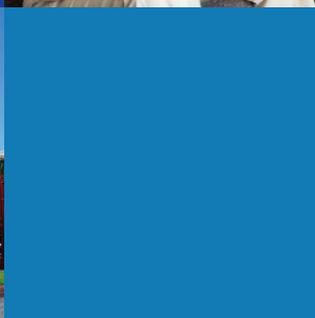


Annual Report

2012-2013



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 The Brown Couch: Tenants' Union of NSW

 @TUNSW

ABOUT US

The Tenants' Union of NSW (TU) has been advocating for NSW tenants since 1976.

The TU is an independent, secular, community legal centre and the peak body representing the interests of residential tenants in NSW.

WE ARE:

- Non-profit membership based cooperative under the Cooperatives Act 1992 (NSW)
- Community legal centre specialising in NSW residential tenancies law and accredited by the National Association of Community Legal Centres
- Peak resourcing body for Tenants Advice and Advocacy Services across NSW

WE WORK TO PROMOTE THE INTERESTS OF:

- Aboriginal tenants
- Boarders, lodgers and other marginal tenants
- Private tenants
- Social housing tenants
- Public housing tenants
- Residential parks residents

WE WORK TOWARDS OUR GOALS BY:

- Advocating for the reform of policies and laws affecting tenants
- Undertaking strategic litigation to advance the interest of tenants
- Providing support to Tenants Advice and Advocacy Services
- Informing and educating tenants

VISION

A society in which people in NSW can access safe, secure and affordable rental housing.

MISSION

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

CHAIRPERSON'S MESSAGE

Overseeing the governance of the Tenants' Union of NSW is an easy job when the integrity and dedication of both the board and staff means the organisation is run skilfully and strategically. The 2012-2013 year saw the board and staff undertake some demanding work to ensure the Tenants' Union continues in its mission to represent all tenants in NSW, whether they are private renters, social housing tenants, residential park residents, boarders or lodgers.

I would like to thank all the members of the board for their tireless input. This year we dealt with the rigorous processes involved in the National Association of Community Legal Centres (NACLC) accreditation and Legal Aid Service Standards Audit. We had our Registered Training Organisation status confirmed until 2018 and have reviewed and updated our risk management plan.

The board also continues to do a rolling review of policies and procedures and have updated the board induction kit. In the last 12 months we have reviewed and approved new policies in the areas of:

- Legal Practice
- Learning and Development
- Salary Packaging
- Media

To review whether the board of management is continuing to provide sound direction we make use of the 'Developing Your Board Project' self-assessment tool from The Australian Centre for Philanthropy and Non-profit Studies at the Business School of the Queensland University of Technology. Average overall performance ratings of the Tenants' Union board were in the top 25% of all non-profit boards.

A special thanks to the Law and Justice Foundation and NSW Fair Trading for funding the 4th edition of the Tenant's Rights Manual. The manual was launched by Hon. Anthony Roberts MP at the State Library and is a fabulous resource for tenancy advice workers and tenants alike. For the very first time, in partnership with the Legal Information Access Centre we were able to make this ever-popular publication available free on-line and fully searchable.

The work of the policy team, the litigation team and the training team continues to shine – pushing law reform, undertaking strategic legal cases and providing support and training to the TAAP services around NSW.

The staff of the Tenants' Union and its partners in the field of residential tenancy law reform are to be congratulated for the many years of hard campaigning, which resulted in the NSW state government passing the new *Boarding Houses Act 2012*. The legislation was long overdue and much needed, providing some level of protection for some marginalised renters, namely boarders and lodgers.

Social housing tenants remain one of the most disadvantaged demographics in NSW and the Tenants' Union provides support and information to many. Over the year, the Tenants' Union has worked with social housing communities and individuals on issues ranging from those of state wide significance such as the sale of social housing properties in Millers Point to the smaller but equally as important work such as assisting people in understanding their rights during the Unauthorised Occupants Amnesty.

I would like to thank our major funding bodies, NSW Fair Trading and the Legal Aid NSW, who enable us to continue with 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.

None of this work could be done without the commitment of the staff. The team at the Tenants' Union is first-rate and runs a tight-ship, under the guidance of the Executive Officer, Julie Foreman.

I commend all the staff on their diligence and often times sheer doggedness in their work and for maintaining the strong reputation of the Tenants' Union of NSW.



Charmaine Jones
Chairperson

EXECUTIVE OFFICER'S REPORT

Change does happen!

In October we congratulated the NSW State Government on the passing of the new *Boarding Houses Act 2012*. The passing of the legislation was a historic moment in a campaign that the Tenants' Union of NSW (TU) and others have worked on for over 30 years. I would like to pay tribute to residents of boarding houses as well as members of the community sector, the public sector and government who were part of this movement for change. It also serves as a strong reminder that the TU is here for the long haul.

We continue to facilitate the bedding down of the new law by participating in the governments' Boarding Houses Act implementation committee, conducting training and producing plain English legal information resources.

The last year has also seen the TU continue to conduct strategic litigation in a number of areas:

- Preventing a landlord from circumventing the Residential Tenancies Act 2010.
- Assisting a residential park resident in the sale of her home on site where the owner sought an order for termination against the resident who was moving into nursing home care.
- Challenging the standard additional term of public housing agreements that requires personal occupation by the tenant. The term contracts out of the tenants peace, comfort and privacy in use of the premises.
- Representing tenants forced to buy permanent status in a residential park.
- Testing whether procedural fairness was afforded to community housing tenants.
- Protecting tenancies of tenants in Aboriginal social housing.

Our Residential Parks Legal Officer has worked closely with the Park and Village Service on consultations, negotiations and submissions related to the rewrite of residential parks law. We look forward to the fruit of this work with legislation anticipated in Parliament by the end of the year.

We provided almost 2,000 instances of direct information or advice to tenants and tenant advocates over the last 12 months. Our training, publications and resourcing work continues to grow. This continues to be the platform for our most important work – informing and educating tenants about their rights and obligations. We have had a 40% growth in 'followers' of our social media sites and a 24% increase in unique visits to our resources at tenants.org.au. Over one quarter of a million people viewed the website.

The TU has spent time this year reflecting on its role as a non-Aboriginal organisation working on Aboriginal housing issues. This has influenced our strategic planning process, led to the drafting of a Reconciliation Action Plan, and mandatory cultural awareness training for all staff. We have also expanded our Aboriginal Steering Committee (which supported the Aboriginal Legal team) into an Aboriginal Advisory Committee for the whole organisation and are developing a cultural safety policy.

A large part of the work of the TU is spent resourcing the Tenant Advice and Advocacy Services (TAAS) around NSW. These inspiring services are the front line in tenancy advice making a difference in the lives of over 30,000 tenants per year.

As we go to print we have heard that there will no longer be funding for separate TAAP resource organisations supporting tenant advocates in their work with older people and residential park residents. The loss of the Parks and Village Service and Older Persons Tenancy Service and their dedicated, experienced and knowledgeable staff will leave a huge gap in the broader tenancy network. I would personally like to thank to Di Evans, Julie Lee, Sean Ferns, Andrew Boulton, Robert Mowbray, Virginia Pidcock and Jacob Henwood for over 100 years of combined service to tenants and residents in NSW. You have made a difference.

This year we sadly said farewell to Rosa Calcagno, our always-friendly Administrative Assistant, who left to travel and study. Our thanks must also go to Sarah Wang who as a Practical Legal Training student provided invaluable support to the legal team and raised the spirits of the whole office.

We welcomed Anne Coates as our new Administrative Assistant and John Mewburn to the Aboriginal Paralegal position.

I would like to thank the Board and in particular Chair, Charmaine Jones and Treasurer, Pat McDonough for their ongoing guidance, support and leadership. It is a privilege to work with the dedicated, enthusiastic and professional staff of the TU. I thank them all.



Julie Foreman
Executive Officer

ACKNOWLEDGEMENTS

The TU relies on the experience and expertise of the Tenants Advice and Advocacy Services to work effectively. Every day they work at the coalface providing advice and advocacy to tenants in NSW. The TU also thanks our colleagues in the Tenants Advice and Advocacy Program resource services – the Parks and Village Service (PAVS), the Older Persons' Tenants Service (OPTS) and the Aboriginal Resource Unit, Dtarawarra – which provide guidance in these specialised areas of work.

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

We would like to thank all the members of the TU for their crucial support in ensuring the organisations ongoing work.

Many volunteers, supporters and organisations help the TU in getting our work done. We would like to thank everyone who has contributed over the last year. We could not have achieved what we did without you.

Herbert Smith Freehills, Tenants Union of Queensland, Tenancy Advice and Advocacy Service Assessors Group, Kathy Townsend, Lee Watson, Sarah Ludowici, Public Interest Advocacy Centre, Earth Catering, The Gallery, Community and Public Sector Union, Bronwyn McCutcheon, Law and Justice Foundation, Jane Kenny, Geoff Mulherin CSC, Legal Information Access Centre, State Library of NSW, Sue Waldron, Philippa Scarf, Anna Hartree, Emma Maple-Brown, Lara Garfinkel, Sarah Dobson, Vicki McNamara, Allan Jackson, Carol Barr, Vivian Clifton, Julie Lee, Andrew Boulton, Mauro Di Nicola, Sue Scott, Michelle Jones, Sandra Gromollus, Microsoft, Michelle McMahan, Monique Hitter, Aging Disability and Home Care, Community Justice Centres of NSW, Nick Eastman, NSW Legal Aid, Michael Snape, Adobe Systems Inc, Ruth Simon, The Older Persons' Tenants Service (OPTS), The Parks and Village Service (PAVS), Jemima Mowbray, Sarah Wang, Tony McAvoy, Dr Christos Mantziaris, Renee Williamson, Ruth Simon, Jack Webb, Soa Paseka, Ivan Tatkovich, Carolyn Burton, Hank Whan, Jaskiran Rekhraj, Curtis Penning, Alice Chow, Rosalie Aldrich, Chrysanthe Diamond, Lynne Caldwell, Caron Wadick and Jeremy Kerbel.

PEOPLE

BOARD

- Nicole Grgas – Coordinator, Hunter Tenants Advice and Advocacy Service
- Charmaine Jones – Director, Inner Sydney Regional Council for Social Development
- Bridget Kennedy – Public policy advisor and former tenant advocate
- Pat McDonagh – Employment lawyer
- Aideen McGarrigle – Legal Aid lawyer specialising in legal ethics
- Meredith Osborne – Senior Project Officer, Civil Law, Legal Aid NSW
- Paula Rix – Senior Policy Officer, Shelter NSW
- Charmaigne Weldon – Court Assistance Scheme, Redfern Legal Centre
- Cass Wong – Lawyer specialising in Social Security and Tenancy Law
- Brendan Edgeworth (to November 2012)
- Nassim Arrage (to November 2012)
- Dominic Grenot (to November 2012)
- Jen Rignold (November 2012 to February 2013)

STAFF

- Executive Officer: Julie Foreman

Administration

- Administration Assistant: Rosa Calcagno (to December 2012)
- Administration Assistant: Anne Coates (from March 2013)
- Administration Officer: Patrycja Arvidssen
- Finance Officer: Rachel Burns

Legal

- Aboriginal Legal Officer: Gemma McKinnon
- Aboriginal Paralegal: John Mewburn (from August 2012)
- Legal Support Officer: Leo Patterson Ross
- Litigation Solicitor: Carl Freer
- Principal Legal Officer: Grant Arbuthnot
- Residential Parks Legal Officer: Paul Smyth

Policy

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

Resourcing

- Learning and Development Coordinators: Patrycja Arvidssen, Sarah Drury
- Publications Officer: Luke O'Connell
- Strategic Technology Officer: Peter Larsen



Top row, left to right: Rosa Calcagno (Administration Assistant), Anne Coates (Administration Assistant), Patrycja Arvidssen (Administration Officer, Learning & Development Coordinator)

2nd row from top, left to right: Rachel Burns (Finance Officer), Gemma McKinnon (Aboriginal Legal Officer), John Mewburn (Aboriginal Paralegal)

3rd row from top, left to right: Leo Patterson Ross (Legal Support Officer), Carl Freer (Litigation Solicitor), Grant Arbuthnot (Principal Legal Officer), Paul Smyth (Residential Parks Legal Officer)

Bottom row, left to right: Ned Cutcher (Policy Officer), Chris Martin (Senior Policy Officer), Sarah Drury (Learning & Development Coordinator), Peter Larsen (Strategic Technology Officer)

OBJECTIVE 1

“To maintain and enhance the level and quality of information, advice and representation on tenancy law matters to tenants, both directly and through our support of Tenants' Advice and Advocacy Services.”

LEGAL ADVICE AND ASSISTANCE TO TENANTS' ADVICE AND ADVOCACY SERVICES

Instances of advice and main issues

Advices to Tenants Advice and Advocacy Services (TAAS) and other specialist organisations increased by over 20% on the previous year. In total we provided 977 instances of advice.

The most popular issues for services seeking advice were:

- Notices of Termination
- Deceased estates on Crown Reserve residential parks
- Consumer Trader and Tenancy Tribunal matters and procedure
- Repairs, rent arrears and termination

Our solicitors regularly provided legal backup to Legal Aid and Community Legal Centre solicitors.

Tenancy Legal Working Party

We convene and chair the Tenancy Legal Working Party to share insights and strategy on a large range of legal matters. Membership includes TU solicitors, tenant advocates, representatives from Legal Aid and the Sydney University Post-graduate Representative Association (SUPRA), and is open to all interested individuals and non-government agencies. In the ten meetings this year topics discussed included:

- Boarding house law reform
- Death of a tenant and related issues
- Notice of termination with no grounds
- Administrative Law
- Social housing
- Cancellation of rent rebates in public housing
- Common law in a statutory context
- Housing NSW review and appeal system

Legal practice management and compliance

Our policies were applied in the conduct of the legal practice. TU solicitors participated in regular legal practice meetings and the practice was insured throughout the reporting period with the National Association of Community Legal Centres Insurance Scheme. We successfully completed the PII cross check in August and a new Legal Practice Manual was drafted and then approved by the board in June 2013.

Up-to-date training for solicitors

Over the last year our solicitors undertook continuing professional development in the areas of discrimination law, harassment, tribunal practice, anti-consorting laws, wills, cloud computing and ethics.

Our Residential Parks Legal Solicitor and Litigation Solicitor attended the national Community Legal Centre conference. All our solicitors undertook compulsory legal development training with CLCs NSW.

During early 2013 the Aboriginal Legal Officer undertook a Churchill Fellowship travelling to Canada, the USA and New Zealand. Her work explored successful strategies for the retention of Indigenous law students during their studies.

LEGAL ADVICE AND ASSISTANCE TO TENANTS

Tenants' Advice Line

The TU continues to run a Tenants' Advice Line on Mondays from 10 am to 1 pm and then from 2:30 pm to 5:30 pm with the assistance of volunteers. We provided advice or referrals to 573 callers. In March we extended the hours of operation of the Advice Line from 3 to 6 hours. The Advice Line keeps TU staff in touch with tenants and provides an opportunity for volunteers and law students to increase their knowledge and skill in tenancy law.

In the last six months another 352 instances of information and referral were made by TU staff outside of Advice Line hours.

Advice for an identified group – prisoners

The TU solicitors are available for transfer calls from Law Access and the Prisoners Legal Service. The number of prisoners assisted continues to rise each year. We also continue to strengthen our relationships with the Women in Prison Advocacy Network (WIPAN) and Community Restorative Centre (CRC) regarding policy issues and the exchange of promotional and educational material.

The TU is currently working in partnership with Legal Aid, CRC, Housing NSW (HNSW) and Corrective Services on a project to assist Aboriginal women in custody. This integrated and holistic project will assist women on entering prison, during prison and when they leave. It will provide legal advice and education on housing issues as well as case management involving housing support. Research and policy reform is also a focus of this collaborative work.

Strategic litigation cases - highlights

- We had success acting for 11 tenants of a far western NSW Local Aboriginal Land Council who had been issued section 85 'no grounds' termination notices. The TU in conjunction with the Western Aboriginal Tenants' Advice and Advocacy Service (WATAAS), prepared to argue that the notices were issued in retaliation for the tenants' threats of action in the Consumer, Trader and Tenancy Tribunal (CTTT) for repairs a few months prior. After the first two-day hearing where the member heard arguments on improper service and adjourned the hearing to a time to be determined, we briefed counsel to advise and to appear at the final hearing. We worked with counsel and WATAAS to secure support for the tenants from the Aboriginal Housing Office and NSW Aboriginal Land Council. The landlord withdrew all of their applications at the eleventh hour, resulting in the clients being able to remain on the premises.

- We assisted an elderly couple who had been in residence at the same residential park since 1992 and who were arguing under the *Residential Parks Act* and the Australian Consumer Law that they should be considered prospective permanent residents.
- The TU represented two moveable dwelling owners in the CTTT. The matter involved the park owner attempting to force the prospective permanent residents to buy permanent status in the park. The attempt is an operative breach of section 45 of the *Residential Parks Act*.
- We assisted a residential park resident in the sale of her home on site where the owner sought an order for termination against the resident who was moving into nursing home care.
- We settled a matter for a client who had undertaken action in the NSW Supreme Court in regards to a termination by a community housing provider to the CTTT. The matter settled with alternative accommodation offered to the client by another housing provider and the proceedings were discontinued.
- We assisted and appeared on behalf of a community housing tenant who had not been afforded the opportunity to challenge allegations made against them in relation to a termination. The housing provider alleged, in general terms, that the tenant had engaged in anti-social behaviour. The housing provider used a 'no grounds' Notice of Termination thus preventing the tenant making a defence. This denies the tenant procedural fairness. The matter was withdrawn under instructions from the client after we had appeared in the NSW Supreme Court. This matter has prepared us to act quickly when next a client suffers a no grounds termination of their community housing tenancy.
- We assisted in challenging the standard additional term of public housing agreements that requires personal occupation by the tenant. The term contracts out of the tenants peace, comfort and privacy in use of the premises. We await the Tribunal's reserved decision in those proceedings.
- In the District Court, we are acting for a tenant whose landlord has appealed a CTTT decision to award the tenant compensation arising out of improper charges for water use. The landlord claimed that the common law of restitution operates to defeat the provisions of *Residential Tenancies Act 2010*. This matter may settle prior to hearing.
- In the Local Court we are acting for tenants who face an action for around \$50,000. The issue concerns the application of *Residential Tenancies Act 2010* in circumstances where the purported tenants lived in a house on a small acreage where the parties agreed that the tenants would do work on the buildings and the land. The landlord is attempting to avoid the *Residential Tenancies Act 2010*.

TRAINING FOR TENANCY WORKERS

Training of tenant advocates and community workers

We trained 175 tenants advocates and volunteers in tenancy services. Approximately 40% of trainees came from regional TAAP services.

Three full and 27 part qualifications in Certificate IV in Community Services Advocacy were awarded. Eighteen TAAP staff are currently enrolled in the Certificate. Over 50% of the current staff in the TAAP network have completed or are enrolled in the Certificate IV in Community Services Advocacy. We continue to receive positive feedback from all participants completing this course.

We delivered courses in:

- Tenancy advice and advocacy
- The Boarding Houses Act 2012
- Negotiating in the Consumer, Trader and Tenancy Tribunal
- Consumer claims
- Community education
- Formal hearings in the Consumer, Trader and Tenancy Tribunal
- Social housing
- Tenancy and criminal law
- Legal research and online resources

We provided tailored training to the Western Aboriginal TAAS staff, and conducted two days of tenancy training to tenant advocates and community workers in Armidale.

Our community education reached another 97 people and included two sessions in 'Law for non-lawyers' training in partnership with the Public Interest Advocacy Centre (PIAC). We also partnered with PIAC to conduct a full day course – 'Tenancy law for community workers'. We spoke to law students at UNSW in conjunction with Redfern Legal Centre about Aboriginal Housing and client interviewing. We also hosted students from 'Practising in the Public Interest', a joint project of PIAC, the Public Interest Law Clearing House and Macquarie University.

We provided training in conjunction with the Legal Information Access Centre for the NSW State Library on TAAS and the Tenants' Rights Manual.

We provided training to the Homelessness Action Program (HAP) Workers on TAAS and the work they do.

We provided training on planning and delivering community legal education in conjunction with Community Legal Centres NSW (CLCNSW) to Legal Aid and Community Legal Centre staff.



Pictorial representation of the 5 steps to planning community education

Compliance with requirements as a Registered Training Organisation

Our exemplary conduct as a Registered Training Organisation (RTO) was recognised with our registration being renewed and confirmed until 2018 without the need for a site audit.

The TU's training database was made compliant with the national Vocational Education and Training statistical standard and our 2011 data was sent to the National Centre for Vocational Education Research (NCVER) for testing.

We implemented changes to our training program and updated our materials to ensure compliance with version 4 of the Community Services Training Package and participants were transitioned to the updated qualification.

ACCURATE AND ACCESSIBLE MATERIALS ON TENANCY

New publications developed in response to need

The TU, in conjunction with local tenancy services, conducted a community education campaign on legal changes to share housing, alerting sub-tenants of the need for a written tenancy agreement to safeguard their rights. This included the development of brochures, posters and articles in English and Chinese. The materials were distributed extensively on campuses during orientation week.

Magnets promoting TAAP online resources were produced and distributed by the TAAS network.

We continued to update the TAAP bulletin board and the TAAP Wiki site with new legal cases, as well as legislative and policy changes. These resources ensure tenant advocates are kept informed of changes affecting their work.

We published four issues of the Tenant NEWS explaining current and emerging issues for tenants:

- Lockouts in share housing
- The law on fees related to breaking leases
- Boarding house law
- Aboriginal tenancy case studies
- Strata scheme reform
- 'Open house' inspections
- Protected tenancies law reform
- Analysis of low income rental market
- Millers Point social housing sales
- Draft residential parks laws
- Neighbourhood disputes
- HNSW occupancy amnesty

As part of our annual publications review we revised and updated factsheets on rent arrears, repairs and maintenance, locks and security, access and privacy, the CTTT and ending a tenancy early.

New resources were developed to coincide with the introduction of the *Boarding Houses Act 2012* including a factsheet and a new chapter for the Tenants' Rights Manual.

We co-sponsored and co-authored an edition of Parity on sustaining social housing tenancies.

Tenants Rights Manual

The fourth edition of the Tenants' Rights Manual (TRM) was launched in October by the Honourable Anthony Roberts, Minister for Fair Trading at the State Library. Funded by the Law and Justice Foundation and Fair Trading NSW the TRM answers questions such as: What can you do if your rent is going up? Who is responsible for repairs? When can you be evicted?

Practical and easy to use, it explains tenants' legal rights and obligations and how to resolve problems before they become major disputes. It includes 45 sample letters for corresponding with landlords and real estate agents. This edition was fully updated for the *Residential Tenancies Act 2010* including new provisions about rent arrears, sales of premises, share housing and tenant databases. It includes an expanded chapter on social housing – including eligibility, rent rebates and public housing policies – and a new chapter on marginal renting – with information for boarders and lodgers on the new Australian Consumer Law.

In December the TRM was made freely available and fully searchable online in partnership with the Legal Information Access Centre. In its first 6 months the online TRM has received over 16,000 unique page views and 2,019 unique mobile views.



Dr Chris Martin (Senior Policy Officer Tenants' Union of NSW), Julie Foreman (Executive Officer Tenants' Union of NSW), The Hon. Anthony Roberts MP (Minister for Fair Trading NSW) and Dr Alex Byrne (NSW State Librarian) at the launch of the Tenants' Rights Manual

Online materials and presence

This year the TU expanded its online presence and took steps to increase its engagement with tenants, community and government.

We added a new blog entitled 'The Clearing House' to accumulate and provide a publicly accessible site for public housing estate redevelopment information and news.

In March we also launched the Tenants' Union E-bulletin to provide brief updates on the often-changing world of tenancy. It has already gained 550 subscribers.

We also grew tenant and organisational engagement through our Facebook and Twitter profiles. We currently have over 1,000 followers.

The Brown Couch blog continues to enjoy almost 10,000 readers per month.

Tenants.org.au website

The website of the TAAP network, managed by the TU, continues to be a major point of contact for tenants across NSW. In the last year there were 255,047 visits to the site, 179,364 of which were unique (a 24% increase).

Over 150,000 Factsheets were viewed online and over 60,000 were downloaded.

Our most popular factsheet topics were on termination, repairs and maintenance, and bond.

PROGRAM SUPPORT FOR TAAP SERVICES

Funding to services pegged to demand

The TAAP program has not received a real funding increase for over 11 years. Given increases in the number of renters and changes in legislation, TAAS continue to have difficulty in meeting demand. We presented a detailed submission for increased funding to the Fair Trading Minister and the Rental Bond Board in February this year. To complement this submission we undertook a research project identifying the role of TAAP services in homelessness prevention. Case studies and data revealed that in vulnerable tenancies, homelessness was averted in 82.2% of cases in which TAAP services intervened.

One of the strengths of the TAAP model is that as demand for services (the number of households renting) grows, so does the means of funding services (monies deposited with the Rental Bond Board). Current funding for the 24 services is just eight per cent of all Rental Bond Board interest.

We believe that renting households should be getting better funded services for their money. TAAS provide exceptional value for money for tenants, landlords and the government. Timely advice and advocacy can and does reduce disputes, lead to tenancies being saved and reduces homelessness.

Network meetings assist services to better support tenants

We convened three meetings of the TAAP network with a total attendance of over 150. Overall, there was positive feedback from participants at the meetings. Session topics included HNSW policy changes, boarding house reform, using evidence, re-hearing applications at the CTTT, water quality and tenancy, 'no grounds' evictions and Aboriginal Land Councils, reading a rent ledger, marginal renters law reform, using Community Justice Centres in social housing disputes, discrimination and tenancy, changes to social housing in iconic Millers Point and Warrants, Evictions, Sheriffs and Stays.

TU staff also participated in the Koori TAAS network conference, which provides a platform for us to consult the Koori services, share skills and knowledge and learn more about the complexities and issues in the Aboriginal housing sector.

The TU liaised with Community Legal Centres who auspice TAAP services, regarding data export requirements and a possible move to an alternative system for data capture that would satisfy all their respective funding obligations.

Service visits

The TU visited the majority of services in the TAAP Network in the course of the last year. While at the services we provided casework assistance, advice, training and CTTT support. These visits are important opportunities to learn from the TAAS staff about the practical strengths and weaknesses of legislation and policy in the ever-changing rental market.

Our Aboriginal Legal Officer undertook week long service visits to three services.

- Northern Aboriginal TAAS in Grafton
- The Southern Aboriginal TAAS in Batemans Bay
- The Western Aboriginal TAAS in Dubbo

Review and feedback

The advice and assistance we provided to services was informed by our service visits, advice from our Aboriginal Advisory Committee and regular meetings of service coordinators.

This year we enhanced our responsiveness to TAAS by conducting the first of what will become a biennial survey of TAAS. The survey will assist us to evaluate the support we provide to services and how we can improve.

Tenants' Advice and Advocacy Services across regional, Koori and metropolitan NSW were surveyed on their views and experiences in regards to the TU. All services were represented among the 64 individual responses to the survey. (There are approximately 100 staff in the network).

Overall the survey found a high level of satisfaction amongst the services we assist. The TU's quality of service was rated as good or excellent by 82% of respondents and 97% rated the relevance of the TU's services as good or excellent.

There was a relatively common understanding and vision of the TU's role and areas of expertise. Areas such as legal back up, policy and law reform, general support, and resources featured highly in responses.

Areas for improvement were identified in regards to improving plain English and practicality of legal advice, increasing regional visits and training, and continuing to increase consultation on policy issues.

TU staff discussed the survey results and identified a number of actions to ensure continued improvement in quality of service, relevance and assistance to the TAAP network.

OBJECTIVE TWO

“To have a positive impact on public opinion, policies and practices affecting tenants in NSW.”

THE TENANTS' UNION OF NSW'S POLICIES REFLECTED IN GOVERNMENT LEGISLATION, POLICY AND PROGRAMS

The Tenants' Union (TU) conducted research, policy development and advocacy on the needs of tenants, including in relation to:

- Aboriginal Housing
- Community Housing
- Housing NSW policy and practice
- Low income private renters
- Marginal Renters (boarders and lodgers)
- *Residential Tenancies Act 2010*
- Residential Parks
- Safety and sustainability of rental property
- Tax and housing

Aboriginal Housing

We had discussions with the Aboriginal Housing Office (AHO) chair regarding challenges of the registration scheme, and termination of Aboriginal tenancies without grounds by Local Aboriginal Land Councils (LALCs).

We also wrote to NSW Aboriginal Land Council regarding termination of Aboriginal tenancies without grounds by Local Aboriginal Land Councils.

The TU gained membership on the Provider Assessment and Registration System (PARS) Advisory Committee. Additionally we had representation on the Law Society's Indigenous issues committee.

We produced two articles on Aboriginal Housing issues in the Tenant News.

Community Housing

We corresponded with the wider TAAP network on a range of community housing related issues including:

- Fairness and transparency in tenant charges at the end of a tenancy
- Fairness and transparency in keeping rent records
- Issuing of termination notices without grounds

We corresponded and met with representatives of Housing NSW's Community Housing Division (now renamed the Community and Private Market Housing Directorate) regarding changes to guidelines around terminations without grounds, the accessibility of tenancy management policies, and fairness and transparency in tenant charges at the end of a tenancy.

The TU published a blog post on terminations without grounds by Community Housing Providers in August 2012.

We liaised regularly with the NSW Federation of Community Housing Associations and jointly held a seminar, 'Sustaining Tenancies' in May 2012.

We made a presentation at the October 2012 St George Community Housing team meeting.

We attended the National Regulatory System for Community Housing Provider's Consultative Forum (on behalf of National Association of Tenant Organisations) and regularly attended the NSW Community Housing Registrar's Advisory Forum

[Housing NSW \(HNSW\) policy and practice](#)

We commemorated the centenary of the public housing system in New South Wales with a major series of blog posts over 2012.

We hosted Magnus Hammer, the General-Secretary of the International Union of Tenants, on his visit in November 2012, which included visits to social housing tenant organisations and a housing sector seminar.



Magnus Hammer (General-Secretary of the International Union of Tenants) during his visit

We attended and contributed to the Public Housing Repairs Project Group, along with a number of Tenants Advice and Advocacy Services and several Community Legal Centres. We also published blog posts on repairs and maintenance of public housing properties.

The TU held regular discussion with Housing NSW Client Service Operations team in regards to:

- Rent arrears management practices
- Implications of Income Management in Bankstown LGA
- Repairs and maintenance
- Protocols for tenancy management following the death of a tenant

We regularly attended Housing NSW (HNSW) NGO Partners Reference Group and Living Communities Consultative Committee.

In the last year the TU consulted and advocated in relation to:

- HNSW's amnesty for unauthorized additional occupants
- HNSW's new 'recognition as a tenant' policy
- HNSW's new 'spare bedroom charge'

We briefed the Office of the Auditor-General on the utilisation of public housing, noting that public housing has the lowest rates of 'under-occupancy' of all housing tenures in Australia, and that the small degree of additional capacity allowed serves valuable purposes.

We made a submission on the draft Public Housing Tenants Support Bill and Housing Payment Deduction Scheme proposed by the Federal Government. We opposed the Bill, and recommended that a more rigorous system for the review of social housing administrative decisions be implemented before the scheme is considered.

Low-income private renters

We made a submission to the Strata and Community Title Law Review regarding tenant participation, by-laws and urban renewal, and we participated in consultative roundtables convened by NSW Fair Trading.

We made a submission to the 'NSW Fair Trading review of regulatory burden', strongly supporting the retention of the *Landlord and Tenant Amendment Act 1948*, which still applies to several hundred elderly tenants. We also supported the retention of the *Landlord and Tenant Act 1899*, which applies to certain tenancies excluded from the *Residential Tenancies Act 2010*.

In June 2013 we made a submission to the 'White Paper – A New Planning System for NSW' to highlight the number of vulnerable households in urban renewal processes and recommend review of 'no grounds' provisions in *Residential Tenancies Act 2010*.

We made a submission on behalf of the National Association of Tenant Organisations on the Homelessness Bill 2012 (Commonwealth). We noted with disappointment that the draft Bill created no legal rights, obligations or legitimate expectations, and seemed to be without any practical effect.

We made a submission on the draft Human Rights and Anti-Discrimination Bill in December 2012. We supported the draft Bill and suggested that it also proscribe discrimination on the ground of a person's status as an applicant for, or recipient of, a social service.

We participated in research commissioned by Shelter NSW on problems in the supply and cost of rental accommodation for students, particularly coming from regional areas of New South Wales.

We participated in the steering committee for research by the University of Western Sydney into race discrimination in the private rental market.

We published a series of blog posts on 'The real housing supply problem' and 'Housing affordability across generations'.

We attended the NSW Opposition Leader's 'Housing Summit' on housing supply in February and addressed the issue of the supply of low-cost rental housing.

We attended the Sydney Coastal Regional Homelessness Action Plan meeting in August to discuss TAAS contribution to homelessness prevention in region.

We participated as a consumer representative on the board of the Electricity and Water Ombudsman of NSW to monitor and raise issues as they relate to tenants in NSW.

Marginal renters (boarders and lodgers)

We were a leading agency amongst the NGO sector in the campaign for boarding house reform that resulted in the passage, in October 2012, of the new *Boarding Houses Act 2012*. The passing of the legislation was an historic moment in a campaign that the TU and others worked on for over 30 years.

We produced a submission in September and comment in October on the Boarding Houses Bill. Between August and October of 2012 we consulted with NSW Ageing, Disability and Home Care and Fair Trading Ministerial staff and departmental officers, and MPs in regards to changes in Boarding House Laws.

The *Boarding Houses Act* passed with numerous TU recommendations adopted, including:

- The loophole about premises that are subject to a tenancy agreement was closed
- The names of boarding house proprietors will be included on the Register
- Proprietors will be required to provide a written occupancy agreement at the commencement of an occupancy
- Standard forms of occupancy agreements for different classes of agreements, persons or premises may be prescribed by regulation
- The occupancy principles are effective – it is a term of every occupancy agreement that the occupancy principles apply
- A new occupancy principle prohibits penalty clauses for breach of house rules
- A new occupancy principle allows utility charges to be levied on a reasonable basis only
- A new occupancy principle limits bonds to a two weeks occupation fee
- A wider range of remedies is available in the CTTT, including compensation

The TU accepted membership of the NSW Government's Boarding Houses Implementation Committee in November of 2012.

We convened the Model Occupancy Agreement Working Party and briefed counsel to draft a model occupancy agreement for general boarding houses. We provided the model occupancy agreement to NSW Fair Trading to inform its development of a standard form of occupancy agreement for general boarding houses.

We then made a submission on NSW Fair Trading's 'draft standard form of occupancy agreement for general boarding houses'. The standard form of agreement largely reflects the TU's model agreement.

We continue to inform, educate and monitor this new law.

Residential Parks

We consulted with Fair Trading Ministerial and departmental officers and other stakeholders in regards to the review of the *Residential Parks Act*. We also held consultations with stakeholders via the Residential Parks Legal Working Group and the Residential Parks Forum, both convened by the Park and Village Service (PAVS).

We supported and assisted PAVS in the preparation of its submission on the exposure draft Residential (Land Lease) Communities Bill 2013.

The TU's Residential Parks Officer prepared draft submissions and assisted in writing submissions to the CTTT in regards to jurisdictional issues and section 68 rehearing applications.

Residential Tenancies Act

The policy team continue to review and monitor the impact of tenancy law. In the course of this work we made submissions, corresponded with decision makers and produced briefing papers. This included:

- Submissions on 'pet-friendly rental housing' to the Companion Animals Taskforce.
- Correspondence with Fair Trading NSW in regards to tenancy applications and discrimination against social housing applicants in August 2012. We recommended either the development of a model tenancy application form, or law reform to proscribe discrimination on the ground of a person's status as an applicant for, or recipient of, a social service.
- A briefing paper 'Unreasonable restrictions against children and other occupants in rental housing' in November of 2012. We recommended law reform to provide that the residential tenancies agreements not unreasonably restrict the maximum number of residents.
- We published a series of blog posts on additional terms and 'overregulation.'

Safety and sustainability of rental property

We made a submission to Strata and Community Title Law review in November discussing a number of issues including window safety. We congratulated the NSW State Government on its announcement in March 2013 that it would legislate to improve window safety in strata buildings, particularly to prevent children from falling. We made a submission to the discussion paper on the reforms by NSW Fair Trading, and recommended extending the reforms to non-strata residential buildings with high windows.

Tax and housing

We made a presentation to the Australian Housing Congress on 'The real housing supply problem', which we identified as the shortage of rental accommodation affordable to low-income households, and discussed the exacerbation of the problem by tax policies, especially the treatment of negative gearing. We followed this up with a series of blog posts on the same topic.

We also published blog posts on the cost of negative gearing and the Mid-Year Economic and Financial Outlook.

Other issues

We participated in the NSW Legal Assistance Forum (NLAF) Housing Working Group and prepared a background paper for it on issues in social housing.

Meetings and correspondence with key decision makers

In the past year TU representatives attended meetings with:

- Property Services Advisory Council
- Boarding Houses Implementation Committee
- Fair Trading Commissioner
- Fair Trading Compliance
- Fair Trading Ministerial officers
- NSW Civil and Administrative Tribunal Reference Group
- Housing Partners NGO Reference Group
- Housing NSW Client Service Operations

- CTTT Consultative Forums – General, Aboriginal and Residential Parks
- Housing NSW Community Housing Division
- NSW Federation of Housing Associations
- Registrar of Community Housing Advisory Forum
- PARS Advisory Committee
- St George Community Housing tenancy managers team meeting
- Sydney Coastal Regional Homelessness Action Plan
- Community Legal Services Steering Committee
- Living Communities Consultative Committee

Media mentions

The TU is recognised by media organisations as a voice for tenants in public discourse. We regularly brief journalists and provide background information for media reports, and were featured eight times in mainstream media on the following issues:

- *The Landlord and Tenant (Amendment) Act 1948*
- Social housing
- Availability of affordable rental housing
- Security of tenure for private rental
- Public housing bedroom tax
- Boarding houses
- International tenancy issues

The Tenants.org.au website and specific factsheets were regularly linked to in the 'Flat Chat' column on smh.com.au.

The Tenants Rights Manual launch was covered in numerous sector publications including newsletters produced by HSNET, Legal Aid, CLCs NSW, NSW Federation of Housing Associations, Homelessness NSW, Shelter NSW, NCOSS, National Tenancy Support Network, the Australian Housing Institute and Local Community Services Association.

Over the course of the year we published over 60 posts on our blog, the Brown Couch – tunswblog.blogspot.com.au – dealing with matters affecting NSW tenants.

Relationship with tenants and non-government organisations on strategic advocacy

Positive changes and new ways of thinking are enhanced by engagement with a range of stakeholders. The TU identifies opportunities in its law reform and policy work to consult, meet and enter robust discussions with those affected by tenancy law. Our key partners in this area are the TAAS. It is primarily through their casework and knowledge that we identify where tenants face problems and where laws and policies fail to provide solutions.

During the boarding house law reform campaign, the TU was recognised by the community sector as the lead agency on non-licensed boarding house law reform. There was high participation by the community sector in TU-convened meetings at short notice and adoption of TU policy direction. There was also a high level of tenant engagement in the submission process.

The TU was invited to meet with the Principle Advisor of Women Offenders (Department of Corrective Services) by the Community Restorative Centre. We were also invited to participate on NSW Legal Assistance Forum working party on housing law by the Law and Justice Foundation.

We were an active member of the NSW Forum of Non-Government Organisations, CLCs NSW, the Legal Information and Referral Forum and the Homelessness Community Alliance.

In addition, we consulted, advised or collaborated with Legal Aid, NSW Federation of Community Housing Associations, Tenant Participation Resource Services, Macarthur Housing Coalition, Community Housing Tenants Network, Shelter NSW, NCOSS, Inner Sydney Regional Council for Social Development, Sector Connect, NSW Welfare Rights Centre, the St Vincent de Paul Society, Homelessness NSW, Newtown Neighbourhood Centre and People with Disability Australia.

OBJECTIVE THREE

“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.”

GOVERNANCE AND MANAGEMENT

Regular reflection on our work and performance against strategic planning framework

At the Tenants' Union of NSW (TU) we hold fortnightly staff meetings. We also hold two facilitated meetings through the year to reflect on key values and goals.

In the past year we conducted the first, of what will become a biennial survey of the TAAP network. The aim is to assess and improve the TU's performance in supporting the TAAP network. A high level of satisfaction was recorded by the survey with improvements recommended.

We successfully completed NACLC Accreditation and the Legal Aid Service Standards Audit and had our Registered Training Organisation status confirmed until 2018.

Clear policies and roles for the Board and Management

We have updated the board induction kit and continue to do so as part of a rolling review of policies and procedures. In the last 12 months we have reviewed and approved new policies in the areas of:

- Legal Practice
- Learning and Development
- Salary Packaging
- Media

Effective governance by a well informed board

We make use of the 'Developing Your Board Project' self-assessment tool from The Australian Centre for Philanthropy and Non-profit Studies at the Business School of the Queensland University of Technology. Average overall performance ratings of the TU board were in the top 25% of all non-profit boards.

The TU board received a comprehensive report on performance against strategic plan in August 2012 and bi-monthly office reports in October, November, April and June.

The board continues to indicate its satisfaction with the information it receives. This is reviewed on an ongoing basis and reflected in the board review mentioned above.

Financial solvency and risk management

The TU Finance Committee met 9 times this year. Comprehensive monthly financial reports were provided to the Finance Committee and the board. An annual audit was conducted of the TU's accounts.

Our risk management plan was updated and approved by the board in August 2012.

Regular review of priorities and work-plans

The TU's strategic plan reflects recent consideration of priorities, review of new legislation and staff workload and capacity. Monthly supervision and an annual performance appraisal with all staff assist in this process.

The Aboriginal Steering Committee which supports the Aboriginal Legal team was expanded to become an Aboriginal Advisory Committee (AAC) for the whole organisation. After internal review and consultation the role of the AAC is to advise the TU about the setting of strategic directions and strategies to achieve outcomes in law, policy, resources and training relating to Aboriginal or Torres Strait Islander people including:

- Delivering culturally appropriate services
- Identifying issues affecting Aboriginal tenants and the Aboriginal population
- Strategies to assist the TU to utilise its resources to the benefit of Aboriginal tenants
- Support of Aboriginal staff and cultural safety in the TU workplace



Julie Foreman and Julia Murray (Inner West Tenants Advice and Advocacy Service)

Staff training and development

In addition to specialised training for our solicitors, our staff undertook training and development in a number of other areas including:

- Ergonomics
- Preventing non-compliance for RTO managers
- Management
- First Aid
- Financial Software Training
- Fire Warden Training
- CLC Induction Training
- Facebook for non-profits
- Diploma of Management

TU staff also attended conferences and seminars:

- National Indigenous Law Conference
- NACLCL Conference
- Charity law seminar
- Tax and Payroll seminar

Industrial Relations conditions

The TU strives for best practice industrial relations conditions. The Industrial Agreement ensures that our staff are paid at or above award and working conditions are generous. Salary sacrificing arrangements effectively increase value of salaries paid.

The TU's Enterprise Agreement is currently being renegotiated with staff by the Board and complies with current workplace law.

Membership of the TU and Board composition

The TU currently has 125 active members (as of June 2013).

The current board members were elected at the AGM and have experience in tenancy law, legal ethics, social housing and Aboriginal organisations.

TREASURER'S REPORT

The Tenants' Union of NSW Co-operative Limited receives core funding from NSW Fair Trading and the Community Legal Service Program administered by Legal Aid NSW and funded by the state and federal governments. The centre's total income was \$1,240,975 and we finished the year with a small surplus of \$3,699.

The financial position of the organisation remains sound. An earlier payment of our grant from Fair Trading from July to June meant that we had increased cash on hand at year end. Whilst this makes our cash assets look very healthy these funds are for the 2013/14 year as reflected by Funds Unspent under Current Liabilities.

We thank Finance Officer Rachel Burns for her diligence during the year and also thank our auditor Sandra Grollmus, who has held this office since 1993.

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

Pat McDonough
Treasurer

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, 2013.

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

DIRECTORS

The Directors in office during the period 1 July 2012 to 30 June 2013 were: -

Charmaine Jones Chairperson & Director - continuing
Patricia McDonough Treasurer & Director - continuing
Paula Rix Secretary – to February 2013
Paula Rix Director – continuing
Meredith Osborne Secretary – from February 2013
Meredith Osborne Director - continuing
Brendan Edgeworth Director - to November 2012
Dominic Grenot Director - to November 2012
Nassim Arrage Director - to November 2012
Cass Wong Director -from February 2013
Charmaine Weldon Director – from November 2012
Aideen McGarrigle Director – from November 2012
Nicole Grgas Director – from November 2012
Bridget Kennedy Director – from November 2012
Jennifer Rignold Director from Nov 2012 to Feb 2013

OPERATING RESULTS

There was a surplus of \$3,699 for the year ended 30 June 2013, 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

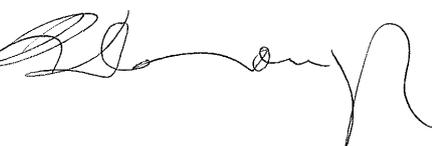
Under the rules of the Co-operative, no dividends are payable to members.

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 30th day of September 2013.

DIRECTORS' DECLARATION

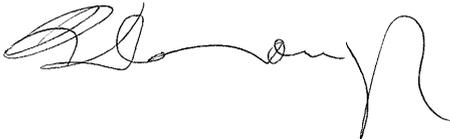
The Directors of the Co-operative declare that the financial Statements and notes thereto, set out on pages 4 to 17:

- (a) Comply with Accounting Standards and the Co-operatives Act, 1992, as amended;
- (b) Are drawn up so as to give a true and fair view of the results of the Co-operative for its last financial year;
- (c) 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
- (d) 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.
- (e) 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, 2013.

Director



Director



Dated this 30th day of September 2013.

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 2013, 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: 18th of September 2013



SANDRA GROLLMUS
Registered Company Auditor
Registered No. 1254

**STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2013**

	Note	2013	2012
		\$	\$
CURRENT ASSETS			
Petty Cash on Hand		400	400
Cash at Bank	2	988,716	509,413
Receivables		5,157	1,990
Prepayments		1,396	
		<u>995,669</u>	<u>511,803</u>
NON CURRENT ASSETS			
Bank Guarantee Deposit	3	17,867	17,867
Plant & Equipment	4	11,168	14,816
		<u>29,035</u>	<u>32,683</u>
TOTAL ASSETS		<u>1,024,704</u>	<u>544,486</u>
CURRENT LIABILITIES			
Funds Unspent		642,637	226,041
Creditors & Accruals		76,458	31,333
Third Party Funds Held		1,696	1,125
Provisions - Staff	5	122,906	118,229
		<u>843,697</u>	<u>376,728</u>
NON CURRENT LIABILITIES			
Provisions - Staff	5	124,412	114,863
		<u>124,412</u>	<u>114,863</u>
TOTAL LIABILITIES		<u>968,109</u>	<u>491,591</u>
NET ASSETS		<u>56,595</u>	<u>52,895</u>
EQUITY			
Accumulated Funds		<u>56,595</u>	<u>52,895</u>

The accompanying Notes form part of these Financial Statements.

**STATEMENT OF COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2013**

	2013	2012
	\$	\$
Operating Revenue	1,204,401	1,209,441
Interest Received	35,270	38,003
Membership Fees	1,304	1,615
	<u>1,240,975</u>	<u>1,249,059</u>
Less		
Administration Expenses	62,130	102,081
Client/Community Servicing Expenses	90,962	104,966
Occupancy Expenses	88,195	91,780
Staffing Expenses	995,989	946,638
	<u>1,237,276</u>	<u>1,245,465</u>
SURPLUS (DEFICIT) for the year	<u>3,699</u>	<u>3,594</u>
STATEMENT OF CHANGES IN EQUITY		
OPERATING SURPLUS for the year	3,699	3,594
Accumulated funds brought forward	52,896	49,302
ACCUMULATED FUNDS carried forward	<u>56,595</u>	<u>52,896</u>

The accompanying Notes form part of these Financial Statements.

NOTES TO FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2013

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.

NOTES TO FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2013

	2013	2012
2. CASH	\$	\$
Cash at Bank -		
Operating Account	43,931	2,004
Online Saver Account	608,183	189,393
Term Deposits	336,602	318,016
	<u>988,716</u>	<u>509,413</u>
3. NON CURRENT ASSETS - DEPOSIT		
Bank Guarantee	17,867	17,867
	<u>17,867</u>	<u>17,867</u>
4. PLANT & EQUIPMENT		
Plant & Equipment (cost)	83,973	80,894
Accumulated Depreciation	-72,805	-66,078
	<u>11,168</u>	<u>14,816</u>
Furniture & Fittings (cost)	108,919	108,919
Accumulated Depreciation	-108,919	-108,919
	<u>0</u>	<u>0</u>
	<u>11,168</u>	<u>14,816</u>
5. PROVISIONS		
CURRENT LIABILITIES		
Staff - Annual Leave	52,818	48,141
Staff Employee Entitlements	70,088	70,088
	<u>122,906</u>	<u>118,229</u>
NON CURRENT LIABILITIES		
Staff - Employee Entitlements	124,412	114,863
	<u>124,412</u>	<u>114,863</u>
6. GRANTS - Legal Aid Commission		
State	124,758	120,840
Federal	77,732	76,358
	<u>202,490</u>	<u>197,198</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	2013	2012
CASH FLOW FROM OPERATING & FINANCING ACTIVITIES		\$	\$
Receipts from Grants (incl. GST) Operating		2,255,931	1,293,234
Other Receipts		109,590	372,223
Payments to Suppliers/ Employees & ATC		-1,918,410	-1,638,795
Interest Received		35,270	38,003
Net Cash (Decrease)/ Increase provided by operating & financing activities	(b)	482,381	64,665
CASH FLOW FROM INVESTING ACTIVITIES			
Payment for Property, Plant & Equipment		-3,079	-6,309
Net (Decrease) in Cash Held		479,302	58,356
Cash at Beginning		527,681	469,325
Cash at End	(a)	<u>1,006,983</u>	<u>527,681</u>

STATEMENT OF CASH FLOWS

	2013	2012
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	43,931	2,004
Online Saver Account	608,183	189,393
Term Deposits	336,602	318,017
Bank Guarantee Deposit	17,867	17,867
	<u>1,006,983</u>	<u>527,681</u>
b) Reconciliation of Cash Flow from Operating & Financing		
Surplus (Deficit) for the Year	3,699	3,594
Add/Less		
Deposit funding		
Depreciation	6,727	28,410
	<u>10,426</u>	<u>32,004</u>
(Decrease)/Increase in Third Party Funds Held	571	-548
	<u>10,997</u>	<u>31,456</u>
Increase Staff Entitlements	14,226	16,726
Increase/(Decrease) in Unspent Funds	416,596	6,026
Increase/(Decrease) in Creditors & Accruals	45,125	-57
Increase/(Decrease) in Debtors & Prepaid Expenses	-4,563	10,514
	<u>482,381</u>	<u>64,665</u>
Cash Flow from Operating & Financing		

STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2013

	Note	2013	2012
		\$	\$
INCOME			
Grants Received			
-- Legal Aid Commission	6	202,490	197,198
-- Office of Fair Trading			
- General		899,338	813,625
- OFT Indexation YE - 30.6.2011			28,921
- Dtarawarra OFT Funds			11,378
- Grants b/fwd		65,277	65,268
- Tenants' Rights Manual		1,945	38,003
Certificate IV Income		4,000	1,520
Certificate IV Management Fee			1,040
Donations		175	8,129
Fee for Services		960	811
Interest Received		35,270	38,003
Membership Fees		1,304	1,615
Miscellaneous Income			8,500
Network Meetings		25,000	25,000
Sales - Publications		1,260	
Services Contributions		3,956	3,300
Website Funds b/fwd			6,749
		<u>1,240,975</u>	<u>1,249,059</u>
Less			
EXPENDITURE - Schedule		<u>1,237,276</u>	<u>1,245,465</u>
Surplus/(Deficit) for the year		<u>3,699</u>	<u>3,594</u>

**SCHEDULE OF EXPENDITURE
FOR THE YEAR ENDED 30 JUNE 2013**

	2013	2012
	\$	\$
Administration Expenses		
AGM & Meeting Expenses	3,935	3,308
Archiving	2,075	2,013
Audit Fees	5,420	5,000
Bank Charges	950	1,262
Couriers	564	535
Depreciation	6,727	28,410
Equipment Maintenance	744	8,518
Equipment Purchases	3,461	3,898
Insurance	3,428	7,377
Library/Resources/Subscriptions	15,996	18,034
Photocopying	2,478	2,685
Postage	2,381	4,734
Printing	8,081	11,103
Stationery	5,890	5,204
	<u>62,130</u>	<u>102,081</u>
Client/Community Servicing Expenses		
Communication Expenses	11,053	10,829
Legal & Practice Expenses	4,920	7,776
Program & Planning Expenditure		
TAAP Regional	25,000	25,000
TAAP Network Expenses	18,679	14,637
Tenant News	10,700	10,378
Travel	20,610	19,846
Litigation Provision		16,500
	<u>90,962</u>	<u>104,966</u>

**SCHEDULE OF EXPENDITURE
FOR THE YEAR ENDED 30 JUNE 2013**

	2013	2012
	\$	\$
Occupancy Expenses		
Building Services	7,466	7,556
Rent	75,157	79,748
Utilities	5,572	4,476
	<u>88,195</u>	<u>91,780</u>
Staffing Expenses		
Conferences/Training	9,824	18,415
Consultants & Contractors	11,735	20,150
IT Consultancies & Materials	9,856	11,172
Leave Provisions	14,226	16,724
Recruitment	64	3,010
Staff Amenities	1,603	1,564
Superannuation	77,297	71,037
Wages & Salaries	868,160	799,852
Workers Compensation Insurance	3,224	4,714
	<u>995,989</u>	<u>946,638</u>
TOTAL EXPENSES	<u>1,237,276</u>	<u>1,245,465</u>

**STATEMENT OF COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2013
OFFICE OF FAIR TRADING**

	2013	2012
	\$	\$
INCOME		
Grant - Office of Fair Trading	887,034	813,625
- OFT Indexation 2011		28,921
- Dtarawarra OFT Funds		11,378
- Grants b/fwd	65,277	65,268
Certificate IV Income	4,000	1,520
Interest Received	28,922	31,178
Services Contributions	3,956	3,300
	<u>989,189</u>	<u>955,190</u>
Less EXPENDITURE		
Administration Expenses		
- AGM & Meeting Expenses	2,123	2,697
- Archiving	1,701	1,665
- Audit Fees	4,430	4,150
- Bank Charges	778	1,047
- Couriers	462	441
- Depreciation	5,516	23,577
- Equipment Maintenance	610	7,070
- Equipment Purchases	2,755	3,398
- Insurance	2,811	6,123
- Library/Resources/ Subscriptions	13,116	14,980
- Photocopying	2,033	2,193
- Postage	1,591	3,929
- Printing	2,104	10,922
- Stationery	4,580	4,266
Client/Community Services Expenses		
- Communication Expenses	9,062	8,926
- Legal & Practice Expenses	3,404	6,575
- TAAP Training & Network Expenses	18,679	14,637
- Tenant News	9,089	10,378
- Travel	17,087	16,385
Occupancy Expenses		
- Building Services	6,167	6,242

- Rent	61,629	66,191
- Utilities	4,570	3,694
Staffing Expenses		
- Conferences & Training	8,070	15,294
- Consultants & Contractors	7,970	3,445
- IT Consultancies & Materials	3,967	3,659
- Leave Provisions	11,665	13,881
- Recruitment	52	2,561
- Staff Amenities	1,316	1,296
- Superannuation	63,737	56,632
- Wages & Salaries	715,471	635,024
- Workers Compensation Insurance	2,644	3,912
	<u>989,189</u>	<u>955,190</u>
Surplus (Deficit) for the year	0	0

TRM (TENANTS' RIGHTS MANUAL)	2013	2012
INCOME		
Grants	1,945	38,002
	<u>1,945</u>	<u>38,002</u>
Less EXPENDITURE		
Consultants & Contractors		16,000
Meeting Expenses	1,229	
Postage	137	
Printing	470	
Superannuation		1,817
Travel	109	
Wages & Salaries		20,185
	<u>1,945</u>	<u>38,002</u>
SURPLUS/(DEFICIT)	<u>0</u>	<u>0</u>

S10 PROJECT		
INCOME		
Grants	2,931	
	<u>2,931</u>	
Less EXPENDITURE		
IT Consultancies & Materials	36	
Printing	2,895	
	<u>2,931</u>	
SURPLUS/(DEFICIT)	<u>0</u>	

SPF PROMOTIONAL MATERIALS		
INCOME		
Grants		4,274
		<u>4,274</u>
Less EXPENDITURE		
Meeting Expenses		100
Postage		250
Printing		2,062
Stationery		250
Tenant News		1,612
		<u>4,274</u>
SURPLUS/(DEFICIT)		<u>0</u>

LOCUM PROJECT	2013	2012
INCOME		
Grants	5,099	
	<u>5,099</u>	
Less EXPENDITURE		
IT Consultancies & Materials	4,998	
Equipment Purchases <\$1,000	101	
	<u>5,099</u>	
SURPLUS/(DEFICIT)	<u>0</u>	

**STATEMENT OF COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2013
LEGAL AID COMMISSION**

	2013	2012
	\$	\$
INCOME		
Grant Received - State	124,758	120,841
- Federal	77,732	76,358
Interest Received	6,348	6,825
Miscellaneous Income		8,500
	<u>208,838</u>	<u>212,524</u>

Less EXPENDITURE

Administration Expenses		
- Annual Report/Meeting	484	611
- Archiving	374	349
- Audit Fees	990	850
- Bank Charges	171	214
- Couriers	101	94
- Depreciation	1,211	4,833
- Equipment Maintenance	133	1,447
- Equipment Purchases	605	501
- Insurance	617	1,254
- Library/Resources/ Subscriptions	2,880	3,054
- Photocopying	446	492
- Postage	403	805
- Printing	550	181
- Stationery	1,060	939
Client/Community Services Expenses		
- Communication Expenses	1,991	1,903
- Legal & Practice Expenses	1,516	1,201
- Litigation Provision		8,500
- Travel	3,413	3,461
Occupancy Expenses		
- Building Services	1,299	1,315
- Rent	13,528	13,558
- Utilities	1,003	782
Staffing Expenses		
- Conferences & Training	1,754	3,121

- Consultants & Contractors	3,765	706
- IT Consultancies & Materials	855	763
- Leave Provisions	2,561	2,843
- Recruitment	12	449
- Staff Amenities	287	267
- Superannuation	13,560	12,588
- Wages & Salaries	152,689	144,643
- Workers Compensation Insurance	580	800
	<u>208,838</u>	<u>212,524</u>
Surplus (Deficit) for the year	<u>0</u>	<u>0</u>

TAPP - REGIONAL MEETINGS	2013	2012
INCOME		
Grants Received	<u>25,000</u>	<u>25,000</u>
Services Contributions	<u>25,000</u>	<u>25,000</u>
Less EXPENDITURE		
TAPP Regional	<u>25,000</u>	<u>25,000</u>
SURPLUS/(DEFICIT)	<u>0</u>	<u>0</u>

INFRASTRUCTURE	2013	2012
INCOME		
Membership Fees	1,304	1,615
Donations	175	8,129
Cert IV Manage Fee TUQ		1,040
Other Publications Income	1,260	
Fees for Services	<u>960</u>	<u>810</u>
	<u>3,699</u>	<u>11,594</u>
Less EXPENDITURE		
Litigation Provision		8,000
Travel		<u>8,000</u>
SURPLUS/(DEFICIT)	<u>3,699</u>	<u>3,594</u>

WEBSITE PROJECT	2013	2012
INCOME		
Funds b/fwd		6,749
Less EXPENDITURE		
IT Consultancies & Materials		6,749
SURPLUS/(DEFICIT)		0

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, 2013.

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
 - (ii) Giving a true and fair view of the Co-operative's financial position as at 30 June, 2013 and the performance of the Co-operative for the year ended on that date; and
 - (iii) Complying with the Accounting Standards and the Co-operative Regulations; and
- (b) Other mandatory professional reporting requirements.

Signed at Allawah this 18th day of September 2013.



SANDRA GROLLMUS
7 BURRANEER CLOSE
Registered Company Auditor
ALLAWAH 2218
Registered Tax Agent





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