



**TENANTS'
UNION**
OF NEW SOUTH WALES

ANNUAL REPORT 2013-2014





Suite 201, 55 Holt St, Surry Hills, NSW 2010

☎ 61 + 2 8117 3700

☎ 61 + 2 8117 3777

✉ tunsw@clc.net.au

🏠 tenantsunion.org.au

🌐 tenants.org.au

📡 tunswblog.blogspot.com.au

📘 facebook.com/TUNSW

🐦 @TUNSW

Cover photos, clockwise from top left: Alan Myrs and Robert Day (Northcott public housing tenants); Vicky (University of Western Sydney international student and tenant); Park residents from Oaklands Village at Windang; and Kathleen Dean (Maroubra public housing tenant).

Printed on recycled paper.

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ACKNOWLEDGEMENT OF COUNTRY

The Tenants' Union of New South Wales (TU) recognises the Aboriginal and Torres Strait Islander people are the First Peoples of Australia.

In keeping with the *Aboriginal Land Rights Act 1983* (NSW), the TU acknowledges that the land in the State of New South Wales is of spiritual, social, cultural and economic importance to Aboriginal people, the traditional owners of the land. It is fitting to acknowledge the importance which all land in New South Wales has for the Aboriginal people and the need of the Aboriginal people for the land. The TU acknowledges that as a result of past government decisions, the amount of land set aside for Aboriginal people has been progressively reduced without compensation.

Aboriginal and Torres Strait Islanders are over-represented in NSW renter households. The TU acknowledges the present and historical disadvantage faced by Aboriginal and Torres Strait Islander people and the role of government policies, past and present and racism throughout Australia in creating this disadvantage and the impact of this disadvantage on tenancy and housing issues.

The TU acknowledges that a lack of support for non-tenancy issues such as mental health issues, financial hardship, substance dependence, family violence and disabilities can often lead to an escalation of tenancy issues and result in tenants receiving termination notices and/or suffering other negative outcomes such as accruing large rent arrears.



TU morning tea for NAIDOC (National Aborigines and Islanders Day Observance Committee) 2014. From left: Charmaine Jones, Alastair McEwin, Julie Foreman, Patricia Gonzalez, Galit Aflalo, Jemima Mowbray, Julie Lee, Cass Wong, Patrycja Arvidssen, Grant Arbuthnot, and John Mewburn.

ABOUT THE TENANTS' UNION

The TU has been advocating for tenants in New South Wales since 1976.

The TU is an independent, secular, community legal centre (CLC) and the peak body representing the interests of residential tenants in New South Wales.

OUR VISION

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

OUR MISSION

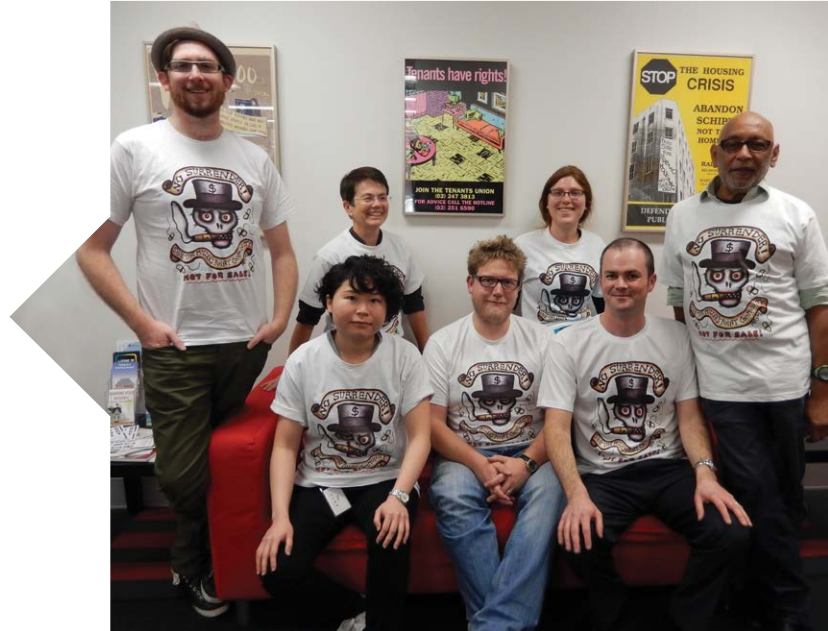
We aim to make a positive difference to the lives of residential tenants in New South Wales, and particularly tenants who are economically and socially disadvantaged.

WE ARE:

- A non-profit membership based cooperative under the *Cooperatives Act 1992* (NSW)
- A community legal centre specialising in New South Wales residential tenancies law and accredited by the National Association of Community Legal Centres (NACLC)
- The peak resourcing body for the network of Tenants' Advice and Advocacy Services (TAASs) across NSW, funded under the Tenants Advice and Advocacy Program (TAAP)

WE WORK TO PROMOTE THE INTERESTS OF:

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



*TU staff showing their support for Millers Point.
From left: Leo Patterson Ross, Cass Wong, Julie Foreman, Ned Cutcher, Galit Aflalo, Chris Martin, and Paul van Reyk.*

WE WORK TOWARDS OUR GOALS BY:


- Undertaking strategic litigation to advance the interests of tenants
- Informing and educating tenants
- Providing support to TAASs
- Advocating for the reform of policies and laws affecting tenants

HIGHLIGHTS OF 2013-2014

-  **25% increase**
in advice, information and referral provided by the TU.
-  **13 public interest matters**
run by the TU.
-  **596,000 factsheets**
downloaded from tenants.org.au.
-  **15% increase**
in TU income.
-  **53,334 visits**
to the online *Tenants' Rights Manual*.
-  **350 people trained**
in tenancy, residential parks and boarding houses law.
-  **3,000 posters**
about tenants' rights produced and distributed.

TAAS
 **funding continued**
until 2016.

The TU undertook and published research on the
 **roomshare sector**
for international students and travellers.

The TU conducted a survey on
 **affordable housing**
in the rental sector, and published the results.

The TU revamped
 ***Tenant News***
and launched 2 new e-publications.

The TU initiated the
 **boarding houses**
education project.

CHAIRPERSON'S MESSAGE

Charmaine Jones

Anyone working in the social housing, tenancy and affordable housing spheres would know some of the challenges the sector faced in the 2013-2014 year. These included the decision to no longer fund two separate resource services for older tenants and residential park residents; sale of Millers Point, Dawes Point and the Rocks public housing stock and what felt at times like a revolving door of Fair Trading Ministers.

While the TU was disappointed in the decision to not refund two of the specialist tenancy services, it did provide our organisation the opportunity to seek additional funding to continue some of the work provided by these services. We also received additional funding to deliver information and support for tenants and landlords in understanding the new boarding house legislation, which is aimed at providing some level of protection for boarders and lodgers.

Both these outcomes meant a growth in staff numbers, and coming in to the 2014-2015 year, the organisation will restructure operational and supervisory roles to meet the changes.

We have continued our strategic planning process which has involved a series of conversations, as well as questionnaires, with internal and external stakeholders, leading us to focus on refining rather than rewriting what the organisation does.

The Board spent the last half of the year renegotiating the Enterprise Agreement with staff, and hopefully, with the blessing of the union and Fairwork Australia, it will be ratified before the end of this calendar year.

The Board, as always, continued its rolling review of policies and procedures. In the last 12 months we have reviewed and approved new policies in the areas of:

- Access and Equity
- Anti-Discrimination, Harassment & Bullying
- Code of Conduct

- Complaints
- Document Management
- Environment
- Equal Employment Opportunity
- Governance
- Media and Public Comment
- Personnel Privacy
- Publications
- Staff Development
- Staff Performance Appraisal
- Working from Home

We again made 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 to confirm that the Board of Directors is continuing to provide sound direction.

The work of the policy team, the litigation team and the training team continues to be world class, pushing law reform, undertaking strategic legal cases and providing support and training to the TAAP services around New South Wales.

There has been rapid growth in use of our online information. 10 percent of our enquiries are now via social media, there has been a 300 percent increase in website usage and 400 percent increase in factsheet downloads to almost 600,000. We are also producing two new e-bulletins dedicated to residential parks and boarding houses residents.

I would like to thank our major funding bodies, NSW Fair Trading and 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. I would also like to acknowledge Ageing, Disability and Home Care (ADHC – FACS) for funding the Boarding House Legislation Information and Support

project and the Law and Justice Foundation for providing funding for Residential Parks Legislation Education.

I would like to add though, despite a 25 percent increase in the number of tenants (which is reflected in the amount of tenants' bond monies, the interest on which funds the TAAP network), there has been no real increase in TAAP funding for over 12 years. We will continue to advocate for an increase in funding for all Tenancy Advice and Advocacy Programs (TAAP) across New South Wales, as well as promoting the merit and benefits of the TAAP network.

None of the work of the TU could be done without the dedication of the staff. I believe it is evident in the quality of the work delivered by the staff of the TU how committed they are to the objectives of the organisation; that for none of them is it just a job. I commend all the staff on their diligence for maintaining the Tenants' Union of NSW as an organisation with a name of good repute, and I acknowledge Julie Foreman's skilful oversight of the team.

I would like to thank my fellow Directors for undertaking the responsibility of guiding the organisation, for providing sound governance and fiscal diligence. I would especially like to thank Pat McDonough, our Treasurer, who after seven years of invaluable service, is stepping down from the Board. Her input has been unquestionably beneficial to the organisation and she will be sorely missed.

Charmaine Jones
Chairperson



Charmaine Jones, Chairperson

“The work of the policy team, the litigation team and the training team continues to be world class, pushing law reform, undertaking strategic legal cases and providing support and training to the TAAP services around New South Wales.”

EXECUTIVE OFFICER'S MESSAGE

Julie Foreman

The TU has had significant growth this year with staff growing from 15 to 22 (14 full-time equivalent). The focus for this growth has been in education and policy work in the areas of residential park residents, older tenants and boarding house residents.

The legal team continues to be active in conducting litigation in the interests of tenants in New South Wales. This includes:

- successfully maintaining tenancies of Aboriginal renters in the south coast and Bourke
- successfully halting 'interference with sale' for an elderly park resident enabling the sale of her dwelling when she moved into aged care
- confirming in the Court of Appeal, that the NSW Civil and Administrative Tribunal has the ability to exercise discretion in regards to termination of a tenancy for illegal use
- challenging the compensation available for termination of residential park leases due to change of use
- testing legal arguments that challenge Housing NSW's decision to cancel rental rebates retrospectively to give rise to rent arrears

We actively participated in the consultation process for the *Residential (Land Lease) Communities Act 2013* (NSW) and are now engaged with park residents regarding the government consultation on the associated regulations.

Our training of tenant advocates and community workers on housing law continues to be well received and has expanded to include the *Boarding Houses Act 2012* (NSW).

We updated our publications strategy leading to the revamping of *Tenant News* and introduction of two specialised e-bulletins.

Our social and online media was restructured leading to a 300 percent increase in sessions on tenants.org.au and 12,000 monthly visits to 'The Brown Couch' (the TU's blog)

We have raised our opposition to the decision to sell-off all social housing in Millers Point, Dawes Point and the Rocks, actively seeking and putting forward alternative solutions.

Our liaison with Housing NSW increased as a number of policies and practices introduced raised concerns for vulnerable renters. Submissions and presentations were also made to NSW Legislative and Australian Senate Committee Inquiries related to affordable housing.

Two pieces of research on the 'roomshare' sector and housing affordability for renters generated significant interest. We continued our focus on the tax system and renting. Tax settings and subsidies to private home owners and speculator landlords has a significant impact on the affordability of the housing system. Reform in this area would be the single most effective action government could take to increase the affordability of renting.

All of this and more could not be achieved without the inspired work of the TU's staff. The team is hardworking, highly skilled and dedicated. It is a privilege to work with them, for the tenants of New South Wales.

Sadly this year we said farewell to three valued staff. Rachel Burns, our ever-efficient Finance Officer retired. Carl Freer, our Litigation Solicitor moved onto Legal Aid to continue his passion for working for access to justice and Luke O'Connell continues his publications work with a peak Aboriginal disability organisation.

We welcomed Rafael Mazzoldi and Jeremy Kerbel as Resource Development Officers; Julie Lee, Jemima Mowbray and Glyn Mather to our

Residential Parks team and Margaret Di Nicola as the Coordinator of the Boarding Houses Education Project. We were also fortunate enough to 'welcome home' Dr Robert Mowbray, (who as a founding member of the TU has almost 40 years experience in tenancy law) to focus on older tenants.

I would also like to thank the hard working Board and in particular Chair, Charmaine Jones and Treasurer, Pat McDonough for their insightful leadership and support.

Julie Foreman
Executive Officer



Julie Foreman, Executive Officer

“The TU has had significant growth this year with staff growing from 15 to 22 (14 full-time equivalent). The focus for this growth has been in education and policy work in the areas of residential park residents, older tenants and boarding house residents.”

ACKNOWLEDGEMENTS

Every day the TAAs work tirelessly at the coalface providing advice and advocacy to tenants in NSW. The TU acknowledges the experience and expertise they bring to bear on their work and to informing and supporting the work of the TU. The TU also acknowledges our colleagues in Dtarawarra, the Aboriginal Resource Unit, who continue to provide invaluable guidance to us in working with Aboriginal and Torres Strait Islander tenants and services.

The TU thanks NSW Fair Trading, Legal Aid NSW, Law and Justice Foundation, Ageing Disability and Home Care and Community Legal Centres NSW for their continuing support and collaboration.

Our TU members continue to be crucial to ensuring the effectiveness of our work through their support, encouragement and input into our services.

Thanks to our volunteers:

ADVICE LINE

- Morad Wasile
- Alice Chow
- Luke Riley
- Zan Diamond
- Laura Coleman
- Curtis Penning
- Patricia Gonzalez

TENANT NEWS

- Carol Barr
- Vivian Clifton

STUDENT PLACEMENTS

- Caron Waddick: PLT Student
- Lynne Caldwell: Community Services Certificate 4, Blue Mountains TAFE
- Jemima Mowbray: Masters of Social Work, Deakin University

Thanks to those on our standing advisory groups:

ABORIGINAL ADVISORY COMMITTEE

- James Allen, Murra Mia
- Zachary Armytage, Community Legal Centres NSW
- Rhonda Gray, Greater Sydney Aboriginal Tenants' Advice Service
- Terry Kapeen, Northern NSW Aboriginal Tenants' Advice and Advocacy Service
- Scott Hawkins, NSW Legal Aid
- Peta MacGillivray, UNSW
- Prue Mewburn, Gilbert + Tobin
- Bernadette Riley, Western Aboriginal Tenants' Advice and Advocacy Service
- Ruth Simon, Dtarawarra
- Charmaine Weldon, Redfern Legal Centre



TU volunteers Lynne Caldwell, Laura Coleman & Alice Chow.

RESIDENTIAL PARKS FORUM

- Lisa Ashby
- Milly Bellamy
- Graham Byrne
- Justin Donkin
- Jill Edmonds
- Janice Edstein
- Di Evans
- Erin Eyles
- Sandy Gilbert
- Len Hogg
- Douglas Lee
- Ronald Kerr
- Marie McCormick
- John McKenzie
- Ron McLachlan
- Pam Meatheringham
- Jock Plimmer
- Mary Preston
- Noleen Robinson
- Don Rose
- Christina Steel
- Rita Wilkinson



Residential Parks Forum members, from left: Ronald Kerr, Julie Lee (TU Residential Parks Project Officer), Len Hogg, Janice Edstein, Jill Edmonds, Justin Donkin, Ron McLachlan, and Graham Byrne.

Finally thank you to all our other supporters, both individuals and organisations, we cannot achieve what we do without you:

- | | | |
|---|--------------------------------|--|
| • Alexander Flecknoe-Brown | • Leigh Connell | • Paul Adabie |
| • Andrew Tokley SC | • Lou Schetzer | • Rhett Walton |
| • Benjamin Dougall | • Macarthur Housing Coalition | • Rod Stowe |
| • Bernie Coates | • Mathew Whitton | • Ruby Steele |
| • Bronwyn McCutcheon | • Mauro Di Nicola | • Shelter NSW |
| • Combined Pensioners and Superannuates Association | • Michael Rennie | • Stella Sykiotis |
| • Damien Hennessey | • Michelle Jones | • Streetcare |
| • Floral Café | • Michelle McMahan | • Sue Scott |
| • Gallery Café | • Minto Residents Action Group | • The NSW Federation of Housing Associations |
| • Hilbert Chiu | • Monique Hitter | • Tim Leach |
| • Homelessness NSW | • NCOSS | • Tim Robertson SC |
| • Jane Kenny | • Newtown Neighbourhood Centre | • Warren Gardiner |
| • Kathy Townsend | • Nick Eastman | • Wilson Chan |
| • Lee Watson | | |

STAFF AND BOARD



TU staff, from top left: Anne Coates, Cass Wong, Chris Martin, Gemma McKinnon, Glyn Mather, Grant Arbuthnot, Jemima Mowbray, Jeremy Kerbel, John Mewburn, Julie Lee, Leo Patterson Ross, Margaret Di Nicola, Ned Cutcher, Patrycja Arvidssen, Paul van Reyk, Paul Smyth, Peter Larsen, Rachel Burns, Rafael Mazzoldi, Robert Mowbray, and Sarah Drury.

BOARD

Donna Brotherson

- Tenant Participation Resource Worker, Illawarra Forum

Nicole Grgas

- Coordinator, Hunter Tenants Advice and Advocacy Service

Charmaine Jones

- Director, Inner Sydney Regional Council for Social Development

Bridget Kennedy

- Public policy advisor & former tenant advocate

Pat McDonough

- Solicitor

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

Charmaine Weldon

- Court Assistance Scheme, Redfern Legal Centre

STAFF

Julie Foreman

- Executive Officer

Administration

Anne Coates

- Administration Officer

Lydia Widders

- Administration Assistant, until August 2014

Rachel Burns

- Finance Officer

Paul van Reyk

- Special Projects Officer, from May 2014

Legal

Gemma McKinnon

- Aboriginal Legal Officer, on leave from April to August 2014

Galit Aflalo

- Aboriginal Legal Officer, from April to July 2014

John Mewburn

- Aboriginal Paralegal

Carl Freer

- Litigation Officer, until September 2013

Cass Wong

- Litigation Officer, from September 2013

Grant Arbuthnot

- Principal Legal Officer

Paul Smyth

- Residential Parks Legal Officer

Policy

Ned Cutcher

- Policy Officer

Dr Chris Martin

- Senior Policy Officer

Leo Patterson Ross

- Research and Advocacy Officer

Dr Robert Mowbray

- Project Officer, Older tenants

Education and Resources

Margaret Di Nicola

- Boarding House Project Officer

Patrycja Arvidssen and Sarah Drury

- Learning and Development Coordinator

Jeremy Kerbel and Rafael Mazzoldi

- Resource Development Officer

Peter Larsen

- Strategic Technology Officer

Residential Parks

Julie Lee

- Residential Parks Project Officer

Jemima Mowbray

- Residential Parks Support Officer

Glyn Mather

- Residential Parks Project Officer, Education

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.

HIGH QUALITY LEGAL ADVICE AND ASSISTANCE PROVIDED TO TAAS SERVICES

Instances of advice and main issues

We provided 791 advices this year.

The most popular issues for advice to TAASs were:

- Notices of termination
- Deceased estates in residential parks
- Sale of home and assignment in residential parks
- Commercial, Trader and Tenancy Tribunal (CTTT)/NSW Civil and Administrative Tribunal (NCAT) matters and procedures
- Rent subsidy calculations
- Bonds and repairs

We continue to provide legal backup to Legal Aid NSW and Community Legal Centre solicitors, and other caseworkers.



Jemima Mowbray giving advice on the Tenants' Advice Line.

Tenancy Legal Working Party

The Working Party, which we convene and chair, met nine times in the year. Topics included:

- Housing NSW policy directions
- Legal Aid Housing Unit
- National regulation of community housing
- Issues relating to the *Residential Tenancies Act 2010* (NSW)
- *Boarding Houses Act 2012*
- Residential Parks legislation
- Strata scheme reform
- Rent rebate cases
- NCAT appeal cases
- Adverse possession
- Illegal use

Legal practice management and compliance

Our legal team continues to have regular casework review meetings. We successfully completed the PII cross check in September 2013. We are now compliant with the National Association of Community Legal Centres (NACLC) Accreditation criteria as they apply to the provision of legal services by community legal centres. The legal practice continues to be covered under the NACLC national insurance scheme.

Up-to-date training for solicitors

Our solicitors continue to undertake professional development as required. Areas covered this year included managing people, housing economics, operation of NCAT, Aboriginal cultural safety and awareness, planning and environment law, *Residential (Land Lease) Communities Act 2013*, CLC accreditation, professional indemnity insurance, public housing, evictions, and conflict of interest.

Our solicitors also participate in the Housing Law community of practice forums with Legal Aid NSW sharing our expertise and experience in a peer learning environment.

HIGH QUALITY LEGAL ADVICE AND ASSISTANCE PROVIDED DIRECTLY TO TENANTS

Tenant's Advice Line

We continue to operate a Tenant's Advice Line on Mondays from 10am-1pm and 2.30pm-5.30pm with the assistance of a pool of six volunteers. We provided advice or referral to 964 callers. The Advice Line keeps our legal staff up to date on issues affecting tenants and provides an opportunity for volunteers to increase their knowledge and skill in dealing with tenancy matters. The Advice Line can also flag ongoing or emerging systemic issues that we may need to investigate and take action on.

We also provided information and referral on 406 occasions by phone outside of Advice Line hours and dealt with a further 240 inquiries through our social media platforms.

In total, the Tenants' Union provided 2,401 instances of advice, information and referral in the 2013-14 year.

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Strategic litigation cases – highlights

The Aboriginal Legal Officer (ALO) has continued to work with a small community on the South Coast in relation to a number of termination notices issued by a Local Aboriginal Land Council. The Local Aboriginal Land Council withdrew termination proceedings in December 2013.

The ALO also worked closely with the Western Aboriginal Tenants' Advice and Advocacy

Service and Legal Aid Dubbo to assist a tenant from Bourke who was facing termination and a large arrears order. The ALO assisted the tenancy service in developing a legal argument regarding standing and jurisdiction. The landlord's application was eventually dismissed by the tribunal.

The ALO is also assisting a client in dealing with possible rent subsidy miscalculations by Housing NSW as housing manager for the Aboriginal Housing Office. The ALO together with Policy staff has met with Housing NSW to gain further understanding of the issues and underlying causes of the errors concerned.

The Residential Parks Legal Officer (RPLO) received instructions from a residential park resident who was trying to sell her dwelling on site. The resident was elderly and frail and living in a nursing home. The park owner served dilapidation notices on the resident, refused to consent to assignment on the site agreement and otherwise interfered with sale of the premises. The park owner also made a very low offer to purchase the dwelling. The resident died with the dispute unresolved. Application was made to the CTTT for orders regarding interference with sale. The Public Trustee as executor of the resident's estate continued the resident's instructions. The matter settled before hearing. The park owner agreed to not interfere with sale of the dwelling by the Trustee and undertook to not take any action on the dilapidation notices before 31 March 2014. Defects of the dwelling were accounted for by expert appraisal and quotations for work to be disclosed to prospective purchasers.

The RPLO also represented park residents in proceedings before the Land and Environment Court (the LEC) that were heard in October 2013. The outcome of the proceedings will assist residents who are also respondents in s102 *Residential Parks Act* termination proceedings for change of use, currently before NCAT. An order was made in the LEC that the applicant

park owner is to pay 60% of the respondents' legal costs. Most of the residents obtained grants of legal aid for their proceedings.

The RPLO represented residents of Hastings Point Holiday Village in six residential park matters before the Tribunal sitting at Tweed Heads. There were further proceedings in the Land Environment Court (NSW). The Tribunal matters were heard over 3 days in March and May 2014. The issues to be determined are the park owners' application for termination of the residential site agreements for change of use of the residential sites; where the park owner has development consent from the local council for a staged SEPP (2004) Seniors Living development. The other issues to be determined are amounts of compensation payable to the residents for termination/relocation, sale of homes. The Tribunal's decision in all of the matters has been reserved.

The RPLO also represented park residents in the Supreme Court for judicial review of a

CTTT decision. The hearing was in November 2013 and the decision of Justice P Hidden was reserved. The park owner's claim was that the Tribunal gave an erroneous ruling as to its jurisdiction. The Tribunal had found that the residents were permanent residents of the park and the *Holiday Parks (Long term Casual Occupation) Act 2002* did not apply to the agreement.

The Litigation Solicitor (LS) has acted in several sets of proceedings in various courts and Tribunal. In the CTTT, the LS acted in a matter where legal arguments were made that Housing NSW's decision to cancel a rental rebate retrospectively does not give rise to rent arrears. Rather, the debt created under the *Housing Act 2001* (NSW) does not retrospectively give rise to breach of the rent term of the tenancy agreement. Unsuccessful in the Tribunal, LS prepared to appeal further to the District Court on grounds of error of law. Unfortunately, the tenant decided not to proceed with the litigation. The LS has however made some headway in terms of preparation for when the question next arises.

In the Court of Appeal, we were successful in judicial review proceedings against a decision of the District Court (*NSW Land and Housing Corporation v Cain [2013] NSWDC 68*). We had acted as the tenant's solicitors in the District Court matter. The Court of Appeal decision was handed down on 26 February 2014. The three Judges were unanimous. This was a very good win for tenants in NSW as it properly considered the construction of section 91 of the *Residential Tenancies Act 2010*, and the meaning of the word 'may' in that context. The Court of Appeal said that the word 'may' means 'may' and therefore section 91 confers discretion on the Tribunal to decline to terminate a tenancy for illegal use. Leeming JA's said at [53]: Finally, the respondent's construction leads to results which are fairly described as "absurd", "irrational" or "unjust".

In the District Court, we were successful in getting another s91 matter remitted back to



Residents of Hastings Point Holiday Village, from left: Kevin Byng, Lorraine Byng, Phillip Tucker, Judy Tucker, Susan Allen, Beryl Anderson, Helen Verrills, and Bob Verrills.

NCAT for reconsideration in accordance to the authority set by the Court of Appeal in *Cain* (above). We had commenced proceedings in the District Court following an unsuccessful outcome in the former CTTT whereby our client's tenancy was terminated pursuant to section 91 for 'illegal use'. The former Tribunal considered itself bound by the District Court decision in *Cain* (which at that time was the only judicial discussion of s91).

When the matter was remitted to NCAT, the landlord, NSW Land and Housing Corporation, indicated that it wished to continue termination proceedings against our client and persisted in that manner until about two weeks before the trial date. The matter was ultimately finalised with a specific performance order (not to breach again) by consent and our client gets to continue her tenancy (which she has kept for 18 years).

In the Local Court, we acted for tenants who were facing damages for alleged breach of contract in the vicinity of \$50,000. After six mentions before the Court and correspondence between the parties, the landlord reduced its claim from \$50,000 to \$12,000 some 9 months after initiating proceedings. The matter is ongoing.

We are also getting many inquiries about the appeal processes for NCAT, which are significantly different to those of the former Tribunal (CTTT). The changes include the 'leave to appeal' applications, 'question of law appeal applications' and 'set aside' applications.

Advice to people in custody

Our solicitors are available for transfer of calls from Law Access and the Prisoners Legal Service five days per week. We have a strong relationship with the Women in Prisons Advocacy Network (WIPAN) and the Community Restorative Centre (CRC). We received a grant from Legal Aid NSW to develop a training program on tenancy issues for Aboriginal women leaving custody to be delivered to custodial staff and prisoner outreach services. The training will be conducted in early

2015. We also worked to include information on accessing TAAs in *Planning Your Release*, a booklet produced by Corrective Services NSW and CRC for women about to leave custody.

Linda Simon (right) receiving her Certificate IV in Community Services Advocacy from Patrycja Arvidssen, (TU Learning and Development Coordinator).



HIGH QUALITY TRAINING

Training for tenant advocates and community workers

One hundred and fifty advocates and volunteers attended training we provided this year, some attending more than one course.

Training we delivered included:

- Advocate casework forum (regional NSW)
- The *Boarding Houses Act 2012*
- Community education

- Formal Hearings
- Finding the facts (online tools for casework)
- Introduction to NCAT (for regional and Koori staff)
- Negotiating skills in tribunals
- Reaching marginalised communities
- Researching the rules: Legal research for advocates (online training)
- Residential Parks Law
- Social housing
- Certified Training Assessors upgrade
- Tenancy advice and advocacy
- Tenancy and criminal law
- Tools of the trade (in-house resources – online training)
- Understanding the housing system in NSW

Regional TAAS workers made up 30 % of all training participants; 11 % were Koori workers.

In addition, we conducted training for over 150 non-TAAP staff including community workers,

Fair Trading NSW frontline staff, Legal Aid, NSW Ombudsman, Prisoner Legal Service, Parramatta City Council, Ashfield City Council, the Aged-Care Rights Service, South West Regional Tenant Association, Law Access NSW and NSW Trustee & Guardian staff. Training covered role of TAASs, the *Boarding Houses Act 2012*, older tenants and general tenancy law.

Four full and 15 part qualifications were awarded in Certificate IV in Community Services Advocacy. Fourteen tenant advice and advocacy services staff are currently enrolled.

Compliance with requirements as a Registered Training Organisation

We continue to ensure that our training program meets our obligations as a Registered Training Organisation. Our Learning and Development Coordinators undertook professional development and we completed the upgrading of the qualifications of our assessors. We completed our annual self-audit and conducted an audit of the Tenants' Union of Queensland. Our certificates have been redesigned to reflect the new ASQA standards. We also purchased a new compliant online learning and development management system.

“Great training, thank you. Particularly engaging trainers. Right mix of receiving information and application of that information via case studies.”

– Feedback from a participant of the ‘Tenancy Advice and Advocacy’ training



Participants at the 'Negotiating the Tribunal' training, From left: Vanessa Ji, Morad Wasile, and Anna Kedves.

ACCURATE AND ACCESSIBLE MATERIALS PRODUCED ON TENANCY LAW & RELATED MATTERS

Print material

We published two issues of *Tenants News*. The first covered low income renting, the Millers Point social housing review, draft residential parks legislation and neighbourhood disputes. The second published in April was a 'students and share house special edition' with articles on international students rights, peace comfort and privacy, rights in a share house and Regis Towers. Three thousand five hundred copies were printed and distributed, of which 1,000 were mailed to student services and organisations.

We continue to record a high level of satisfaction with this material.

Our Resource Development staff developed a publications strategy through consultation with TAASs and with pro bono advice.

On-line materials and presence

We published five issues of the Tenants' Union e-bulletin which provides brief updates on a range of tenancy issues and which is responsive to current issues. The bulletin has 608 subscribers.

We published the first issue of *Outasite Lite*, our email newsletter for Parks Residents.

The online Tenants' Rights Manual had 53,334 visits in 2013-2014, a 500% increase over 2012-2013. We produced 3,000 copies of 'Know your rights as a tenant', a poster publicising the Manual which were put up in NSW public libraries, community centres, tenant advice services and hundreds of Sydney cafés.


The tenants.org.au website continues to be popular and is a significant and growing source of information for tenants. There were




Tenant News, the TU e-bulletin, Onboard and Outasite Lite.

KNOW YOUR RIGHTS AS A TENANT


Read the Tenants Rights Manual free online!
www.tenants.org.au/publications




NEED TO LEAVE?
If you want to end your tenancy early, you may have to pay the landlord compensation or a fee, but there are rules that apply.




RENT GOING UP??
If you think a rent increase is excessive, you can challenge it by applying to the Tribunal.




ASKED TO LEAVE?
If the landlord wants to end your tenancy, they must give you a valid notice.




FEELING SAFE?
It's the landlord's obligation to provide and maintain locks and security devices so that the premises are reasonably secure.




PROBLEMS WITH REPAIRS?
The landlord is obliged to provide premises that are in a reasonable state of repair.



I WANT MY BOND BACK!
The Rental Bond Board holds over \$1 billion in bonds. This is tenants' money. Your bond should be returned to you at the end of your tenancy unless there is a good reason.



WHO PAYS FOR WATER?
The tenant pays for water usage, but only if the premises are separately metered and prescribed water efficiency measures are in place.



GET ADVICE NOW!
Check out the Tenants Rights Manual online, or the Tenants' Rights Factsheets or call your local Tenants Advice and Advocacy Service for free, independent tenancy advice.



FREE ONLINE TENANTS' RIGHTS MANUAL
www.legalanswers.sl.nsw.gov.au
www.tenants.org.au/publications



TENANTS' UNION
 OF NEW SOUTH WALES



3,000 copies of this poster 'Know your rights as a tenant', were produced and distributed to cafés, community centres and other services across New South Wales.

616,389 sessions this year (formerly called site visits), three times more than 2012-2013.

Our factsheets were viewed or downloaded 596,342 times, a 400% increase on 2012-2013. The most popular factsheet topics remain termination, bonds, repairs and maintenance. Sample letters to landlords are also popular.

Our presence on Facebook and Twitter continues to grow, allowing engagement with tenants and other stakeholders in a range of ways. We have 1,300 followers across all platforms. *The Brown Couch* blog has about 12,000 visitors monthly.

Boarding Houses Education Campaign

Following the introduction of the *Boarding Houses Act 2012*, the TU is now running a Boarding Houses Education Campaign. The campaign will run until April 2016. The project is run in partnership with Newtown Neighbourhood Centre and the Department of Aging, Disability and Homecare.

The aim of the campaign is to ensure that boarding house sector stakeholders, particularly residents of boarding houses, are aware of the new law in NSW and its application, and have the skills to monitor and take action under the relevant provisions of the Act.

Meetings have been held with sector stakeholders and former residents and, as a result, workshops are being developed for advocates, community workers and current boarding house residents, to raise awareness of the boarding house legislation and what action to take when occupancy rights are infringed.

In addition, resources will be developed for distribution to residents and community workers.

Currently, the focus of the campaign is on traditional boarding houses. In future, attention will be given to international students living in boarding house accommodation and residents moving into 'new generation' boarding houses.

“As a local councillor I found the e-bulletin an excellent resource to assist me in providing advice to constituents who are boarding house residents about their rights. I have also really valued the Tenants’ Union’s commitment to helping residents tell their stories in their own voice. It is so important to hear the human impacts of the planning and regulatory decisions that we make about housing.”

– Melissa Brooks, Marrickville Councillor.

Residential Parks Project

We have entered a partnership with the Law and Justice Foundation of NSW to provide community education and resources to people living in residential parks who will be affected by the introduction of the *Residential (Land Lease) Communities Act 2013*.

The parks team at the TU is working on a set of factsheets and will be embarking on a state-wide education program as soon as the Act becomes operational.

The community education project will involve visits to residential parks and community education sessions at local venues, as well as a new website and updated resources.



The Hon. Stuart Ayres (centre), then Minister for Fair Trading with Maria Girdler, Coordinator of Macquarie Legal Centre, during the Minister's visit to Western Sydney Tenants Advice and Advocacy Service.

PROGRAM SUPPORT FOR TENANTS ADVICE & ADVOCACY SERVICES

Liaison on behalf of TAAS operations with Fair Trading

The TAAS network was successfully refunded for another two and half years until June 2016. The TU participated in meetings, undertook liaison and drafted submissions on behalf of TAASs to the Fair Trading Minister and Commissioner for Fair Trading. Unfortunately, there was no real increase in funding, which follows a disappointing 12 year trend. This is despite a 25% increase in the number of tenancies and an increase on the interest on money held by the Rental Bond Board. This interest and interest on the Property Services Statutory Account funds TAASs.

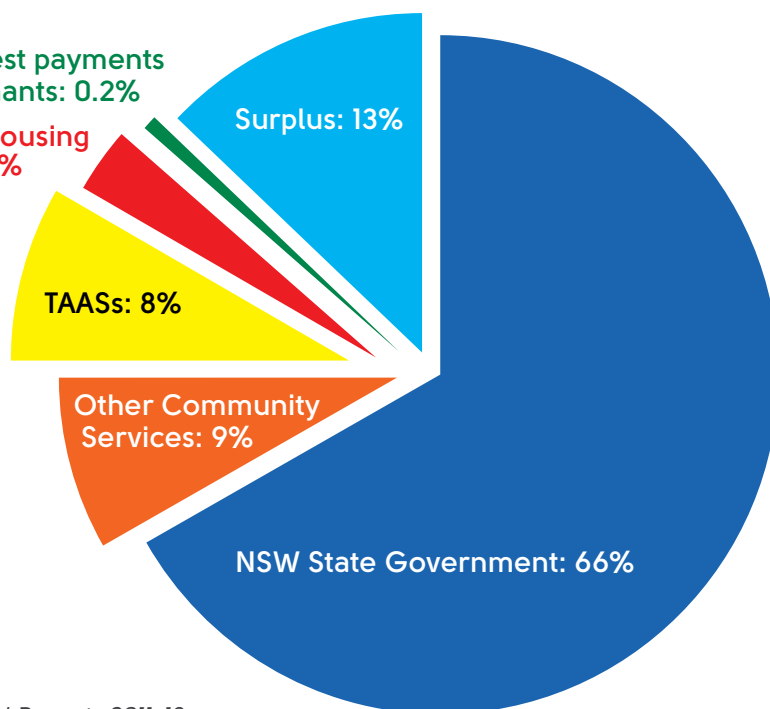
Tenants' bond interest – where it goes

Over \$1 billion of tenants' money is lodged as bonds at the NSW Rental Bond Board. This money generates tens of millions of dollars in interest each year: about \$60 million in 2012-13.

Most of the money – about two-thirds of the total – is paid to agencies of the NSW State Government, primarily the NSW Department of Finance and Services, and the NSW Civil and Administrative Tribunal.

A small portion is used to fund the TAASs: approximately 8%.

Interest payments to tenants: 0.2%
Affordable housing programs: 3%



Source: Averages from Rental Bond Board Annual Reports 2011-13

Fair Trading introduced a new Tenancy Complaint Unit in 2014, funded by interest on rental bonds. We undertook close liaison with this Unit and the Fair Trading Customer Contact Centre to ensure appropriate referrals, information and cooperative procedures were in place to offer NSW tenants a continued high quality service.

We also continued to liaise with Fair Trading on the TAAS case management and data collection database and we look forward to its implementation in 2015.

We made a submission to the Rental Bond Board on behalf of regional TAAS for funding support to assist with implementation of *Residential (Land Lease) Communities Act 2013*.

We also continue to provide a remote locum service to regional TAAS.

Network meetings assist services to better support tenants

We convened three meetings of the TAAP network, with Newcastle being the setting for this year's Regional meeting. Most TAAP services were represented at each meeting. Participants continue to give positive feedback overall for these meetings.

The agenda for each meeting is developed in consultation with TAAS network members and topics covered this year included tenant participation; working with older tenants; residential parks resources for TAAS workers; evidence in the CTTT/NCAT; the new model for TAAS and Fair Trading dispute resolution; social housing maintenance policy and procedure; public housing subsidy cancellation; changes to succession of tenancy; community housing policies; duty advocacy, file management best practice.

Staff from the Ombudsman's Office and Fair Trading Compliance Unit made presentations.



Mick Gooda, the Aboriginal and Torres Strait Islander Social Justice Commissioner, at the TAAS Network Meeting in Newcastle, November 2013.



Aboriginal Tenants Advice and Advocacy Service advocates, with Mick Gooda. Left to right: Stephen Fields, Mark Griffiths, Cheryl Corbett, James Allen, Rhonda Gray, Mick Gooda, and Seth Merritt, at the TAAS Network Meeting in Newcastle, November 2013.



Top, from left: Carol Allen, James Allen, Seth Merritt, and John Mewburn, during the TU Service Visit to Murra Mia.

Middle and lower: TAAS workers learn about Aboriginal Grinding Grooves on a visit to Terramungamine Reserve during the Network Meeting in Dubbo.

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/NCAT 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 regular liaison with Greater Sydney TAAS in Redfern and week long service visits to:

- Northern Aboriginal TAAS
- Murra Mia Aboriginal TAAS in Batemans Bay
- The Western Aboriginal TAAS in Dubbo

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

“The work of the Tenants’ Union is invaluable to a regional service such as Illawarra & South Coast. The provision of training, staff development, legal support, policy direction and network morale cannot be understated. The TU is the hub from which the network operates so effectively.”

– Warren Wheeler, Team Leader, Illawarra & South Coast Tenants Service

“NEWTAAS acknowledges with respect and gratitude the role of the TU in supporting the frontline work we do. We value the partnership we have with the TU. The Legal team provide us with advice and strategic discussion which strengthens our knowledge and capacity to assist our clients. Our relationship with the Policy team is invaluable, and provides support for law and policy reform with our advocacy to Members of Parliament. We have also been greatly assisted by TU staff with expertise in boarding houses, residential parks, and older persons.”

*– KerryAnn Pankhurst,
New England and Western
Tenants Advice and Advocacy Service*



*Awards given to TAAS workers at the Network Meeting in Dubbo.
Top: Ruth Simon receiving the TAAP lifetime achievement award, with Gemma McKinnon and Julie Foreman.
Middle: Rhonda Gray receiving an award on behalf of Greater Sydney Aboriginal Tenants Service for their contribution to Aboriginal housing policy and law reform work.
Lower: Christina Pickett, KerryAnn Pankhurst, Linda Grady and Dyllon Safi-Westendorf receiving an award for their contribution to law reform and housing policy work.*

OBJECTIVE 2:

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

HIGH QUALITY RESEARCH, POLICY DEVELOPMENT AND ADVOCACY ON THE NEEDS OF TENANTS

Our research, policy development and advocacy work continues to be both proactive and responsive. Areas we have engaged with in the past year include:

- Aboriginal housing
- Community housing
- Housing NSW (HNSW) policy and practice
- Boarding house law and practice
- Marginal renters
- Low income private renters
- Older tenants
- Tax and housing
- Safety and sustainability of rental property

Aboriginal housing

We made a submission to the review of the *Aboriginal Land Rights Act 1983* (NSW) and used the opportunity to further assert the need for change around the use of no-grounds termination notices by social housing providers.

We identified an issue of defective calculations of Rent Assistance entitlement by Housing NSW. Investigation and advocacy on this issue continues.

Aboriginal women leaving custody

Aboriginal women leaving custody are experiencing difficulties securing tenancies in the social, community and private housing sectors on release. We received funding from Legal Aid NSW through the National Partnership Agreement on Homelessness to develop a suite of appropriate resources through which to inform women of their tenancy rights and to train staff at Silverwater Women's Correctional Centre and community workers providing post release services to support these women in securing accommodation.

Community housing

We partnered with the NSW Federation of Housing Associations to hold a seminar on sustaining tenancies in community housing.

We corresponded with the Community and Private Market Housing Directorate (CaPHM) on fairness and transparency in tenant charges when tenancies end and assisted a local TAAS to raise the matter with the Registrar of Community Housing resulting in changed practice by the landlord. We continue to participate in the Registrar's Advisory Forum.

We conducted preliminary research into Community Housing fee-for-service management of private market tenancies (eg National Rental Affordability Scheme) and raised the matter with the Registrar and the CaPHM.

We also liaised with the CaPHM and the youth sector on the implications of the 'Going Home, Staying Home' reforms, including best practice for ending tenancies if there is no alternative.

Housing NSW policy and practice

We consulted and advocated with HNSW and the Land and Housing Corporation (LAHC) on a number of issues this year including:

- The 'spare bedroom charge'
- Market rent increase
- Exemption of public housing heritage properties from the *Residential Tenancies Act 2010*
- Amnesty for undisclosed income
- Changes to eligibility
- Practices and policies on homelessness (with Public Interest Advocacy Centre and StreetCare)

We completed a report on the LAHC's repairs and maintenance procedures and we commenced research on the review of social housing decisions.

We maintain a 'Clearing House' blog on social housing estate redevelopments and continued our liaison with tenants at Claymore and Minto about redevelopment there.

We co-facilitated a workshop/consultation with Shelter NSW on social housing in the City of Sydney. We also conducted a workshop for Shelter NSW on heritage protection and social housing.

Our submissions to NSW Legislative Council Select Committee Inquiry into Social, Public and Affordable Housing (March) and Australian Senate Economics References Committee Inquiry into Housing Affordability focused on administrative tightening in public housing.

We published blog articles on:

- The Auditor-General's report 'Making the Best Use of Public Housing'
- The legal implications of HNSW's amnesty
- Changes to eligibility for public housing tenants who come to own real property
- Changes to HNSW's succession policy
- Public housing market rent increases
- The incidence of 'under-occupancy' in social housing
- Work disincentives arising from moderate income rent rates and reviews as to eligibility;
- Media reports about the Bidwill estate;
- Media reports about 'illegal use' termination proceedings.

"Wanted to say loved the submission to the Senate inquiry from TU. Clear, concise and informative. Thank you."

– a tenant commenting via Facebook



Residents and supporters at the opening of the Northcott Community Garden.



Northcott public housing tenant Robert Day, with Julie Foreman, at the opening of the community garden.



"Millers Point, then and now."

Top: children in a Millers Point laneway, circa 1935.

Middle: washing with a message, Millers Point today.

Lower: Long-time Millers Point resident Flo, with three generations of her family at the spring picnic.

Millers Point

We oppose the NSW State Government's decision to sell-off all social housing in Millers Point and The Rocks.

We have liaised with local tenants as they have organised in opposition to the sell-off, Inner Sydney TAAS as it provides casework services to tenants, and Inner Sydney Regional Council for Social Development as it provides community development support to tenants. We have met with representatives of the NSW State Government, State MPs and the City of Sydney and briefed them as to our concerns.

We have published blog articles on:

- Misconceptions about rental subsidies
- Misconceptions about 'generational' public housing tenants
- Threats to the heritage significance of Millers Point and The Rocks.

"This sell-off amounts to the destruction of a community. It will cause hardship and grief to the people of Millers Point, and make all of us the poorer. We are concerned for the wellbeing of Millers Point tenants, especially those who are elderly and those who have lived all their lives at Millers Point. Millers Point is irreplaceable, both as innercity social housing and as part of our State heritage."

– TU Media Release 18th March 2014

Boarding house residents

We undertook and published research on the 'roomshare' sector for international students and travellers and its non-compliance with the *Boarding Houses Act 2012*.

We posted information on early cases under the Act on our blog.

We continue to participate in the Boarding Houses Implementation Committee and the Boarding Houses Evaluation Steering Committee.

We participated in discussion of boarding houses at the Property Services Advisory Council and in formulation of the Council's recommendations.

Low income private renters

We conducted an online survey of tenants' experiences of affordability and security issues and published a report - *Housing Affordability and the New South Wales Rental Market: 2014 survey report*.

This short online survey on Housing Affordability gauged tenants' experiences and expectations of renting. The most striking thing the survey shows is how worried tenants are - particularly in circumstances they cannot control or where choices are restricted. Most express satisfaction with their current housing, but it is a satisfaction formed in a tightly constrained space: they see few or no other options in the housing market (not in owner-occupation, or in rental), and they put up with problems and with lacklustre rates of responsiveness from landlords.

Some stand-out figures include:

- 57% of respondents identified the high cost of home ownership as a key reason for renting.
- 77% have put up with a problem because they were worried about adverse consequences if they asked to get it fixed.
- 79% have moved at least once in the last five years.
- Over 70% in the private market are paying more than a third of their income in rent.
- 64% of respondents said they worry about paying the rent.



Top: Dave and Damo, former boarding house residents & Streetcare Program participants.
Middle: Julie Foreman speaking at a community meeting in Millers Point, April 2014.
Lower: Leo Patterson Ross and Ned Cutcher supporting a call for more affordable housing.

“I’m stuck in a house with an unsafe balcony, leaking water and roof and hasn’t been painted for 15 years – because it’s the only place we can afford. We’re scared to ask for basic repairs because we know that sooner or later the landlord will raise the rent significantly or worse renovate and kick us out. In 10 years in this city I have been kicked out of five places because landlords wanted to renovate and raise rents.”

– From the TU’s ‘Housing Affordability and the NSW Rental Market 2014 survey report’

We also made submissions to NSW Fair Trading and the NSW Land and Property Information on draft strata legislation.

Our submissions to the NSW Legislative Council Select Committee Inquiry into Social, Public and Affordable Housing and the Australian Senate Economics References Committee Inquiry into Housing Affordability discussed the lack of affordable rental housing.

We published blog articles on:

- The housing policies of parties at the Federal election
- The Commission of Audit, as it relates to housing policy
- The Federal and State Budgets and implications for housing
- Commonwealth Rent Assistance
- Rip offs by tenancy databases

We published an Article in the *PARITY* edition on ‘Homelessness & Housing Insecurity’. We posted on the ‘Brown Couch’ TU blog, about security of tenure for renters in the context of rising house prices.

We presented to the ‘Housing and Discrimination’ seminar conducted by the University of Western Sydney and the University of Sydney.

We participated in ACOSS’s housing policy reference group and consulted with Sydney Alliance about housing affordability

Older tenants

We commenced research on ‘niche’ private rental housing marketed to older persons, and on the health effects of residential relocations.

We worked with The Aged-Care Rights Service to produce an information sheet on Aged Care Assessment Teams.

Residential parks

We assisted the Park and Village Service (PAVS) in the preparation of its submission on the draft *Residential (Land Lease) Communities Bill 2013* and in its representations to State MPs. This work was instrumental to getting the legislation amended to make proper provision for residents to assign their agreements on sale of their dwellings.

We have made representations to NSW Fair Trading on the preparation of regulations under the *Residential (Land Lease) Communities Act 2013*.

We made a submission to NSW Trade and Investment on review of Crown lands legislation.

Marginal renters

Marginal renters are those not covered by any legislation. We continued to advocate for their coverage by the occupancy principles provisions of the *Boarding Houses Act 2012*.

Residential Tenancies Act

We continue to monitor and review the impact and operation of tenancy law. Our work is informed by the experiences of the TAAS, our own legal practice, and our liaison with other Community Legal Centres, community organisations, and the NSW Legal Aid Commission.

In January 2013, the NSW Civil and Administrative Tribunal (NCAT) replaced the Consumer, Trader and Tenancy Tribunal (CTTT) as the forum for resolution of disputes about residential tenancies. We participated in the Reference Group for the establishment of NCAT, and continue to participate in NCAT Consultative Forums.

We corresponded with NCAT about time limits for applications, procedures for applying for set-aside orders and appeals, and application fees.



Park residents from Oaklands Village at Windang.

We lodged a complaint with Fair Trading about TICA's 'public records database' and an investigation has commenced.

We also lodged a complaint to the Office of the Australian Information Commissioner about TICA's sale of access to information to debt collection agencies.

We liaised with Fair Trading officers about a proposed online rental bond system.

We published a blog article on the history of tenancy law and policy reform.

We gave a presentation on 'Regulation of Private Rental' to UNSW Masters of Housing Studies students.



Alastair McEwin (Director of Community Legal Centres NSW), with Julie Foreman

Tax and housing

Tax settings and subsidies to private home owners and speculator landlords has a significant impact on the affordability of the housing system. Reform in this area would be the single most effective action government could take to increase the affordability of renting.

Our submissions to the NSW Legislative Council Select Committee Inquiry into Social, Public and Affordable Housing and the Australian Senate Economics References Committee Inquiry into Housing Affordability focused on the role of tax settings in housing affordability problems.

We published blog articles on research by the Grattan Institute into tax and housing subsidies.

We also published a series of articles on fiscal policy from the perspective of Modern Monetary Theory.

We assisted PAVS in reviewing a draft ruling by the ATO on GST Tax to be applied to site fees in residential parks.

Safety and sustainability of rental housing

Our work here was largely through the 'Brown Couch' TU blog. We posted about smoke alarms, lead hazards, blind cord safety (supporting media from Fair Trading) and asbestos awareness (supporting Asbestos Awareness Month).

Meetings with key decisions makers:

- Fair Trading Minister and Ministerial Office
- Fair Trading Complaints and Customer Contact Centre Staff
- Property Services Advisory Council
- Boarding Houses Implementation Committee
- Boarding Houses Act Evaluation Steering Committee
- NCAT Reference Group
- Housing Partners NGO Reference Group
- Housing NSW Client Service Operations
- CTTT Consultative Forum – General, Aboriginal and Residential Parks
- Registrar of Community Housing Advisory Forum
- Community Legal Services Steering Committee
- Living Communities Consultative Committee

- Cooperative Legal Services Delivery Steering Committee
- NSW Legal Assistance Forum, Housing Working Group
- NSW Federation of Housing Associations
- Legal Aid and Corrective Services NSW
- City of Sydney Planning staff

Media mentions

The TU continues to be recognized by media as an authoritative voice for tenants in the public arena. We briefed journalists and were quoted in articles, on air discussions and television broadcasts dealing with:

- Auditor General's report into public housing
- Relations between tenants and landlords
- Share housing
- Private rental terminations
- Vacant bedroom charge for social housing
- 'Generation rent' & housing affordability
- Strata reform
- Rental affordability
- Alterations and decoration
- Sales of social housing
- Security and repairs
- The public housing amnesty

Relationships with tenants and non-government organisations on strategic advocacy

Advocating for tenants rights in policy and practice succeeds when the action is coordinated across a number of agencies with a stake in tenants issues and housing issues more generally. Throughout the year we identified such opportunities and proactively engaged in discussion and joint action. We also take up offers from stakeholder agencies to discuss their issues and take action with them when appropriate.

Our main partners are the TAASs whose input from direct casework experience is fundamental to informing us of new and on-going issues.

Sandra Ward (NSW Fair Trading) with Arthur McCulloch (Mid Coast Tenants Advice Service) at a Port Macquarie Community Hub event.



This year we have worked closely with a number of stakeholders in action around the sale of social housing at Millers Point through the Inner Sydney Regional Council for Social Development Working Party on Millers Point.

We were invited to collaborate with Macarthur Housing Coalition tenant representatives on a community education project and to meet with social housing residents in south Randwick on the impact of the Urban Activation Precinct proposal.

We co-facilitated workshops on boarding houses and on public housing with NSW Shelter and also presented at their conference on 'Private Rental: possibilities and reality'.

We participated with four NGO housing peaks in a delegation to the Director General of Housing NSW. This was part of an ongoing project to develop collaborative practices with related organisations.

Given the importance of tenancy legal information to our work, our Executive Officer accepted an invitation to be a Board member of the Legal Information Access Centre.

OBJECTIVE 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

EFFECTIVE GOVERNANCE AND MANAGEMENT

Effective governance by a well informed Board

We were pleased to maintain the skills on our Board this year through the election of members with experience in tenancy law, legal ethics, social housing and Aboriginal housing and tenant participation.

We undertook our annual review of Board operations through the 'Developing Your Board Project' of the Australian Centre for Philanthropy and Non-profit Studies at the Business School of the Queensland University of Technology. Our Board's performance was above average when compared with 230 other non-profit Boards.

The Board continued its education program with a Master Class on 'How nonprofit Boards can add value'.

The Board received a comprehensive report on performance against the strategic plan in July 2013 and February 2014 and bi-monthly office reports throughout the year. The Board continues to indicate its satisfaction with the information it receives.

Our strategic planning process for the next three years has been initiated and includes, surveys, interviews and consultations with internal and external stakeholders.

Financial solvency and risk management

The TU's application for funding under the three year Tenancy Advice and Advocacy Program of Fair Trading was successful and our funding was increased.

The Board Finance Committee met 10 times this year. Comprehensive monthly financial reports

were provided to the Finance Committee and the Board. New Board members attended financial literacy training.

Possible financial risks continue to be identified and mitigation strategies put in place. Implications of the Equal Remuneration Order (ERO) payment is monitored to ensure compliance.

This year we established an IT risk management committee and continue to regularly review our organisational Risk Management Plan and act to mitigate risks identified.

Best practice policies and procedures

We continued our comprehensive review of organisational policies to ensure they meet National Association of Community Legal Centres (NACLC) accreditation criteria and are now fully compliant with all standards. Our policies also now meet the Australian Charities and Not-for-profit Commission Standards and the Legal Aid Services Standards.

We continue to review and update them in the light of changes to laws, regulations and best practice in the not-for-profit sector.

Our Strategic Technology Officer continues to make incremental changes to ensure our staff have access to information technology that maximises our efficiency and effectiveness.

Regular performance monitoring

Our fortnightly staff meetings continue to be an effective mechanism for regular review of the organisational performance as a whole.

Staff receive monthly supervision and an annual performance appraisal based on their work plans.

Enterprise Agreement

We have been renegotiating our Enterprise Agreement and expect it to be finalized by the end of 2014.

Staff learning and development

We are committed to ensuring that our staff undertake learning and development that enhances our effectiveness as an organisation and effectiveness with working with tenants and our stakeholders.

Over the year staff attended training including:

- Presentation and communications
- First aid
- Addressing adult literacy and numeracy skills in training
- Workstation ergonomics
- Australian Tax Office seminars
- Workplace bullying
- Community Legal Services Information System (CLSIS)
- Conflict resolution
- Financial management
- Navigating NCAT
- Cultural competence and awareness
- Law for non-lawyers
- Developing online material

TU staff also attended conferences and seminars:

- Australian Housing Conference
- NSW Shelter Conference
- Australian Council of Social Service (ACOSS) Post-Budget Address
- CLCNSW Aboriginal Yarn- up
- CLCNSW Legal Symposium
- NACLIC Conference
- Vocational Education Training Summit
- Draft Revised Registered Training Organisation and Regulator Standards Seminar

“We undertook our annual review of Board operations through the ‘Developing Your Board Project’ of the Australian Centre for Philanthropy and Non-profit Studies at the Business School of the Queensland University of Technology. Our Board’s performance was above average when compared with 230 other non-profit Boards.”

TREASURER'S REPORT & FINANCIAL STATEMENTS

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 federal and state governments. The TUs total income was \$1,422,390 and we finished the year with a small surplus of \$2,549.

Rachel Burns, our Finance Officer from April 2010 to September 2014 is now enjoying retirement on the NSW North Coast. Rachel's contributions to the TU over those years has been exceptional, not only in managing the day to day financial business of the TU, but more generally in the administration of the office and supporting TAAP network meetings. We wish her the best for the future.

We are also farewelling our auditor, Sandra Grollmus, who, since 1993, has acquitted her role with exemplary diligence and understanding of the business of the TU.

Please refer to the following audited financial reports of the TU for more detail on our financial position.

Pat McDonough
Treasurer

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, 2014.

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

DIRECTORS

The Directors in office during the period 1 July 2013 to 30 June 2014 were:

Charmaine Jones	Chairperson & Director – continuing
Patricia McDonough	Treasurer & Director – continuing
Paula Rix	Vice Chairperson – from Feb. 2014
Paula Rix	Director – continuing
Meredith Osborne	Secretary & Director – continuing
Cass Wong	Director – until September 2013
Charmaine Weldon	Director – continuing
Aideen McGarrigle	Director – continuing
Nicole Grgas	Director – continuing
Bridget Kennedy	Director – continuing
Donna Brotherson	Director – from November 2013

OPERATING RESULTS

There was a surplus of \$2,549 for the year ended 30 June 2014, which is a satisfactory result.

FINANCIAL STATEMENTS

TENANTS' UNION OF NSW CO-OPERATIVE LIMITED
ABN 88 984 223 164

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

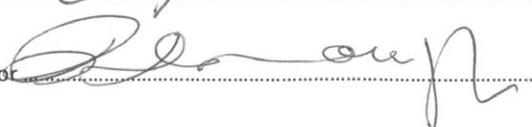
Under the rules of the Co-operative, no dividends are payable to members.

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 

Charmaine Jones
Chairperson

Patricia McDonough
Treasurer

Dated this 22nd day of October 2014.

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 (Adoption of National Law) Act, 2012*, 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, 2014.

Director 

Director 

Charmaine Jones
Chairperson

Patricia McDonough
Treasurer

Dated this 22nd day of October 2014.

FINANCIAL STATEMENTS

TENANTS' UNION OF NSW CO-OPERATIVE LIMITED
ABN 88 984 223 164

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 2014, 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: 29th October 2014



SANDRA GROLLMUS

Registered Company Auditor
Registered No. 1254

7 BURRANEER CLOSE, ALLAWAH, 2218

STATEMENT OF FINANCIAL POSITION AT 30 JUNE 2014

	Note	2014	2013
		\$	\$
CURRENT ASSETS			
Petty Cash on Hand		600	400
Cash at Bank	2	1,570,778	988,716
Receivables		16,135	5,157
Prepayments		0	1,396
		<u>1,587,513</u>	<u>995,669</u>
NON CURRENT ASSETS			
Bank Guarantee Deposit	3	17,867	17,867
Plant & Equipment	4	17,147	11,168
		<u>35,014</u>	<u>29,035</u>
TOTAL ASSETS		<u>1,622,527</u>	<u>1,024,704</u>
CURRENT LIABILITIES			
Funds Unspent		1,101,693	642,637
Creditors & Accruals		142,211	76,458
Third Party Funds Held		2,233	1,696
Provisions – Staff	5	99,531	122,906
		<u>1,345,668</u>	<u>843,697</u>
NON CURRENT LIABILITIES			
Provisions – Staff	5	217,715	124,412
		<u>217,715</u>	<u>124,412</u>
TOTAL LIABILITIES		<u>1,563,383</u>	<u>968,109</u>
NET ASSETS		<u>59,144</u>	<u>56,595</u>
EQUITY			
Accumulated Funds		<u>59,144</u>	<u>56,595</u>

The accompanying Notes form part of these Financial Statements.

FINANCIAL STATEMENTS

TENANTS' UNION OF NSW CO-OPERATIVE LIMITED
ABN 88 984 223 164

STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2014

	2014	2013
	\$	\$
Operating Revenue	1,391,081	1,204,401
Interest Received	29,546	35,270
Membership Fees	1,763	1,304
	<u>1,422,390</u>	<u>1,240,975</u>
Less		
Administration Expenses	81,833	62,130
Client/Community Servicing Expenses	98,758	90,962
Occupancy Expenses	95,269	88,195
Staffing Expenses	1,143,981	995,989
	<u>1,419,841</u>	<u>1,237,276</u>
SURPLUS (DEFICIT) for the year	<u>2,549</u>	<u>3,699</u>

STATEMENT OF CHANGES IN EQUITY

OPERATING SURPLUS for the year	2,549	3,699
Accumulated funds brought forward	<u>56,595</u>	<u>52,896</u>
ACCUMULATED FUNDS carried forward	<u>59,144</u>	<u>56,595</u>

The accompanying Notes form part of these Financial Statements.

NOTES TO FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2014

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 accordance 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

FINANCIAL STATEMENTS

TENANTS' UNION OF NSW CO-OPERATIVE LIMITED
ABN 88 984 223 164

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.

	2014	2013
2. CASH	\$	\$
Cash at Bank–		
Operating Account	33,642	43,931
Online Saver Account	497,794	608,183
Term Deposits	1,039,342	336,602
	<u>1,570,778</u>	<u>988,716</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)	98,503	83,973
Accumulated Depreciation	-81,356	-72,805
	17,147	11,168
Furniture & Fittings (cost)	108,919	108,919
Accumulated Depreciation	-108,919	-108,919
	0	0
	<u>17,147</u>	<u>11,168</u>
5. PROVISIONS		
CURRENT LIABILITIES		
Staff - Annual Leave	70,335	52,818
Staff - Employee Entitlements	29,197	70,088
	<u>99,532</u>	<u>122,906</u>
NON CURRENT LIABILITIES		
Staff - Employee Entitlements	217,715	124,412
	<u>217,715</u>	<u>124,412</u>
6. GRANTS - Legal Aid Commission		
State	129,200	124,758
Federal	80,711	77,732
	<u>209,911</u>	<u>202,490</u>

FINANCIAL STATEMENTS

TENANTS' UNION OF NSW CO-OPERATIVE LIMITED
ABN 88 984 223 164

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	2014	2013
CASH FLOW FROM OPERATING AND FINANCING ACTIVITIES		\$	\$
Receipts from Grants (incl. GST) Operating		1,998,149	2,255,931
Other Receipts		71,787	109,590
Payments to Suppliers/ Employees & ATO		-1,502,689	-1,918,410
Interest Received		29,546	35,270
Net Cash (Decrease)/ Increase provided by operating & financing activities			
	(b)	596,793	482,381
CASH FLOW FROM INVESTING ACTIVITIES			
Payment for Property, Plant & Equipment		-14,531	-3,079
Net Increase in Cash Held		582,262	479,302
Cash at beginning		1,006,983	527,681
Cash at end	(a)	1,589,245	1,006,983

FINANCIAL STATEMENTS

TENANTS' UNION OF NSW CO-OPERATIVE LIMITED
ABN 88 984 223 164

NOTES TO STATEMENT OF CASH FLOWS

	2014	2013
	\$	\$
a. Reconciliation of Cash		
Cash at the end of the year is shown in the Statement of Financial Position as:		
Petty Cash on Hand	600	400
Cash at Bank – Operating	33,642	43,931
Online Saver Account	497,794	608,183
Term Deposits	1,039,342	336,602
Bank Guarantee Deposit	17,867	17,867
	<u>1,589,245</u>	<u>1,006,983</u>
b. Reconciliation of Cash Flow from Operating & Financing		
Surplus (Deficit) for the year	2,549	3,699
Add/Less:		
Depreciation	8,551	6,727
	<u>11,100</u>	<u>10,426</u>
(Decrease)/ Increase in Third Party Funds Held	537	571
	<u>11,637</u>	<u>10,997</u>
Increase/(Decrease) Staff Entitlements	69,928	14,226
Increase/(Decrease) in Unspent Funds	459,057	416,596
Increase/(Decrease) in Creditors & Accruals	65,753	45,125
(Increase)/Decrease in Debtors & Prepaid		
Expenses	<u>-9,582</u>	<u>-4,563</u>
Cash Flow from Operating & Financing	<u>596,793</u>	<u>482,381</u>

STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2014

	Note	2014	2013
		\$	\$
INCOME			
Grants Received			
– Legal Aid Commission	6	209,911	202,490
– Office of Fair Trading			
– General		1,023,369	899,338
– Grants b/fwd		90,758	65,277
– Tenants' Rights Manual		3,223	1,945
ADHC		15,650	0
Boarding House Project		6,702	0
Law & Justice Foundation		3,841	0
Certificate IV Income		5,200	4,000
Certificate IV Management Fee		868	0
Donations		371	175
Fee for Services		350	960
Interest Received		29,546	35,270
Membership Fees		1,763	1,304
Miscellaneous Income		2,153	0
Network Meetings		25,000	25,000
Sales – Publications		65	1,260
Services Contributions		3,620	3,956
		<u>1,422,390</u>	<u>1,240,975</u>
Less			
EXPENDITURE - Schedule		<u>1,419,841</u>	<u>1,237,276</u>
Surplus / (Deficit) for the year		<u>2,549</u>	<u>3,699</u>

FINANCIAL STATEMENTS

TENANTS' UNION OF NSW CO-OPERATIVE LIMITED
ABN 88 984 223 164

SCHEDULE OF EXPENDITURE FOR THE YEAR ENDED 30 JUNE, 2014

	2014	2013
	\$	\$
Administration Expenses		
AGM & Meeting Expenses	2,696	3,935
Archiving	3,331	2,075
Audit Fees	6,000	5,420
Bank Charges	931	950
Couriers	903	564
Depreciation	8,551	6,727
Equipment Maintenance	1,577	744
Equipment Purchases	11,650	3,461
Insurance	5,900	3,428
Library/Resources/Subscriptions	13,658	15,996
Photocopying	2,027	2,478
Postage	3,342	2,381
Printing	16,468	8,081
Stationery	4,799	5,890
	<u>81,833</u>	<u>62,130</u>
Client/Community Servicing Expenses		
Communication Expenses	11,674	11,053
Legal & Practice Expenses	16,508	4,920
Program & Planning Expenditure		
TAAP Regional	25,000	25,000
TAAP Network Expenses	18,167	18,679
Tenant News	6,461	10,700
Travel	20,948	20,610
	<u>98,758</u>	<u>90,962</u>

SCHEDULE OF EXPENDITURE FOR THE YEAR ENDED 30 JUNE, 2014

	2014	2013
	\$	\$
Occupancy Expenses		
Building Services	8,841	7,466
Rent	80,571	75,157
Utilities	5,857	5,572
	<u>95,269</u>	<u>88,195</u>
Staffing Expenses		
Conferences/Training	6,629	9,824
Consultants & Contractors	13,020	11,735
IT Consultancies & Materials	5,797	9,856
Leave Provisions	77,231	14,226
Recruitment	171	64
Staff Amenities	980	1,603
Superannuation	87,390	77,297
Wages & Salaries	948,815	868,160
Workers Compensation Insurance	3,948	3,224
	<u>1,143,981</u>	<u>995,989</u>
TOTAL EXPENSES	<u>1,419,841</u>	<u>1,237,276</u>

FINANCIAL STATEMENTS

TENANTS' UNION OF NSW CO-OPERATIVE LIMITED
ABN 88 984 223 164

STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2014 OFFICE OF FAIR TRADING

	2014	2013			
	\$	\$			
INCOME					
Grant – Office Of Fair Trading	1,023,369	887,034			
– Grants b/fwd	72,072	65,277			
Certificate IV Income	5,200	4,000			
Cert 4 Management TUG	868	0			
Interest Received	24,228	28,922			
Services Contributions	3,620	3,956			
Miscellaneous Income	2,153	0			
	1,131,510	989,189			
Less EXPENDITURE					
Administration Expenses					
AGM & Meeting Expenses	2,210	2,123			
Archiving	2,731	1,701			
Audit Fees	4,920	4,430			
Bank Charges	763	778			
Couriers	724	462			
Depreciation	7,012	5,516			
Equipment Maintenance	1,296	610			
Equipment Purchases	10,266	2,755			
Insurance	4,838	2,811			
Library/Resources/Subscriptions	11,182	13,116			
Photocopying	1,694	2,033			
Postage	2,737	1,591			
Printing	7,754	2,104			
Stationery	3,942	4,580			
Client/Community Servicing Expenses					
Communication Expenses	9,569	9,062			
Legal & Practice Expenses	3,635	3,404			
TAAP Training & Network Expenses	15,767	18,679			
Tenant News	4,054	9,089			
Travel	16,920	17,087			
Occupancy Expenses					
Building Services	7,250	6,167			
Rent	66,068	61,629			
Utilities	4,803	4,570			
Staffing Expenses					
Conferences & Training	5,439	8,070			
Consultants & Contractors	10,545	7,970			
IT Consultancies & Materials	3,843	3,967			
Leave Provisions	70,224	11,665			
Recruitment	140	52			
Staff Amenities	770	1,316			
Superannuation	71,043	63,737			
Wages & Salaries	776,051	715,471			
Workers Compensation Insurance	3,320	2,644			
	1,131,510	989,189			
Surplus (Deficit) for the year	0	0			
(TRM) Tenants Right Manual	2014	2013			
INCOME					
Grants	3,223	1,945			
	3,223	1,945			
Less EXPENDITURE					
Consultants & Contractors					
Meeting Expenses	0	1,229			
Postage	0	137			
Printing	3,223	470			
Travel	0	109			
	3,223	1,945			
SURPLUS/ (DEFICIT)	0	0			

FINANCIAL STATEMENTS

TENANTS' UNION OF NSW CO-OPERATIVE LIMITED
ABN 88 984 223 164

SIO PROJECT	2014	2013
INCOME		
Grants	8,017	2,931
	<u>8,017</u>	<u>2,931</u>
Less EXPENDITURE		
Consultants & Contractors	160	0
It Consultancies & Materials	0	36
Printing	3,790	2,895
Superannuation	278	0
Wages & Salaries	3,789	0
	<u>8,017</u>	<u>2,931</u>
SURPLUS/ (DEFICIT)	<u>0</u>	<u>0</u>

AGED DISABILITY & HOME CARE	2014	2013
INCOME		
ADHC	15,650	0
	<u>15,650</u>	<u>0</u>
Less EXPENDITURE		
Superannuation	918	0
Tenant News	2,407	0
Training & Accreditation TAAP	2,400	0
Wages & Salaries	9,925	0
	<u>15,650</u>	<u>0</u>
SURPLUS/ (DEFICIT)	<u>0</u>	<u>0</u>

LOCUM PROJECT	2014	2013
INCOME		
Grants	10,669	5,099
	<u>10,669</u>	<u>5,099</u>
Less EXPENDITURE		
It Consultancies & Materials	1,110	4,998
Equipment Purchases <\$1,000	0	101
Superannuation	809	0
Wages & Salaries	8,750	0
	<u>10,669</u>	<u>5,099</u>
SURPLUS/ (DEFICIT)	<u>0</u>	<u>0</u>

BOARDING HOUSE EDUCATION PROJECT	2014	2013
INCOME		
Grant	6,702	0
	<u>6,702</u>	<u>0</u>
Less EXPENDITURE		
Superannuation	567	0
Wages & Salaries	6,135	0
	<u>6,702</u>	<u>0</u>
SURPLUS/ (DEFICIT)	<u>0</u>	<u>0</u>

FINANCIAL STATEMENTS

TENANTS' UNION OF NSW CO-OPERATIVE LIMITED
ABN 88 984 223 164

STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2014 LEGAL AID COMMISSION

	2014	2013
INCOME	\$	\$
Grant Received – State	129,200	124,758
– Federal	80,711	77,732
Interest Received	5,318	6,348
	<u>215,229</u>	<u>208,838</u>
Less EXPENDITURE		
Administration Expenses		
Annual Report /Meeting	485	484
Archiving	600	374
Audit Fees	1,080	990
Bank Charges	168	171
Couriers	179	101
Depreciation	1,539	1,211
Equipment Maintenance	281	133
Equipment Purchases	1,384	605
Insurance	1,062	617
Library/Resources/Subscriptions	2,476	2,880
Photocopying	333	446
Postage	605	403
Printing	1,702	550
Stationery	857	1,060
Client/Community Servicing Expenses		
Communication Expenses	2,105	1,991
Legal & Practice Expenses	12,873	1,516
Travel	4,029	3,413
Occupancy Expenses		
Building Services	1,590	1,299
Rent	14,503	13,528
Utilities	1,054	1,003

Staffing Expenses

Conferences & Training	1,190	1,754
Consultants & Contractors	2,315	3,765
IT Consultancies & Materials	844	855
Leave Provisions	7,007	2,561
Recruitment	31	12
Staff Amenities	209	287
Superannuation	13,449	13,560
Wages & Salaries	140,650	152,689
Workers Compensation Insurance	629	580
	<u>215,229</u>	<u>208,838</u>
Surplus (Deficit) for the year	<u>0</u>	<u>0</u>

TAAP – REGIONAL NETWORK MEETINGS

	2014	2013
INCOME		
Grant received	25,000	25,000
	<u>25,000</u>	<u>25,000</u>
Less EXPENDITURE		
TAAP Regional	25,000	25,000
SURPLUS/ (DEFICIT)	<u>0</u>	<u>0</u>

INFRASTRUCTURE

	2014	2013
INCOME		
Membership Fees	1,763	1,304
Donations	371	175
Other Publications Income	65	1,260
Fees for Services	350	960
	<u>2,549</u>	<u>3,699</u>
Less EXPENDITURE		
	<u>0</u>	<u>0</u>
SURPLUS/ (DEFICIT)	<u>2,549</u>	<u>3,699</u>

FINANCIAL STATEMENTS

TENANTS' UNION OF NSW CO-OPERATIVE LIMITED
ABN 88 984 223 164

RESIDENTIAL PARKS EDUCATION PROJECT	2014	2013
INCOME		
Grant – Law and Justice Foundation	3,841	0
	<u>3,841</u>	<u>0</u>
Less EXPENDITURE		
Superannuation	325	0
Wages & Salaries	3,516	0
	<u>3,841</u>	<u>0</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, 2014.

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, 2014 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.

Signed at Allawah, this 29th day of October 2014



SANDRA GROLLMUS

Registered Company Auditor
Registered No. 1254

7 BURRANEER CLOSE, ALLAWAH, 2218

FINANCIAL STATEMENTS

TENANTS' UNION OF NSW CO-OPERATIVE LIMITED
ABN 88 984 223 164

AUDITOR'S CERTIFICATION

NAME OF ORGANISATION: TENANTS' UNION OF NSW CO-OPERATIVE LIMITED

FINANCIAL YEAR PERIOD: 01/07/2013 TO 30/06/2014

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 above mentioned Organisation ("the Organisation") for the stated Financial Year Period are:

- (i) Based on proper accounts and present fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia, and
- (ii) In accordance with the terms and conditions of the Agreement (Commonwealth of Australia, LAC & Tenants' Union of N.S.W. Co-operative Limited 1.7.2013 to 30.6.2014), a copy of which has been made available to me, in relation to the provision of community legal services.

(c) The 12 Months CLSIS Funds Report, containing details of the Organisation's transactions for the financial year, including audit adjustments and the Organisation's grant position at the beginning and end of the financial year is provided in respect of funds provided in accordance with the Terms and Conditions of the Agreement referred to in b. ii above for all Funding Categories.

This is an unqualified audit report.

Unless written under separate cover, I hereby further certify that, in my opinion, there is no conflict of interest between myself and the Organisation or its Management Committee.

FULL NAME: SANDRA DIANE GROLLMUS

ABN NUMBER: 48 781 308 264

REGISTERED AUDITOR:
REGISTRATION NO. 1254

SIGNATURE:



DATE: 29 October 2014

SANDRA GROLLMUS
Registered Company Auditor
Registered No. 1254

7 BURRANEER CLOSE, ALLAWAH, 2218

In late October 2014, we at the Tenants' Union were saddened at the death of Gough Whitlam, Prime Minister of Australia for two terms, 1972-74 and 1974-75.

Early in its first term, the Whitlam Government negotiated a new Commonwealth-State Housing Agreement (CSHA), which made a few notable changes to public housing policy. Whitlam had gone to the election critical of the recent decline in building activity by State public housing authorities, and promising instead to "request each State authority to estimate the funds it will require to reduce the waiting period for houses to twelve months." The 1973 CSHA didn't quite do that but it increased funding, reined in sales of public housing dwellings, and stabilised the level of construction for a time.

The new CSHA also slightly shifted the target of public housing policy. Traditionally directed at working class households, and exclusive of very poor and vulnerable persons (you could be knocked back by the Housing Commission's allocations committees if you didn't keep your current house well, or had too many children), State housing authorities were henceforth required to make not less than 80 percent of public housing allocations to households whose incomes were not more than 80 percent of the average. This attempted to balance responsiveness to households in need with the system's need for higher income households.

Whitlam's most ambitious initiative was the creation of a new Department of Urban and Regional Development (DURD), conceived of as 'virtually co-equal with the Treasury', to coordinate the allocation of urban resources by all levels of government. Under Minister Tom Uren, DURD programs included the establishment of the State land banks (Landcom in New South Wales) to better manage suburban development. DURD also purchased and rehabilitated old dwellings at Glebe and Woollahooloo for public housing, and demonstrated an alternative approach



Gough Whitlam in 1973. Photograph from the collection of the State Library of New South Wales.

to redevelopment at a time when the NSW Housing Commission was at the height of its enthusiasm for 'slum clearance' and high-rise construction. The first programs for Aboriginal housing on principles of self-determination were also commenced. Under its Australian Assistance Plan, the Whitlam Government established Regional Councils for Social Development and funded other local, non-profit organisations to employ community development workers and improve the social fabric of public housing estates and other disadvantaged areas.

Finally, the Whitlam Government initiated the first steps towards tenancy law reform, by expanding the scope of the Inquiry into Poverty (originally commissioned by the McMahon Government) to include a report, by Adrian Bradbrook, into the landlord-tenant relationship. The report set out the basic model of residential tenancies legislation subsequently enacted (with considerable differences in the details, and delays in the commencement) by the State and Territory Governments.

We hope the remembrance of the Whitlam Government's legacy in the coming year revitalises egalitarian principles in Australian politics and policy.



Suite 201, 55 Holt St, Surry Hills, NSW 2010

☎ 61 + 2 8117 3700

☎ 61 + 2 8117 3777

✉ tunsw@clc.net.au

🏠 tenantsunion.org.au

🌐 tenants.org.au

📡 tunswblog.blogspot.com.au

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