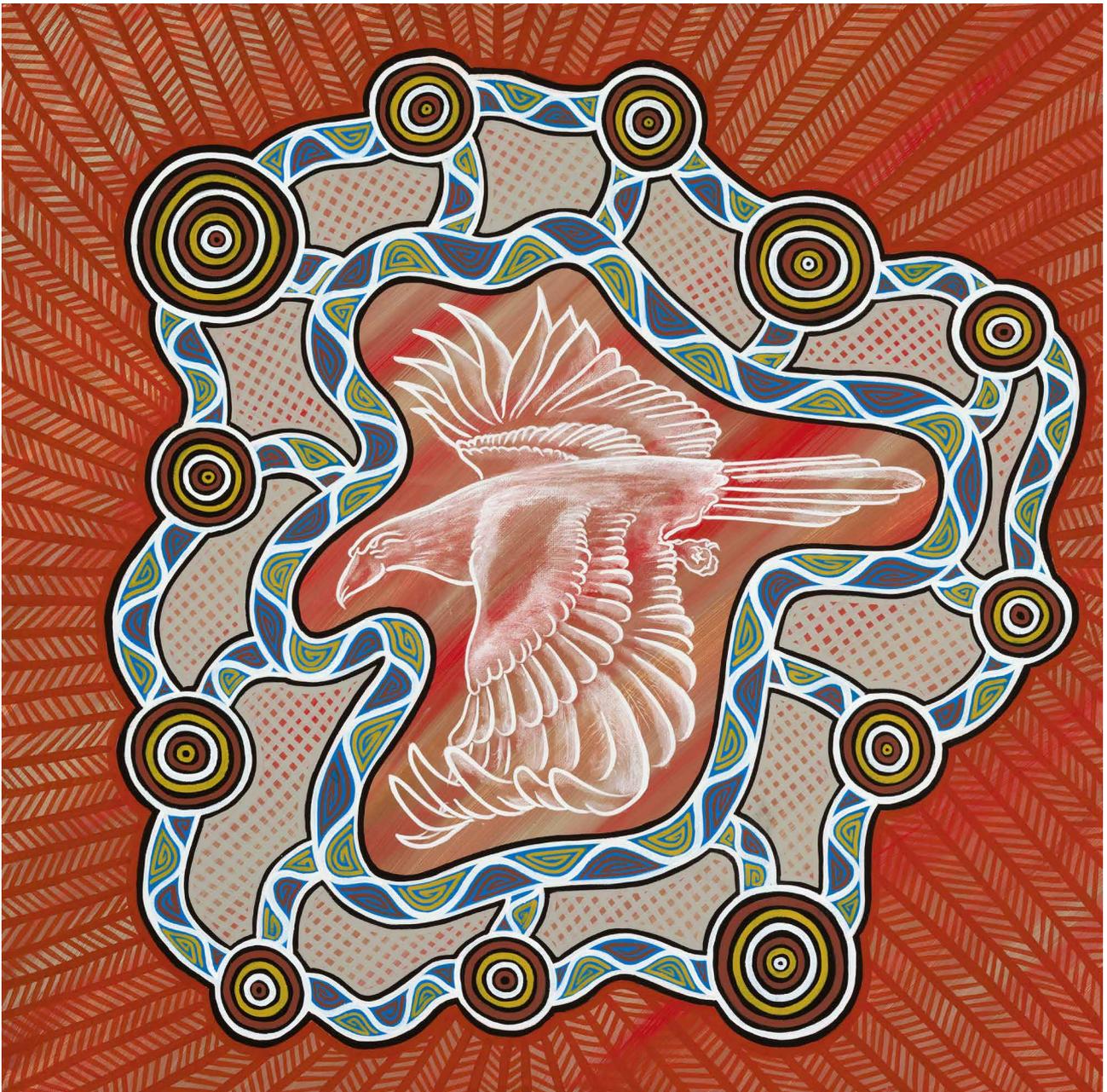




**TENANTS'  
UNION**  
OF NEW SOUTH WALES

# ANNUAL REPORT 2015-2016



*Mullian, by Millmullian, 2015*

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

☎ 61 + 2 8117 3700

☎ 61 + 2 8117 3777

✉ [contact@tenantsunion.org.au](mailto:contact@tenantsunion.org.au)

🏠 [tenants.org.au](http://tenants.org.au)

📡 [tunswblog.blogspot.com.au](http://tunswblog.blogspot.com.au)

📘 [facebook.com/TUNSW](https://facebook.com/TUNSW)

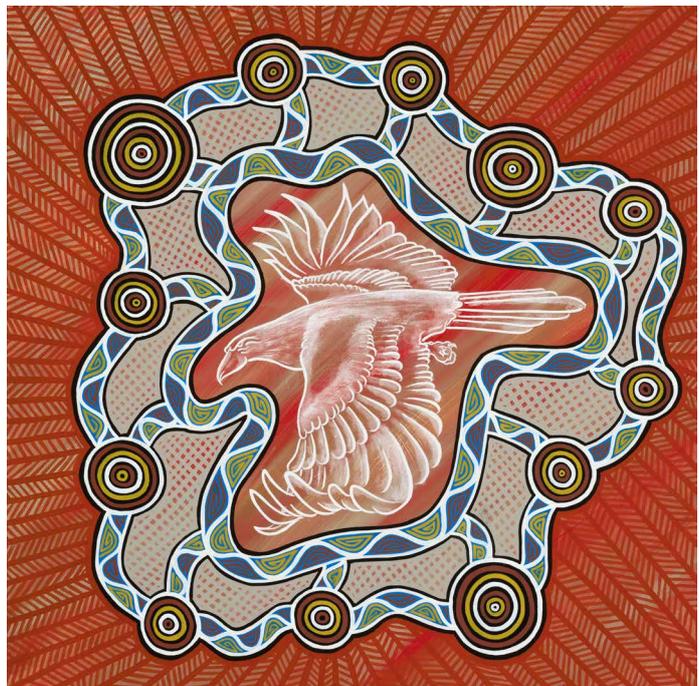
🐦 @TUNSW

**Cover artwork: Mullian, by Millmullian, 2015**

Mullian is the Wedge Tailed Eagle, the bird in the centre. The larger circles in the painting represent the larger communities of people and the smaller circles represent the smaller communities. The outside wavy lines connecting the communities are the paths which the people travel between the communities. The smaller shorter lines connecting to the central wavy lines represent the knowledge gained from those communities coming together to create a stronger and more stable world.

The Wedge Tailed Eagle in the centre represents the strength of unity in people coming together through fair and just law. The orange lines on the outside represent the wing feathers of the Wedge Tailed Eagle flying over the communities to oversee and protect the people.

*Artwork commissioned by the Tenants' Union.*



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# ACKNOWLEDGEMENT OF COUNTRY

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

In keeping with the NSW Aboriginal Land Rights Act 1983, 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 NSW 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.

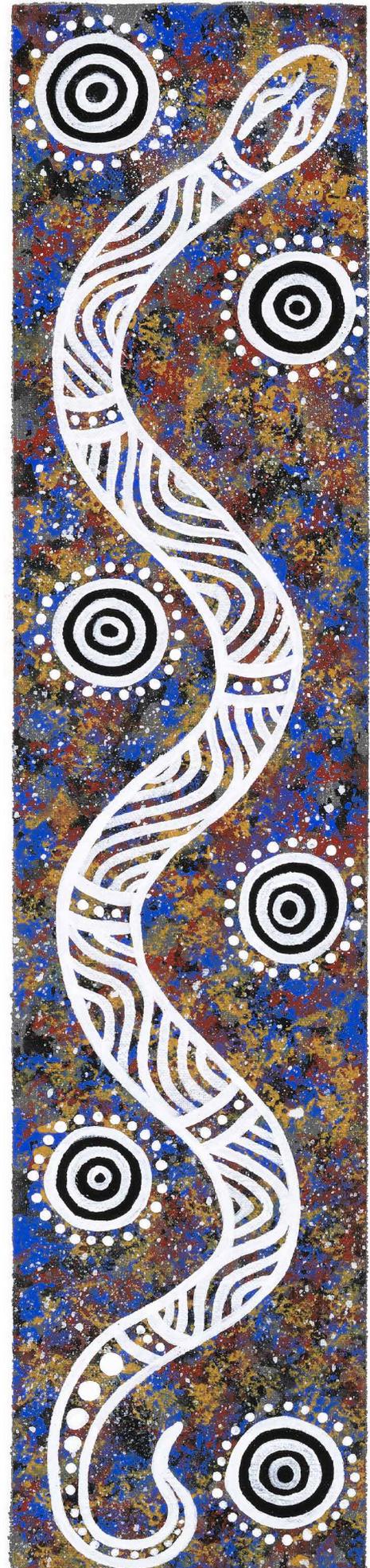
Aboriginal and Torres Strait Islanders are also over-represented in NSW renter households. The TU acknowledges the present and historical disadvantage faced by Aboriginal Torres Strait Islander People and the role of government policies, past and present and racism throughout Australia in creating this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

## ***Wawai, by Millmullian, 2015***

Wawai travelled our country creating land forms, waterholes and rivers all of which are important to our people for spiritual and physical wellbeing. The concentric circles represent campsites of different family groups across country. The country was created for all people to share so all people deserve a safe place to call home on country.

*Artwork commissioned by the Tenants' Union.*



# ABOUT THE TENANTS' UNION

The Tenants' Union of NSW (TU) has been advocating for tenants in NSW 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 NSW can access safe, secure and affordable rental housing.

## OUR MISSION

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

## WE ARE:

- A non-profit membership based cooperative under the *Co-operatives (Adoption of National Law) Act 2012 (NSW)*
- A community legal centre specialising in NSW residential tenancies law and accredited by the National Association of Community Legal Centres (NACLC)
- The main resourcing body for Tenants' Advice and Advocacy Services (TAASs)
- A Registered Training Organisation (RTO)

## WE WORK TO PROMOTE THE INTERESTS OF:

- Aboriginal tenants
- Boarders, lodgers and other marginal tenants
- Private tenants
- Public and community housing tenants
- Residential parks resident

## WE WORK TOWARDS OUR GOALS BY:

- Undertaking strategic litigation to advance the interests of tenants
- Informing and educating tenants
- Supporting TAASs
- Advocating for the reform of policies and laws affecting tenants
- Training tenancy advocates and other community organisations

# CHAIRPERSON'S MESSAGE

Paula Rix

Forty years ago, a group of tenant activists formed the Shelter Tenancy Working Party. The group included Andrew Bush from the Bondi/Waverley Tenants' Association, Charlie Begg from the Manly and District Ratepayers Association, Father John Gallagher, a Catholic priest from Lidcombe, Viv Abraham, a private solicitor who had worked extensively both on Aboriginal issues and in housing over many years, Kate Holland, a research officer with Australian Council of Social Service, Robert Mowbray, at that time with the Tenants' Rights Project of South Sydney Community Aid, and Mary Perkins, at the time working in a youth unemployment project in Kings Cross/Darlinghurst.



On 17 August 1976 the Working Party became a separate entity as the Tenants' Union of NSW Cooperative Ltd. Its purposes were to bring together individuals and organisations concerned with tenancy issues; make recommendations on policy matters relating to tenancy; take action to secure a more equitable landlord-tenant relationship; and stimulate and provide support for tenants' organisations. In 1978, Minister for Consumer Affairs began a review of Landlord and Tenant Act 1899. The TU began its campaign for reform of this archaic legislation.

These remain core purposes for the TU. This year we again took the cause of a better deal for tenants into the reviews of the *Residential Tenancies Act 2010* and the *Strata Scheme Management Act 2015* and the social housing 'anti-social behaviour' reform. But as this annual review shows, our activities have grown over the years to include providing tenants in NSW with expert information through which they can take action to enforce their rights, training and ongoing support for tenant advocates in the 19 Tenants Advice and Advocacy Services and other community workers, and broadening our reach to include residential park tenants and those in marginal tenancies like boarding house residents.

At the same time, we have continued to ensure best practice in governance to meet the evolving legislative and regulatory framework in which the TU operates.

The Board continues to foster a practice of reflection and learning. We participated in the Australian Association Benchmarking Survey, conducted by the Association Executive Services. The results from this self-assessment of governance practices are benchmarked against an average Australian Association. The TU scored a high 174, well above the average of 124.

The Board also held an external facilitated review day in January. This was a day devoted to self-evaluation and planning. Initiatives developed from this process include the development of Board Key Performance Indicators (KPIs), implementation of a secure cloud-based information sharing system for Board members, increased stakeholder engagement and restructuring of the agenda to facilitate 'big picture' discussion at Board meetings.

The Board has spent time this year reviewing its governance structure with a view to ensuring it is fit for the challenges and opportunities ahead. We will soon be engaging with the membership on this important issue.

In collaboration with staff the Board also endorsed and published a new strategic plan for the TU covering the period 2016-2019. The three priority areas are:

- Effectively communicate and strategically deploy our organisational identities

- Building a constituency for change in tenant law and practice within the context of social justice
- Creating a strong, viable and sustainable organisation

***“In collaboration with staff the Board also endorsed and published a new strategic plan for the TU covering the period 2016-2019. The three priority areas are:***

- ***Effectively communicate and strategically deploy our organisational identities***
- ***Building a constituency for change in tenant law and practice within the context of social justice***
- ***Creating a strong, viable and sustainable organisation.”***

We have been re-accredited as a legal centre with Community Legal Centres NSW for a further three years and maintain our Registered Training Organisation status.

I thank our major funders, NSW Fair Trading and Legal Aid NSW for their continued support.

However as I noted last year, we continue to exist in a shrinking and uncertain funding environment with the Commonwealth Government foreshadowing dramatic funding cuts for 2017 and beyond. We witness continual legal and policy reforms that harshly impact on social housing tenants. We notice the shift towards government service delivery being contracted to not-for-profits and, increasingly, for profits.

Our More Bang for Your Bond campaign for increased funding to the Tenants Advice and

Advocacy Program culminated in November 2015 with a presentation at Parliament of a petition to Dr. Geoff Lee MP (Member for Parramatta), Jenny Leong MP (Member for Newtown and Greens spokesperson on tenancy and rental housing), and David Mehan MP (Member for The Entrance). The program was refunded for three years but with no increase in funding.

The TU continues to look for opportunities to diversify our funding base. We now have Charitable Fundraising Authority from NSW Fair Trading and we will be putting increased effort into a donation strategy in 2017.

The highlight of the year has been the celebration of our 40th Anniversary. The roll up and enthusiasm of participants attending our forum and party in August is testimony to the critical role the TU continues to play today when there are more renters than could have been imagined when we began. There is a growing recognition of the need for reform of the whole housing system and we are on the verge of a cultural shift in the place of renting in our society.

None of the work of the TU could be done without the extraordinary skill and commitment of our staff. The quality of their work and their energy and initiative has shown great results.

I cannot conclude this section of this report without mention of the work of Julie Foreman, our Executive Officer, whose manner of leadership and quiet creation of synergies of skills, capacities and relationships of those involved in the work of the TU makes her job look easy, which of course it is not.

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 acknowledge and thank Directors Meredith Osborne and Charmaine Weldon who have decided to conclude their time of service with the Board.

# EXECUTIVE OFFICER'S MESSAGE

Julie Foreman



*Julie Foreman, Tenants' Union Executive Officer, at the Tenants' Advice & Advocacy Services Network Meeting, July 2015*

**This year the Tenants' Union celebrated four decades of working for tenants' rights. An anniversary such as this is an opportunity to celebrate achievements, acknowledge the many contributors to the journey and take a clear-eyed view on what still needs to be done.**

Over those 40 years the TU has achieved real gains in legislative reform, educated and advised hundreds of thousands of tenants, established (and re-established) a network of tenant advice services, positively influenced government policy and actively contributed to the public discourse. You can read more about how we celebrated this milestone elsewhere in the report.

So now to 2016 – while our rental laws include some useful provisions, they still leave private

tenants without the basic protection of reasonable grounds for eviction or limits on rent increases. Highlighting this has been just part of the significant contribution by the TU to the review of the *Residential Tenancies Act 2010*. We also continue to work hard to ensure the rights and interests of tenants in social housing are kept front of mind when new policy initiatives are announced. The recently announced 10 year plan for social housing in NSW, means there is still much to be done. We actively campaigned against the social housing 'anti-social behaviour' reforms, and, alongside others, were able to modify the harshest aspects of these changes. We have also contributed submissions and representations on strata law changes and the Public Accounts Committee inquiry into public housing repairs and maintenance.

***“While our rental laws include some useful provisions, they still leave private tenants without the basic protection of reasonable grounds for eviction or limits on rent increases”***

The TU legal team continues to be active in conducting litigation in the interests of tenants in NSW. Public interest litigation this year has included preventing landlords from circumventing tenancy law for vulnerable residential and land lease community tenants, advocating in relation to systemic issues regarding Commonwealth Rent Assistance and Aboriginal Housing Tenants, preventing no grounds evictions by community housing providers and dramatically reducing compensation payable by private tenants.

Our advice, information and referral services continue to be in demand and were provided on 3,400 occasions – a 20% increase over last year. Limited resources meant that the TU turned away an estimated 1 in 2 who wanted assistance.

We implemented a deliberate focus on face-to-face legal education and information to maximise understanding of new renting laws. The TU's education program reached 1,500 people – 248 tenant advocates and community workers participated in our training courses, almost 1,000 residential parks residents attended our new law information sessions, and 253 people attended our boarding house law seminars.

A suite of new resources were developed to explain the laws covering boarding house residents and residential parks residents. A new website for residential park information was launched and tenants.org.au was revamped. Our online resources continue to be relied on heavily by tenants across NSW with 740,360 unique visits to our websites made.

In the public discourse renting affordability and security receives growing coverage and we are heartened by the fact that the TU's voice is strong

in the debate. Our mainstream media mentions increased by 34% over 2014-15.

The depth of TU's achievements under tight financial constraints is down to the exceptional staff team who continue to innovate, collaborate and work hard for the tenants of NSW.

We say special thanks to Tom Mortimer and Melisa Coveney who assisted us with contract and locum positions this year. They both made highly valued contributions to the team. Sadly, as the boarding house education project was completed we farewelled its Coordinator, Margaret Di Nicola. We welcomed Amy Davis as our Administration Assistance and farewelled Louise Corney from this position as she took up a coordination role with Sydney University Postgraduate Representative Association.

The TU is fortunate indeed to have a highly skilled, committed Board with a depth of experience. A big thank you to all members and in particular Chair – Paula Rix, Treasurer – Charmaine Jones and 40th Anniversary sub-committee member – Julia Davis, for their leadership and support.

We look forward to strengthening tenants' rights as we enter our fifth decade!

# ACKNOWLEDGEMENTS

Again this year we acknowledge first the work of the TAASs who continue to provide frontline advice and support to tenants in NSW while funding continues to shrink in real terms. TU values the experience they bring to our work in law and policy reform and in our continuing development of resources for tenants.

Our colleagues in Dtarawarra, the Aboriginal Resource Unit, continue to give us valuable guidance to in our work with Aboriginal and Torres Strait Islander tenants and services.

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

We value our members who continue to support our work and contribute their knowledge and experiences to our work.

Finally, we acknowledge and thank the many individuals and organisations who have provided advice, support, expertise and labour over the past year.

## OUR VOLUNTEERS

### Advice Line

- Anne Clifford
- Isolde Daniell
- James Keech (July 2015 – December 2015)
- David Hu
- Soorim Cha
- Patricia Navea
- Ariana Popovic
- Patricia Gonzales

### Tenant News

- Carol Barr
- Vivian Clifton

### Student Placement

- James Keech (March 2016 onwards)

## STANDING ADVISORY GROUPS

### Aboriginal Advisory Committee

- Jim Allen, Murria 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
- Ruth Simon, Dtarawarra
- Charmagine Weldon, Redfern Legal Centre

### Residential Parks Forum

- Lisa Ashby
- Graham Byrne
- Jill Edmonds
- Janice Edstein
- Dianna Evans
- Tom George
- Sandy Gilbert
- Len Hogg
- Ron Kerr
- Douglas Lee
- John MacKenzie
- Ron McLachlan
- Jean MacLean
- Pam Meatheringham
- Jock Plimmer
- Mary Preston
- Noleen Robinson
- Don Rose
- Tara Steers
- Christina Steel

## CERTIFICATE IV ASSESSORS

- Julie Lee
- Julie Foreman
- Patrycja Arvidssen
- Chris Maybin (South West NSW TAAS)
- Sidonie Gnauck (Central Coast TAAS)
- Eloise Parrab (Inner West TAAS)
- Brett Webb (Northern Aboriginal TAAS)
- Sarah Drury (Northern Rivers TAAS)
- Linda Grady (NEWTAAS)

## INDIVIDUALS

- Paul Batley
- Kelli Blakemore
- Kim Boettcher
- Holly Brook
- Julie Browning
- Lyn Bullman
- Leigh Connell
- Sue Cripps
- Mauro Di Nicola
- Benjamin Dougall
- David Evans
- Alexander Flecknoe-Brown
- Barney Gardiner
- Lewin George
- Sam Hallahan
- Anna Hartee
- Katie Healey
- Aunty Millie Ingram
- Prof. Keith Jacobs
- Dave Jeffery
- Michelle Jones
- Niamh Joyce
- Enis Jusufspahic
- Michele Kearns
- Jane Kenny
- Sharon Lacey
- Lady Sings It Better
- Steve Lancken
- Tania Lang
- Liezel Lego
- Brendan Lim
- Bronwyn McCutcheon
- Pat McDonough
- Janet McKelvey
- Michelle McMahan
- Anisa Malhas
- Geoff Mansfield
- Dr. Chris Martin
- Taressa Mongta
- Oliver Moore
- Milly Morrigan
- Associate Professor Alan Morris
- Annette Murphy
- Linda Murray
- Jane Needham SC
- Zoë Norton Lodge
- Rhiannon O'Donoghue
- James Polson
- Emma Power
- Jacinta Reid
- Jen Rignold
- Mark Robinson SC
- Dr. Dallas Rogers
- Damien Sakey
- Philippa Scarf
- Lou Schetzer
- Sue Scott
- Mark Seymour
- John Shakespeare
- Ruth Simon
- Daryl Smith
- Mike Snape
- Robyn Stafford
- Ruby Steele
- William Steenson
- Rod Stowe, Fair Trading Commissioner
- Alvian Tan
- Andrew Tokley SC
- Kathy Townsend
- Phoenix Van Dyke
- Lorraine De Vere
- Lee Watson
- Matthew Whitton
- Natasha Willmer
- Felicity Wilson
- Associate Professor Judy Yates

## ORGANISATIONS

- Australian Progress
- Combined Pensioners and Superannuants Association
- Community and Public Sector Union
- The Federation of Community Housing Providers
- Friends of Millers Point
- Homelessness NSW
- Legal Information Access Centre
- Law Access
- Multicultural Disability Advocacy Centre
- National Centre for Indigenous Excellence
- Newtown Neighbourhood Centre
- PeakUsability
- The Public Interest Advocacy Centre
- Shark Eats Bear
- Shelter NSW
- State Library of NSW
- Streetcare
- NCOSS
- Sydney of City Council
- Northcote Community Centre
- Floral Café
- Gallery Café

# BOARD AND STAFF

## BOARD

**Jessica Abi-Khattar**

– Legal Aid Solicitor

**Donna Brotherson**

– Tenant Participation Worker, Illawarra Forum

**Julie Davis**

– Communications and Policy Officer, Financial Rights Legal Centre

**Nicole Grgas**

– Coordinator, Hunter Tenants Advice and Advocacy Service

**Charmaine Jones**

– Director, Inner Sydney Regional Council for Social Development

**Aideen McGarrigle**

– Legal Aid lawyer specialising in legal ethics

**Meredith Osborne**

– Senior Project Officer, Civil Law, Legal Aid NSW

**Paula Rix**

– Formerly Senior Policy Officer, Shelter NSW

**Charmaine Weldon**

– Court Assistance Scheme, Redfern Legal Centre

## STAFF

**Julie Foreman**

– Executive Officer

### Administration

**Martin Bangs**

– Finance Manager

**Anne Coates**

– Administration Officer

**Amy Davis**

– Administration Assistant, from September 2015

**Glyn Mather**

– 40th Anniversary Project Officer, from Jan 2016

### Legal

**Grant Arbuthnot**

– Principal Legal Officer

**Melisa Coveney**

– Aboriginal Legal Officer (locum), from April 2016

**John Mewburn**

– Aboriginal Paralegal

**Jai Rose**

– Aboriginal Legal Officer, from September 2015 to April 2016

**Paul Smyth**

– Residential Parks Legal Officer

**Cass Wong**

– Litigation Solicitor

### Policy

**Ned Cutcher**

– Senior Policy Officer

**Tom Mortimer**

– Policy Officer

**Dr Robert Mowbray**

– Project Officer, Older Tenants

**Leo Patterson Ross**

– Research and Advocacy Officer

### Education and Resources

**Patrycja Arvidssen**

– Learning and Development Coordinator

**Margaret Di Nicola**

– Boarding House Project Officer

**Anushke Guneratne**

– Strategic Technology Officer

**Jeremy Kerbel**

– Resource Development Officer

**Rafael Mazzoldi**

– Resource Development Officer

**Paul van Reyk**

– Senior Resources and Project Officer

### Residential Parks

**Julie Lee**

– Residential Parks Project Officer

**Glyn Mather**

– Residential Parks Project Officer, until December 2015

**Jemima Mowbray**

– Residential Parks Support Officer



**Tenants' Union staff, from top left:**

*Grant Arbuthnot, Patrycja Arvidssen, Martin Bangs, Anne Coates, Melisa Coveney, Amy Davis, Ned Cutcher, Julie Foreman, Margaret Di Nicola, Anushke Guneratne, Jeremy Kerbel, Julie Lee, Glyn Mather, John Mewburn, Tom Mortimer, Jemima Mowbray, Robert Mowbray, Leo Patterson Ross, Paul Smyth, Paul van Reyk and Cass Wong.*  
*Not pictured: Rafael Mazzoldi and Jai Rose.*

# 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

High quality legal advice and assistance is provided and sustained through direct advice, appropriate legal management and compliance, and staff development of the legal team.

### Direct Advice

We provided 711 advices this year to tenancy services. The most common areas for advice to Tenants' Advice and Advocacy Services (TAASs) continue to be:

- Notices of termination
- Deceased estates
- Rent subsidy calculations, particularly for Aboriginal TAASs
- Interference with sale of dwellings and assignment in Residential Parks
- NSW Civil and Administrative Tribunal (NCAT) matters

We also provided ongoing assistance and backup to the Aboriginal Tenants Advice Services which included advice and ongoing assistance in relation to strike notices received by FaCS Housing tenants under December 2015 amendments to the *Residential Tenancies Act 2010*.

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

### Legal practice management and compliance

We successfully completed the Professional Indemnity Insurance cross check in December 2015 and continue to be compliant with the National Association of Community Legal Centres (NACLC) accreditation standards for the provision of legal services by community legal centres. The legal practice continues to be covered under the NACLC national insurance scheme. Regular legal practice meetings, which include case review, and individual supervision provide quality assurance & continued improvement within the legal practice.

### Up-to-date training for solicitors

Our solicitors continue to undertake professional development. Areas covered this year included:

- Social security
- Public housing
- Alternate Dispute Resolution
- Administrative law
- Discrimination and employment
- Pro bono relations
- Ethics, Evidence, Statutory interpretation
- Strata law
- Assisting Aboriginal clients

We regularly liaise with the housing team at Legal Aid to facilitate information sharing & strategic litigation.

## HIGH QUALITY LEGAL ADVICE AND ASSISTANCE PROVIDED DIRECTLY TO TENANTS

This is achieved through our Monday tenant advice line, strategic litigation and an advice line dedicated to boarding house residents and people in custody.

### Tenants' Advice Line

We operate a Tenants' Advice Line on Mondays from 10am-1pm and 2pm-5pm with the assistance of a pool of eight volunteers. We provided advice or referral to 1,018 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 require investigation and action.

We also provided information and referral on 1,294 occasions outside of Advice Line hours, an increase of just over 100 percent on 2014-15, and dealt with a further 284 inquiries through our social media platforms, an increase of 39 percent on 2014 - 2015.

**All up we provided advice, information or referral to 3391 tenants, Tenants Advocacy Services and Government and non-government organisations. This is an increase of 20 percent on 2014-2015.**

### Strategic litigation cases – highlights

- *Bennett v Gennacker Pty Ltd* – This matter was a significant win for residential park residents regarding which Act of Parliament should cover



***Burrallga Walaay, by  
Millmullian, 2015***

This painting Burrallga Walaay (Brolga's Camp/ Nest/Home) shows two Brolgas caring for their eggs in a nest that they built together. The Brolgas are celebrating the security and love in which they will nurture their future young. The five concentric circles represent the different locations where the Brolga's may nest given the right conditions. The red arched lines represent the water and giver of life they need to provide for their young.

*Artwork commissioned  
by the Tenants' Union.*

them. The NSW Court of Appeal found that the Tribunal had correctly declined to apply the *Holiday Parks (Long-term Casual Occupation) Act 2002 (HPAct)*. The Tribunal found that at least one of the four conditions of application of the Act had not been fulfilled. That is, the residents did not have a principal place of residence elsewhere. So, section 5 (re application) of the Act was not satisfied. This is important because there are significantly less protections for residents in the HPAct than in the *Residential Parks Act 1998* (repealed) and the *Residential (Land Lease) Communities Act 2013*.

- The long running matters regarding change of use of a residential park and compensation to residents are still underway. These matters are now in their fourth year, having been heard in five venues for seven sets of proceedings. The residents are to be congratulated for their stamina. These matters are an important test for fair compensation for terminated site agreements.
- On application of a Local Aboriginal Land Council, the Tribunal made eviction orders for illegal use of the premises. At the time of the illegal use, the tenant was absent from the premises. Application to the Appeal Panel of the Tribunal resulted in a settlement between landlord and tenant such that the tenant was appropriately housed.
- The last of the Badgerys Creek airport site tenants have moved out (February 2016). Appropriate time to remove was urged and gained by submissions to the Federal Circuit Court in October 2015. Removal of these matters to a Commonwealth court by Commonwealth legislation made the processes longer, more costly and more difficult.
- A private landlord denied the application of the *Residential Tenancies Act 2010* and took proceedings in the Supreme Court. This finally resulted in a settlement whereby the tenant was resident longer than would have been the case under the Act. This was a positive outcome for the tenant and was a strategic win to discourage denying the Residential Tenancies Act.
- Two cases of social housing providers using no grounds termination notices have been litigated and then appropriately settled ensuring no tenant was made homeless. These matters are important in highlighting and preventing poor policy decisions of social housing providers. The Tenants' Union maintains that anyone about to lose their home should have the opportunity to hear proposed reasons and challenge them.
- Another social housing provider sought to evict

a person with a disability. The landlord was successful at the Tribunal and before the Appeal Panel. The Tenants' Union sought review of the Appeal Panel decision in the Supreme Court. This resulted, at length, in a settlement whereby the tenant was not evicted and has greater support to maintain the tenancy.

### Advice to people in custody

Research clearly demonstrates that having housing available when leaving custody significantly reduces recidivism. Our solicitors are available for transfer of calls from Law Access and the Prisoners Legal Service five days per week in order to improve opportunities for timely advice on renting matters for people in custody. This works is supported by a strong relationship with the Women in Prisons Advocacy Network (WIPAN), the Community Restorative Centre (CRC) and Legal Aid.

### HIGH QUALITY EDUCATION

The TU's education programs reached approximately 1,500 people face to face – 248 tenant advocates and community workers participated in our training courses, almost 1,000 residential parks residents attended our new law information sessions and 253 people attended our boarding house law seminars.

### Training for tenant advocates and community workers

248 advocates and volunteers in the Tenancy Advice and Advocacy Program (TAAP) attended training this year, an increase of nearly 40% on 2014-2015.

Training delivered covered:

- Tenancy Law – providing advice and advocacy
- Introduction to NSW Civil and Administrative Tribunal [NCAT]
- NCAT– conducting formal hearings
- Boarding Houses Act
- New Residential Parks Legislation
- Aboriginal Awareness
- Social Housing
- Fair Trading reporting database (online)
- Providing Community Education
- Understanding Mental Health
- Tenancy and Criminal Law
- Consumer claim law
- Finding the Facts (Online Tools for Casework) (online)
- Researching the Rules (Legal Research for Advocates) (online)

Synchronous online training is well accessed by regional TAASs. We will be expanding both synchronous and asynchronous online training during 2016-2017. Regional workers also continue to access city-based training in high numbers.

We also conducted regional training sessions in Coffs Harbour, Newcastle and Wollongong.

Three full and four part qualifications were awarded in Certificate IV in Community Services Advocacy CHC41012. Nine TAAP staff are currently enrolled. This not only ensures high quality consistent outcomes for tenants in NSW but also provides a pathway to further education for tenant advocates.

While training of tenant advocates is the core of our education work we continue to expand our delivery of community education. This year we worked in partnership with other organisations to deliver training to a record 195 participants. Highlights include:

- We collaborated with HomelessnessNSW to establish a joint project in which TAASs will provide tenancy information for non-lawyers to Specialist Homeless Services in NSW.
- We delivered an introductory NCAT training for eight members of the Residential Parks Representatives Forum.
- Presented to a mental health consumer conference
- Provided training to settlement services who provide housing assistance to refugees

### Residential Parks Community Education Project

The Tenants' Union implemented a number of strategies to inform residents of land lease communities (residential parks) about the changes to law and how their rights and responsibilities are affected.

We launched a new website, [thenoticeboard.org.au](http://thenoticeboard.org.au), produced a comprehensive set of factsheets for residents about the new law, published a 20-page newsletter and undertook a statewide community education project.

Our community education project saw us visit 107 land lease communities and deliver 19 information sessions to almost 1,000 residents. We also distributed 10,000 copies of *Outasite* (our specialist residential parks' newsletter).

### Boarding Houses Education Campaign

The education campaign ended in June 2016. The aim of the campaign was to ensure that boarding

house sector stakeholders, particularly residents of boarding houses, are aware of the law and its application, and have the skills to monitor and take action under the relevant provisions of the Act.

Campaign achievements include:

- 30,000 wallet sized fold-out cards with information on the occupancy principles and the Boarding House Hotline phone number were distributed through boarding houses in the inner city and a wide range of community organisations working with residents of boarding houses.
- The Hotline, launched in April 2015, continues to get an average of two calls a week from boarding house residents or people working with them.
- 247 individuals and organisations received the ebulletin *Onboard*.
- 7,000 brochures were distributed to agencies including 3,000 to public libraries.
- 253 individuals from homeless agencies, council offices, legal centres, and medical organisations attended 16 training sessions. Of those 253 people, 168 attended training in their place of employment organised either as a result of advertising in *Onboard* or by direct contact by the Project Coordinator.

We acknowledge here the excellent work of Margaret Di Nicola, the TU's Project Worker on the campaign. Margaret took on the challenging job of getting information directly into the hands of boarding house residents and spent many hours pounding the pavements of the inner city identifying boarding houses and dropping off cards, brochures and posters.

We also acknowledge and thank Newtown Neighbourhood Centre which has been our valued partner throughout the project.

### Compliance with requirements as a Registered Training Organisation

We continue to ensure that our education program meets our obligations as a Registered Training Organisation (RTO). Mandatory reporting to the RTO registering body was completed in a timely fashion. Our Learning and Development Coordinator and our assessors put in considerable effort in transitioning to the new Certificate IV in Community Services (CHC42015). Thanks also for assistance in this go to:

- Anne Coates
- Margaret Barnes (Tenants Queensland)
- Marina Chadiloff (Wholistic Learning)
- Ruth Simon (Dtarawarra)

Tenant News, the TU's primary printed publication, is distributed to over 3,000 tenants via direct mail, TAAs, community organisations, public libraries, legal services and MPs.

# TENANT NEWS

NEWSLETTER OF THE TENANTS' UNION OF NSW #110 AUGUST 2015

**New Zealand**



**IN THIS EDITION:**

- THE BIG ISSUES FACED BY RENTERS TODAY 1
- GLOBAL SNAPS: TENANTS' LIVES AROUND THE WORLD 2
- A PLACE TO CALL HOME: HOUSING SECURITY AND MENTAL HEALTH 3
- WHY STRIVE FOR BALANCE? THE RESIDENTIAL TENANCIES ACT SHOULD PROTECT TENANTS 7

**THE BIG ISSUES FACED BY RENTERS TODAY**

Julie Foreman – Executive Officer, Tenants' Union of NSW

In this issue of *Tenant News* we look at the big picture for renters today, and turn our attention to the growing need for change.

We look at how changes to two key areas of the tax system can have a positive impact on affordability – negative gearing at the Federal level and land tax at the State level, and we investigate one of the

fundamental barriers to change – the interest politicians have in housing investment.

Here in New Wales, even suddenly the price of and staying housing m or is there bubble? Glenn Ste Governor Bank said, concern I think sort Cor

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# KOORI TENANT NEWS

NEWSLETTER OF THE TENANTS' UNION OF NSW #111 SEPTEMBER 2015



**IN THIS EDITION:**

- HOME IS EVERYTHING TO ME 2
- MAKING TRACKS, COMING HOME 4
- PLUMBING HEALTH CHECKS 6
- A PLACE OF MY OWN 7
- REDFERN ABORIGINAL TENT EMBASSY 8

**THE IMPORTANCE OF HOME**

Merinda Dutton – Aboriginal Legal Officer, Tenants' Union of NSW

This is a special edition of *Tenant News*. It's all about the issues affecting Aboriginal tenants in NSW. We look at the importance of 'home' and having stable housing and explore the impact that this has on overall wellbeing.

We have produced this edition of *Tenant News* to coincide with the Koori Rugby League Knock Out. We know that the Knock Out is an important time of the year for our mob to catch-up with family and old friends as well

as to support our favourite teams!

Inside, you'll find stories and photos of Aboriginal tenants from around Sydney. These stories help to show what home means to that person. We're also proud to unveil a steady artwork by Pauline Syron-Coxon about tenancy on page 3.

We also take a look at a 'Day in the Life' of an Aboriginal Tenants' Advocate and get an insight into the key challenges and highlights of working with and

advocating of Aboriginal relation to

We are also to be laun set of Aborig Rights Fact address cc facing ten

Hopefully, this magaz and inform remember have right help, get ii your local and Advoc See the be contact de

Yaressa Mongto, a Surry Hills tenant, and Merinda Dutton, Aboriginal Legal Officer at the Tenants' Union of NSW.

# TENANT NEWS

NEWSLETTER OF THE TENANTS' UNION OF NSW #112 MARCH 2016



**"Be brave and strong."**

– Hana

**WOMEN FINDING HOME**

Rekha Sanghi – Settlement Services International

**INTERNATIONAL WOMEN'S DAY EDITION**

- WOMEN FINDING HOME 1
- MORE THAN BRICKS AND MORTAR 3
- THE RELIEF OF NEVER HAVING TO GO HOME 6
- WOMEN WORKING FOR CHANGE 8
- PUTTING DOWN ROOTS 12
- UPDATE: MORE BANG FOR YOUR BOND 13
- TRANSGENDER WOMEN AND HOMELESSNESS 14
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- AT LEAST I HAVE A ROOM 18
- TU TURNS 40! 19
- WHEN HOME ISN'T SAFE 21
- SEEKING SECURITY 23
- IS MY RESIDENCE MY HOME? 24
- TENANCY Q&A: DOMESTIC VIOLENCE 26

**Women from a refugee background face a multitude of challenges and barriers when trying to find a place to call home in Australia.**

Like many Australians faced with a sudden change in living circumstances, they don't have a rental history, referees or money for a bond or advance rent.

Further compounding the difficulties of finding a safe and secure home is the fact that these women have escaped violence, war and other traumatic circumstances in their home countries. They now have to adjust to a new culture, environment and language, with many

being the sole carer for their children.

Some have lost their partners to war, while others have fled domestic and gender-based violence, leaving them with long-lasting mental and physical scars.

Adjusting to life in Australia is particularly difficult for these women, but the pressure is eased somewhat when they arrive at Sydney airport and are met by Settlement Services International (SSI) who helps start their settlement journey.

SSI is a community-based not-for-profit organisation providing a range of services in the

areas of humanitarian settlement, asylum seeker assistance, multicultural foster care, disability support and employment services in NSW.

Providing housing options is also one of SSI's key service areas. Last financial year SSI supported more than 1,200 people in vulnerable situations to find accommodation, including refugees and people seeking asylum.

Hana\* arrived in Australia in June 2014 with her two sons. She fled Iraq almost six years ago, but spent four years in Syria waiting for her application to seek refuge in Australia to be approved. Sadly,

*Continued on page 2*

## ACCURATE AND ACCESSIBLE MATERIALS PRODUCED ON TENANCY LAW AND RELATED MATTERS

We published three issues of *Tenant News*. One issue focused on the 'Big Issues' facing renters including the impact of the Australian tax system on housing affordability, mental health and housing security, and the gentrification occurring in residential parks. A second focused on indigenous tenancy issues and was published especially for distribution at the 2015 Koori Knockout, the annual Indigenous sport festival. The third was a special issue on women renters and housing activists for International Women's Day, including stories on women from refugee backgrounds, transgender women and homelessness plus a Q & A on domestic violence and tenancy.

We published a set of six factsheets for Aboriginal tenants:

- When you start renting
- Rental bond
- Repairs
- Avoiding problems when renting
- If the landlord wants to end your agreement
- The NSW Civil and Administrative Tribunal

The tenants.org.au website continues to be a significant source of information on all things tenancy. There were 738,013 sessions. There were an additional 2,355 sessions on our newly launched residential parks law website – thenoticeboard.org.au.

Factsheets and sample letters continue to be the most popular pages on the site. The factsheets were viewed or downloaded 808,579 times, an increase of 8 percent on 2014 – 2015.

The most popular factsheets were Landlord ends agreement, Repairs and maintenance, You want to leave, Bond, Access and privacy, Residential Tenancies Act, Ending tenancy early, Utilities, and Rent increases.

We published 10 editions of the *Tenants' Union e-bulletin* which provides brief updates on tenancy trends as well as being responsive to current issues. The bulletin has 1,304 subscribers, an increase of 15 percent on 2014-2015.

The online *Tenants Rights Manual* had 89,644 sessions in 2015- 2016.

In February 2016 in time for Orientation Week, 12 University housing/accommodation services

in NSW were sent a share housing information package containing links to tenants.org.au and the share housing guide produced by Redfern CLC, and TU share housing brochures and posters.

In June 2016 we published the first edition of Rent Tracker, an online publication to help tenants, journalists and others understand changes in the rental market – drawing on the Rent and Sales Report, along with other publicly available data about rents.

Facebook and Twitter continue to function well as a means of engaging with tenants and other stakeholders, as well as providing an alternate voice on tenancy law and policy. Currently we have 2,247 followers on Facebook and 1,410 on Twitter. Our blog, 'The Brown Couch' has on average 1,000 readers a month with 11,496 unique visits over the year. We posted 92 times in 2015-16.

The 'Clearing house', a blog covering renewal of public housing estates has an average of 100 readers a month. We posted 30 times on the blog in 2015 – 2016.

We again partnered with the Legal Information Access Centre of the State Library to distribute resources to public libraries around the state.

### Residential Parks Publications

We published five issues of *Outasite Lite*, our email newsletter for park residents reaching over 586 residents and residential park organisations, an increase of 67 percent on 2014-2015. Topics covered included age restrictions in land lease communities and site fee increase notices. We also highlighted the work of women residential parks advocates in the International Women's Day edition of *Tenant News*.

We also published a print resource, *Outasite*, which focussed on explaining the new legislation covering residential parks in NSW. 10,000 of these were distributed across the state.

## PROGRAM SUPPORT FOR TAAP SERVICES

TU plays a key role in organisational support of the TAAS and facilitates liaison between the services. This enables individual, small TAAS to benefit from the efficiencies and effectiveness of a large combined network while at the same time providing the benefits of being local, small and flexible.



Tenant Advocates and Tenants' Union staff at the Tenants' Advice and Advocacy Services Network Meeting, April 2016

**Liaison on behalf of Tenancy Advice and Advocacy Services (TAAS) operations with Fair Trading**

The TU continues to liaise with Fair Trading on funding processes and guidelines. We have been a point of consultation and negotiation regarding the introduction of the new reporting & case management system known as the TAAP Database.

We met with Fair Trading and drafted submissions on behalf of TAAP for a long overdue funding increase. TAAS have not had a real funding increase since 2002 and yet during the last 13 years the number of tenancies have increased by 37 percent. TAAP struggle to meet demand and currently, we estimate the TAAP services turn away 1 in 3 people seeking assistance.

In November 2015 we presented a petition for increased funding at an event at Parliament House attended by a dozen MPs from across the political spectrum, plus many other advisers and representatives from legal, community and housing peak organisations. Speeches of support were given by Dr. Geoff Lee MP (Member for Parramatta, Liberal Party of Australia), David Mehan MP (Member for The Entrance, Australian Labor Party), and Jenny Leong MP (Member for Newtown, Australian Greens).

However it was a tenant, Milly, who unquestionably stole the show. She spoke about her experiences as a tenant and the importance of her local Tenants Advice and Advocacy Service. Her speech hit home perfectly on the struggles of so many

tenants and highlighted important areas for law reform.

The TAAP Program was successfully funded for another 3 years, albeit without a real increase, from July 1 2016. We thank Fair Trading for its ongoing support.

**TAAP database**

The new database was launched in October 2015. We continue to work closely with Community Data Solutions to address technical problems and refine the data values and fields. We conducted two online training sessions on the database for new TAAS workers and as refreshers to other staff. Our Strategic Information Technology Officer continues to provide support to individual TAASs. Our work in this area is guided by a sub-committee with representatives from TAAP services

**TAAS Network meetings assist services to better support tenants**

We convened three meetings of the TAAS network, with Wollongong the setting for this year's Regional meeting in October. Consistent with our draft Reconciliation Action Plan city network meetings are held at the National Centre for Indigenous Excellence in Redfern.

The meetings continue to be well attended with positive evaluations. Attendees identify the benefits of the meetings to be:

Left to right: Aunty Jenny Monroe and Rhonda Gray (Greater Sydney Tenants' Advice and Advocacy Service) on a panel at the TAAS Network Meeting, July 2015



- Networking opportunities
- Being kept up-to-date on legal and tenancy issues
- Remaining inspired

The agenda for each meeting is developed in consultation via a sub-committee of TAAP network members, who we thank for their support. Topics this year included:

- Koori casework
- Aboriginal Housing
- NCAT set aside and appeal procedures
- The *Residential (Land Lease) Communities Act 2013*
- Social Housing Policy

Invited speakers included:

- Aunty Jenny Monroe presenting the Aboriginal Tent Embassy perspective on developments in The Block in Redfern.
- Micky Mundine, CEO Aboriginal Housing Company presenting the Housing Company perspective on developments in The Block in Redfern.
- Michael Snape and Ruby Steele on Working with Legal Aid.
- Jean O'Brien on TAASs working with the Department of Correctional Services
- Julie Mitchell, Coordinator, Homeless Hub Wollongong on Hope for Homeless
- Penny Carr, Coordinator Tenants' Queensland on the new model for tenancy services in Queensland,
- Kim Rosser, Senior Member NSW NCAT on Set Asides in the eyes of NCAT.

### Service Visits

Service visits are a vital part of our work providing opportunities for the Tenants' Union to forge strategic relationships, exchange information, learn from the direct experience of advocates and provide support and advice. We have a policy of proactively visiting each TAAS once every two years and we also visit them in response to requests for specific on-site support. We visited 12 TAASs in 2015 - 2016.

### Biennial Survey

We conducted our second biennial survey of TAASs assessing the TU's performance in its resource and support role. Overall, TAASs report high levels of satisfaction across the areas of TU work most relevant to them. This is true for timeliness, quality, relevance and their relationships with TU staff.

TU's legal support and resources are the areas most accessed by respondents. Training provided by TU and its coordinating of network meetings of the TAASs are also valued highly. Respondents generally had less frequent contact with the policy work of the TU, but spoke highly of the policy staff and their work.

Contact with the information technology support from TU was also rare, a result which again is to be expected as most TAASs would access support from a local service for these needs. However, again, TAASs spoke highly of TU staff's support when it was accessed. Recommendations for improvement identified in the survey are being implemented.

## 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 covering a wide range of tenancy issues including:

- Community housing
- Family and Community Services (FACS) Housing policy and practice
- Older tenants
- Tax and housing
- Residential Parks
- Marginal renters

#### Social Housing

We have continued to engage with Family and Community Services (Housing) through a range of forums, including the NGO Housing Partners Reference Group and the Future Directions Forum.

We contributed to discussion around the social housing 'anti-social behaviour' reforms. These were introduced into Parliament in mid-2015 without consultation with tenants or workers across the community services sector. Through lobbying from the Tenants' Union, in conjunction with others from the Tenants' Advice and Advocacy Services and several Community Legal Centres, some of the harshest aspects of these reforms were modified before becoming part of NSW law.

We gave evidence to the Public Accounts Committee's inquiry into the management of public housing repairs and maintenance contracts.

We contributed our expertise to the Expert Advisory Panel on the Social and Affordable Housing Fund, and have kept track of developments under the Communities Plus initiative on our Clearing House blog. We participate in the Living Communities Consultative Committee of the Land and Housing Corporation. We have also collaborated with Shelter NSW to develop a 'Tenant Compact', to advocate for tenant focused relocation processes during redevelopment of the social housing portfolio. We have and will continue to engage with the significant policy implications of Future Directions for Social Housing.

#### Tenants in strata

We contributed to the reform of NSW strata laws with formal submissions and participation in a number of targeted consultations.

#### Renting laws

We made a significant contribution to the statutory review of the *Residential Tenancies Act 2010*. This commenced with our report "5 years of the *Residential Tenancies Act 2010* in NSW" and concluded with a comprehensive submission to NSW Fair Trading's targeted discussion paper. In the meantime we hosted a roundtable meeting with 22 other non government organisations who also contributed to the review.

#### Older tenants

We have contributed to discussions about ageing in the private rental market, with a particular focus on the challenges for older women. We provided an article for *Inner Sydney Voice*, Autumn 2016 called 'Older renters: the new face of poverty' and have distributed it widely. We are active in the Older Women's Housing and Homelessness Group and assisted them with the submission to the Residential Tenancies Act Review. We lodged a submission to a NSW Legislative Council Inquiry into elder abuse, citing Government policy in Millers Point as a form of systemic abuse.

We provided regular support to TAAS workers on older renter issues, especially protected tenancies and hoarding.

#### Residential Parks

The residential parks landscape changed on 1 November 2015 with the commencement of the *Residential (Land Lease) Communities Act 2013* and the associated Regulation.

You can read elsewhere about our substantial education program to inform residents of these changes.

The Residential Parks Forum continues to grow and thrive. Again we facilitated four meetings attended by resident representatives and tenant advocates. Most recently we have been discussing the new Act - how it's working and being interpreted by residents, operators and the NSW Civil and Administrative Tribunal.



Millers Point, January 2016  
(The TU office was located for a time in this building.)

## Millers Point

We contributed a submission to NSW Department of Heritage and Environment regarding the Sirius Building, Millers Point, recommending it be listed on the State Heritage Register.

We are an active member of Friends of Millers Point who provide support to tenants of this important Inner Sydney public housing and heritage listed community. We have assisted 'Friends' and, in turn, the Millers Point Community Working Party with information, drafting letters, publications and lobbying and have participated in their activities. We are represented on the Millers Point Estates Advisory Board. We maintain a database on the sales of properties in Millers Point which we share. We publish on our Blogs – both *The Brown Couch* and *The Clearing House* – updated information on Millers Point and the Sirius

Building. We have assisted Professor Alan Morris of the Institute for Public Policy and Governance, University of Technology Sydney in his study for Shelter NSW on the impact of forced relocation on the residents. We advocate strongly for the remaining residents staying and, especially, the older ones being able to age-in-place.

## Tax and housing

We contributed to the national discussion around negative gearing and capital gains tax discounts, and remain supportive of tax reform to unwind the distortions of Australia's housing markets. This includes the publication of a "Tenants' Guide to Tax Reform".

We continue to advocate for the introduction of a broad-based land tax, at a state level, to encourage landholders to put their property to the most efficient use.

## Influencing key decisions makers

During the year we have had productive discussions with the following decision makers:

- The Hon. Brad Hazzard, Minister for Social Housing
- Tania Mihailuk, Shadow Minister for Social Housing
- Jenny Leong, State Member for Newtown and NSW Greens spokesperson for Fair Trading
- Julia Finn, State Member for Granville
- Paul Green MLC, Shooters and Fishers Party
- Emma Gittoes, Advisor to the Minister for Social Housing, with Paul Vevers, Deputy Secretary of Family and Community Services (Housing Statewide Services)
- David de Carvahlo, Deputy Secretary of Family and Community Services (Strategic Reform and Policy)
- Andrew Gavrielotos, Assistant Commissioner of NSW Fair Trading (Real Estate & Property Division)
- NSW Auditor General's office regarding Community Housing and tenanted stock transfers
- Yasmin Catley, Shadow Minister for Innovation and Better Regulation (includes Fair Trading portfolio)
- Daniel Moohkey MLC
- Stacey Broadbent, Manager PARS at Registrar of Community Housing
- Diana Holy, Lachlan Mallard & Ernie Chan, Fair Trading NSW, Residential Tenancies Act review team
- Real Estate Institute of NSW Committee, Property Management Chapter regarding Residential Tenancies Act review issues

And participated in the following government consultative groups:

- Energy and Water Consumer Advocacy Program reference group
- Consultative Committee for NSW Civil and Administrative Tribunal
- Social Housing Fund Advisory Panel
- Department of Justice, Civil Law Collaboration Group
- Land and Housing Corporation, Living Communities Consultative Group

## Media engagements

As interest in the affordability of housing and in particular renting increases, the TU is sought out for comment and our media engagements continue to grow. Highlights include:

- 3 opinion pieces
- 14 live to air radio interviews
- 1 live and 2 recorded television interviews
- Quoted in 27 print media articles
- Plus a number of media briefings

Topics covered included:

- Renting with pets
- Review of the Residential Tenancies Act
- Homelessness and social housing wait lists
- NSW Government Social Housing Strategy
- Storm damage - tenants' rights
- Sharehousing
- Negative gearing
- Housing affordability
- Social impact of redevelopment
- Federal Budget
- Adverse possession

We posted 65 blog entries and enjoyed a high level of engagement on social media platforms.

## Relationships with tenants and non-government organisations on strategic advocacy

We participated in a number of strategic ongoing forums and one-off events to consult, inform and advocate. These included:

- Forum of non government organisations convened by NCOSS (FONGO)
- Festival for Civil Society (NCOSS)
- Disability Network Housing Forum (NCOSS)
- Residential Parks Forum
- Housing and Homelessness Alliance
- CLCs NSW – Law reform and policy committee
- BEING – mental health consumer conference

The TU maintains positive relationships with tenant participation organisations and social housing tenant groups who provide ongoing feedback on the local impact of state wide policy decisions.

Of course our closest colleagues and partners in this important work are the TAASs whose input, analysis and support underpins our strategic advocacy.



***Dhubany, by Millmullian, 2015***

Dhubany is our spirit which is here represented by our totem animals. To help our spirit stay strong we need a safe place to live, a safe place to call home. The line in the middle of the animals represents our songlines that connect all our people and all our totems. We sing up our songlines to take care of ourselves, our country and our totems. In our cultural way we take care of our totems making sure our totem animals are safe and well for now and for future generations. In this way we also take care of our spirit.

*Artwork commissioned by the Tenants' Union.*

# 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

The Board continues to foster a practice of reflection and learning. The TU participated in the Australian Association Benchmarking Survey. The results from this self-assessment are benchmarked against an average Australian Association. The TU scored a high 174 which is well above the average Australian Association score of 124.

The Board also held an external facilitated review day in January. This was a day devoted to self-evaluation and planning. Initiatives developed from this process include the development of board Key Performance Indicators (KPIs), implementation of a cloud-based information sharing system for board members, strategies for stakeholder engagement and agenda revision to facilitate 'big picture' discussion.

In collaboration with staff the Board also endorsed and published a new strategic plan for the TU covering the period 2016-2019. The 3 priority areas are:

- Effectively communicate and strategically deploy our organisational identities
- Build a constituency for change in tenant law and practice within the context of social justice
- Create a strong, viable and sustainable organisation

The Board received a comprehensive report against the previous strategic plan in August 2015 and February 2016 and bi-monthly office reports. The Board continues to indicate its satisfaction with the information it receives.

### Financial solvency and risk management

The Board Finance Committee met 10 times this year. Comprehensive regular financial reports were provided to the Finance Committee and the Board. The Finance Committee commissioned a paper on fundraising options and successfully applied for fundraising status.

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.

We continue to regularly monitor our Risk Management Plan and updated it this year.

In a tightening financial environment we implemented cost saving measures including participating in bulk buying schemes for off-site storage and stationery purchases.

### Best practice polices and procedures

We continue to review and update our polices and procedures in the light of changes to laws, regulations and best practice in the not-for-profit sector. We are 100 per cent compliant with the NACLC Accreditation Standards and maintain our Registered Training Organisation status.

Our Strategic Technology Officer continues to ensure that staff have access to IT resources that support our work internally and externally. We upgraded our electronic mail and calendar system.

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

The Board has begun a process of reviewing the TU's current governance structure with the view to making a recommendation for change to members in 2017.

### 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.

### 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 on topics including:



- Advocacy Strategies
- Compliance Requirements Affecting Blended/Online Learning
- Discrimination and Employment Law
- Estate Planning – Discretionary Trusts, Companies and Powers of Attorney (Substantive Law)
- Housing Capital in the 21st century
- Housing economics for non-economists
- How to write an opinion column
- Leadership
- Legal ethics
- Mental Health Awareness
- Older women and homelessness
- Planning for non-planners
- Practical steps to make mediation effective and more cost effective
- Project management
- Strata Law Reforms
- Strategy Workshop on Organising
- Supervision of Legal Services
- Supporting Aboriginal people in the Justice System
- UK Bedroom Tax
- User Experience Design

TU staff also attended conferences & seminars:

- CLCNSW Quarterlies
- National CLC Conference
- NCOSS Festival for Civil Society

### Cultural Safety for Aboriginal and Torres Strait Islander staff and clients.

The TU works to achieve cultural safety for Aboriginal and Torres Strait Islander peoples.

The TU takes cultural safety to mean 'an environment that is spiritually, socially and emotionally safe for people; where there is no assault, challenge of denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience of learning together'.

We adopted our Aboriginal and Torres Strait Islander Cultural Safety Policy in February 2016. We continue to take actions to implement the policy.

Our Reconciliation Action Plan is being finalised through extensive consultation with our Aboriginal Advisory Committee and the Koori TAASs. The artworks done for us by Pauline Syron Coxson and Laurance Magik Denis (Millmullian) graces the TU office walls, and digital versions have been used in our publications including this Annual Report.

We annually hold Sorry Day and NAIDOC Week events for all staff, and prioritise Aboriginal organisations in procurement of services.

# 40 YEARS OF THE TENANTS' UNION!

**2016 marks 40 years of the Tenants' Union. Four decades of working for tenants' rights is no mean feat. A number of events were held to celebrate, and to recognise the thousands of volunteers, staff, members, board directors, funders and supporters who have contributed to the TU's achievements.**

## BBQ LAUNCH

We launched our anniversary celebrations on Thursday 11 February with a BBQ at Northcott Community Centre. TU staff wielded the sausage and onion tongs, salads were provided by the National Centre for Indigenous Excellence, and one hundred tenants, tenant advocates, community supporters and dignitaries came along. Formal congratulations from the NSW Government were given by Shayne Mallard, MLC, representing Brad Hazzard, Member for Wakehurst and Minister for Social Housing. Also attending were Tanya Mihailuk (Member for Bankstown and Shadow Minister for Social Housing), Jenny Leong (Member for Newtown), Alex Greenwich (Member for Sydney), and Fair Trading Commissioner Rod Stowe

We asked the three Members of Parliament to help Julie Foreman, Executive Officer of TU, to cut the cake.

We also asked each of them to tell us about their experience of tenancy issues. Check out The View from Macquarie Street on our Youtube channel.

## HOUSE AND HOME: LOOKING BACK, LOOKING FORWARD

*"If we want to live in a fairer society where people feel valued, we have to make sure that our nation's housing meets people's needs rather than just boost the profits made by wealthy investors."*

– Professor Keith Jacobs

We held a forum and party on 15 August, just two days shy of the actual date of our founding (17 August). Redfern Town Hall was packed with tenants, advocates past and present, founding members of the TU, and representatives from organisations TU works with in the housing and homelessness sectors.

Victor Dominello, Minister responsible for Fair Trading, gave the opening address in which he acknowledged the significant contribution the TU has made to tenancy law reform for 40 years.

This was followed by a forum on the theme of the future of tenants' rights. The keynote address was by Professor Keith Jacobs, University of Tasmania. Speakers on the panel were Dr Dallas Rogers, Western Sydney University; Dr Emma Power, Western Sydney University; and Ned Cutcher, TU Senior Policy Officer.

Aunty Millie Ingram gave the Welcome to Country. Zoë Norton Lodge of the ABC consumer watch television program *The Checkout* mc-ed. Entertainment during the forum was MissJudge, skit by 'Agents for Social Change', a social housing tenant group from South West Sydney, on the power of words we use and their impact on tenants.

The party which followed was a great chance for 40 years of workers for tenants' rights to catch up and swap stories, enlivened by a set of housing themed songs from Lady Sings it Better.

## GETTING THE WORD OUT!

### 40 MOMENTS

We created an online gallery of 40 moments in TU and tenants' rights movement history – you can view it on our Facebook page: [facebook.com/TUNSW](https://facebook.com/TUNSW). We published a special edition of *Tenant News*. Two websites were launched – a revamped [tenants.org.au](https://tenants.org.au) and [thenoticeboard.org.au](https://thenoticeboard.org.au), a specialist website for residential park residents.

### MY HOUSE, MY HOME

We produced *My House, My Home* – a documentary to celebrate our 40 years of tenant activism, showcase our work today, and outline the work still before us.

You can view a short version or the full documentary on our Facebook page or Youtube channel.

We look forward to your support for at least another 40 years!

Dear Ms Foreman, *Julie*

I'm writing to let you know that on the 10<sup>th</sup> of March, 2016 I moved a motion in the New South Wales Legislative Council noting the recent celebration of the Tenants' Union of New South Wales' 40<sup>th</sup> anniversary.

It was an honour to move this motion which was agreed to by all members of the house.

Yours Sincerely



Hon. Shayne Mallard MLC  
Member of the Legislative Council



**Motion by the Hon. Shayne Mallard MLC  
agreed to:**

**(1) That this House notes that:**

**(a) the Tenants' Union of New South Wales celebrates its fortieth anniversary this year, having represented the interests of residential tenants in New South Wales since 1976;**

**(b) to commence the celebration of their fortieth anniversary, on 11 February 2016, the Tenants' Union of New South Wales held a community barbecue with staff, board members, stakeholders and tenants on the grounds of the Northcott public housing estate in Surry Hills; and**

**(c) the fortieth anniversary celebration was attended by the Hon. Shayne Mallard, MLC, representing the Minister for Social Housing, the Hon. Brad Hazzard, MP; the member for Newtown, Ms Jenny Leong; and the member for Bankstown, Ms Tania Mihailuk.**

**(2) That this House congratulates the board, executive and staff of the Tenants' Union of New South Wales for their fortieth anniversary and their continued work representing all residential tenants including boarders, lodgers and private tenants, public and social housing tenants and residential park residents.**

*– Hansard Legislative Council (2016-03-10)*

***"Congratulations to all the amazing people who have made the TU – your time, creativity and thoughtfulness is appreciated – be proud to stand tall."***

*– Participant at the TU 40th Anniversary House and Home Forum*



***“Over the past 40 years the Tenants’ Union has worked tirelessly to deliver positive reforms for the betterment of tenants across NSW. It gives me great pleasure to join in on celebrating this occasion and I would like to sincerely congratulate the organisation on its leadership and numerous achievements.”***

*– Victor Dominello MP, Minister for Innovation and Better Regulation*



***“Without the TU’s support it would definitely make our lives difficult especially with novel/complex scenarios. The legal backup is a vital service and I wouldn’t have it any other way.”***

*– Ali Amini, Former Tenant Advocate at Western Sydney Tenants’ Service*

***“A great introduction to tenancy advice and advocacy. All the trainers were extremely knowledgeable and helpful. Thank you!”***

*– Tenancy Advice and Advocacy Training Participant, February 2015*

***“Straight up my brother would have been homeless. It would have been horrific and the outcome would have been dreadful. With my brother being disabled and not really understanding what was going on it had the potential to have a generational impact.***

***Because of our cultural background and the way that Aboriginal people support each other the Tenants’ Union was great in being able to facilitate a good process where our family values and history were respected and taken into account. It was great that they had the ability to come out to community and deal with us on a face-to-face basis and it made it easy to build that trust. It was great to be able to build a personal rapport and put a face to Cass and all of her hard work. The staff that we dealt with were extremely profession and without them we wouldn’t have been able to achieve such a great result.***

***On a scale of 1 – 10, I would rate it a 10. We couldn’t have achieved the outcome that we did without the Tenants’ Union help.”***

*– Tenants’ Union client*

***“Your work is really appreciated by us tenants.”***

*– Carolyn Randle*

***“Having had to call on yours and TAAS for assistance, I am grateful for the service.”***

*– Penny Jensen*

***“THANK YOU for ALL the Assistance you do give to us Renters.”***

*– Grace Shanti*

***“For 40 years the Tenants’ Union has courageously fought for the rights of renters. It has provided frank and independent legal advice to private renters, social housing tenants, boarders, lodgers and residential park residents. It has worked tirelessly to provide housing security—one of our most basic needs—in a climate in which more and more people are being denied it. I was proud to join the “House and Home: Looking back, looking forward” forum at Redfern Town Hall on 15 August. The forum marked the fortieth anniversary of the Tenants’ Union. It was a strong reminder of what still needs to be done to deliver greater housing certainty for all, including: an end to short-term leases; reviewing no-fault evictions to line up with other States; allowing renters to own pets, hang artwork and make minor modifications to make their house truly their own home; and, finally, taking a hard look at the provisions around rent rises to give greater certainty for renters. Ultimately, the biggest difference to delivering balance in the market between renters and homeowners will come from tax reform, including changes to negative gearing. I congratulate the Tenants’ Union on 40 years of activism, 40 years of engagement and 40 years of making a real difference in the lives of renters.”***

*– Jo Haylen (Summer Hill MP) , Legislative Assembly Hansard, 24 August 2016*



***“I truly value the TU contributions to not only the public debate about housing issues, but your commitment to doing the hard critical thinking that is needed in these debates.”***

*– Dr. Dallas Rogers, WSU Lecturer in Social Sciences, Heritage & Tourism*

# TREASURER'S REPORT AND FINANCIAL STATEMENTS

Charmaine Jones

I am pleased to present the audited financial statements for the year ended 30th June 2016. This financial year has a surplus of \$19,318.

This result is the product of good financial management including gaining income from internal management services as well as close monitoring of expenses over the entire financial year.

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 and for this we offer our thanks and appreciation. In addition to the core funding we receive grants for particular projects. We are particularly grateful to the Law and Justice Foundation for funding the Residential Parks Community Education Project, which was completed with great success. We are also very grateful to Ageing, Disability and Home Care for funding the Boarding House Education Project.

The organisation's total income for the year was \$1,817,986.

The financial position of the organisation remains sound with a positive net equity of \$80,672. It is pleasing to note that all projects fell within their budget and that the organisation as a whole ended fairly close to the budgeted income and expenditure for the year ended 30th June 2016.

We achieved this financial outcome through close monitoring and good management. We are, however, totally aware of the potential difficulties and challenges in the future due to foreshadowed funding cuts. To that end the Executive team, the Finance Committee and the Board are undertaking discussion and planning regarding the future financial sustainability of the Tenants' Union. We will be examining options to increase income and at the same time realistically looking at cost control.

I would like to acknowledge and thank the other members of the TU Board and members of the Finance Committee and in particular thank our Finance Manager, Martin Bangs, for his diligent administration of the organisation's accounts.

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



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

**DIRECTOR'S REPORT FOR COOPERATIVE**

*Co-operatives National Law section 278*

**To the Members,**

Your Directors submit their report, together with the audited financial statements; for the year ended 30 June 2016.

**General information**

**Directors**

The names of the directors in office at any time during, or since the end of the year are

Paula Rix  
Charmaine Jones  
Meredith Osborne  
Nicole Grgas  
Aideen McGarrigle  
Julia Davis  
Jessica Abi Khattar  
Donna Brotherson  
Charmaine Weldon

Directors have been in office since the start of the financial year to the date of this report unless otherwise stated.

**Review of operations**

The surplus of the cooperative for the financial year amounted to \$19,318.

**Principal activities**

The principal activities of the cooperative during the financial year were to operate as a community legal centre specialising in New South Wales residential tenancy law.

**Change of affairs**

No significant changes in the cooperative's state of affairs occurred during the financial year.

**Future developments**

Likely developments in the operations of the cooperative and the expected results of those operations in the future financial years have not been included in this report as the inclusion of such information is likely to result in unreasonable prejudice to the cooperative.

**Indemnities and insurance premiums for officers or auditors**

No indemnities have been given or insurance premiums paid, during or since the end of the financial year, for any person who is or has been an officer or auditor of the cooperative.

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

**DIRECTOR'S REPORT FOR COOPERATIVE**

*Co-operatives National Law section 278*

**Information on Directors**

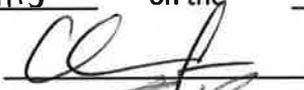
Paula Rix	Chairperson & Director
Charmaine Jones	Treasurer & Director
Meredith Osborne	Secretary & Director
Nicole Grgas	Director
Aideen McGarrigle	Director
Julia Davis	Director
Jessica Abi Khattar	Director
Donna Brotherson	Director
Charmaigne Weldon	Director

**Attendance at Meetings**

	<b>Meetings Eligible</b>	<b>Meetings Attended</b>	<b>Apologies</b>
Charmaine Jones	7	6	1
Paula Rix	7	5	2
Meredith Osborne	7	5	2
Nicole Grgas	7	5	2
Aideen McGarrigle	7	5	2
Julia Davis	7	6	1
Jessica Abi Khattar	7	6	1
Donna Brotherson	7	6	1
Charmaigne Weldon	7	2	5

This Report is made in accordance with a resolution of the Board and is signed for and on behalf of the Directors.

Signed at Surry Hills on the 1st November 2016

Director signature  Director name Charmaine Jones

Director signature  Director name Paula Rix

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

**STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME**  
**FOR THE YEAR ENDED 30 JUNE 2016**

	Note	2016 \$	2015 \$
<b>Income</b>			
Revenue		1,817,986	1,583,545
<b>Expenditure</b>			
Occupancy expenses		(97,980)	(97,572)
Other expenses		<u>(1,700,688)</u>	<u>(1,483,763)</u>
		19,318	2,210
<b>Surplus for the year</b>	<b>3</b>	<u>19,318</u>	<u>2,210</u>
<b>Surplus for the year</b>		<u>19,318</u>	<u>2,210</u>

The accompanying notes form part of these financial statements.

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

**STATEMENT OF FINANCIAL POSITION**  
**AS AT 30 JUNE 2016**

	Note	2016 \$	2015 \$
<b>ASSETS</b>			
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	4	493,320	1,487,829
Trade and other receivables	5	8,292	50,973
Other current assets	6	3,164	14,961
<b>TOTAL CURRENT ASSETS</b>		<b>504,776</b>	<b>1,553,763</b>
<b>NON-CURRENT ASSETS</b>			
Trade and other receivables	5	17,867	17,867
Furniture, Fixtures and Equipment	7	19,268	22,160
<b>TOTAL NON-CURRENT ASSETS</b>		<b>37,135</b>	<b>40,027</b>
<b>TOTAL ASSETS</b>		<b>541,911</b>	<b>1,593,790</b>
<b>LIABILITIES</b>			
<b>CURRENT LIABILITIES</b>			
Trade and Other Payables	8	165,987	226,902
Funds Unexpended	9	79,064	1,087,819
<b>TOTAL CURRENT LIABILITIES</b>		<b>245,051</b>	<b>1,314,721</b>
<b>NON-CURRENT LIABILITIES</b>			
Provisions	10	216,188	217,715
<b>TOTAL NON-CURRENT LIABILITIES</b>		<b>216,188</b>	<b>217,715</b>
<b>TOTAL LIABILITIES</b>		<b>461,239</b>	<b>1,532,436</b>
<b>NET ASSETS</b>		<b>80,672</b>	<b>61,354</b>
<b>EQUITY</b>			
Retained earnings	11	80,672	61,354
<b>TOTAL EQUITY</b>		<b>80,672</b>	<b>61,354</b>

The accompanying notes form part of these financial statements.

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

**STATEMENT OF CHANGES IN EQUITY**  
**FOR THE YEAR ENDED 30 JUNE 2016**

	<b>Retained earnings</b>	<b>Total</b>
	<b>\$</b>	<b>\$</b>
<b>Balance at 1 July 2014</b>	59,144	59,144
Profit attributable to equity shareholders	2,210	2,210
<b>Balance at 30 June 2015</b>	<u>61,354</u>	<u>61,354</u>
Profit attributable to equity shareholders	19,318	19,318
<b>Balance at 30 June 2016</b>	<u>80,672</u>	<u>80,672</u>

The accompanying notes form part of these financial statements.

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

**STATEMENT OF CASH FLOWS**  
**FOR THE YEAR ENDED 30 JUNE 2016**

		2016	2015
		\$	\$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
	Note		
Receipts from funders and other receipts		983,354	1,715,088
Payments to suppliers and employees		(1,987,233)	(1,824,591)
Interest received		12,476	36,158
<b>Net cash used in operating activities</b>	<b>12</b>	<u>(991,403)</u>	<u>(73,345)</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
Payments for property, plant and equipment		(3,107)	(10,203)
<b>Net cash used in investing activities</b>		<u>(3,107)</u>	<u>(10,203)</u>
Net decrease in cash held		(994,510)	(83,548)
Cash at beginning of financial year		1,505,697	1,589,245
<b>Cash at end of financial year</b>	<b>4</b>	<u>511,187</u>	<u>1,505,697</u>

The accompanying notes form part of these financial statements.

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

**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2016**

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The financial report covers TENANTS' UNION OF NSW CO-OPERATIVE LIMITED as an individual entity. TENANTS' UNION OF NSW CO-OPERATIVE LIMITED is a Not-for-profit Co-operative ,incorporated and domiciled in Australia.

The functional and presentation currency of TENANTS' UNION OF NSW CO-OPERATIVE LIMITED is Australian dollars.

Comparatives are consistent with prior years, unless otherwise stated.

## **1 Basis of Preparation**

In the director's opinion, the Co-operative is not a reporting entity since there are unlikely to exist users of the financial report who are not able to command the preparation of reports tailored so as to satisfy specifically all of their information needs. This special purpose financial report has been prepared to meet the reporting requirements of the Co-operatives National Law (NSW) and the Australian Charities and Not-for-profits Commission Act 2012.

The financial statements have been prepared in accordance with the recognition and measurement requirements of the Australian Accounting Standards and Accounting Interpretations, and the disclosure requirements of AASB 101 Presentation of Financial Statements, AASB 107 Statement of Cash Flows, AASB 108 Accounting Policies, Changes in Accounting Estimates, Errors and AASB 1054 Australian Additional Disclosures.

The financial statements have been prepared on an accruals basis and are based on historical costs modified, where applicable, by the measurement at fair value of selected non current assets, financial assets and financial liabilities.

Significant accounting policies adopted in the preparation of these financial statements are presented below and are consistent with prior reporting periods unless otherwise stated.

## **2 Summary of Significant Accounting Policies**

### **Furniture, fixtures & Equipment**

Each class of furniture, fixtures and equipment is carried at cost less, where applicable, any accumulated depreciation and impairment.

#### **Furniture, fixtures and equipment**

Furniture, fixtures and equipment are measured using the cost model.

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

**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2016**

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**Depreciation**

The depreciable amount of all furniture, fixtures and equipment, except for freehold land is depreciated on a straight line method from the date that management determine that the asset is available for use.

**Income Tax Expense**

The Co-operative is a public education organisation, incorporated under the Co-operatives National Law (NSW) 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.

**Employee Benefits**

Provision is made for the Co-operative's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits that are expected to be settled within one year have been measured at the amounts expected to be paid when the liability is settled.

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 is provided in accordance with Employment Contracts.

Employee benefits are presented as current liabilities in the statement of financial position if the Co-operative does not have an unconditional right to defer settlement of the liability for at least 12 months after the reporting date regardless of the classification of the liability for measurement purposes under AASB 119.

**Provisions**

Provisions are recognised when the Co-operative has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

**Cash and Cash Equivalents**

Cash and cash equivalents comprises cash on hand, demand deposits and short-term investments which are readily convertible to known amounts of cash and which are subject to an insignificant risk of change in value.

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

**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2016**

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**Revenue**

Interest revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial assets.

Dividend revenue is recognised when the right to receive a dividend has been established.

Revenue from the rendering of a service is recognised upon the delivery of the service to the customers.

**Goods and Services Tax (GST)**

Revenues, expenses and assets are recognised net of the amount of goods and services tax (GST), except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST. The net amount of GST recoverable from, or payable to, the ATO is included as part of receivables or payables in the statement of financial position.

Cash flows in the statement of cash flows are included on a gross basis and the GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the taxation authority are classified as operating cash flows.

**Comparative Amounts**

Comparatives are consistent with prior years, unless otherwise stated.

Where a change in comparatives has also affected the opening retained earnings previously presented in a comparative period, an opening statement of financial position at the earliest date of the comparative period has been presented.

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

**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2016**

	<b>2016</b>	<b>2015</b>
	<b>\$</b>	<b>\$</b>
<b>3 Surplus for the year</b>		
Surplus from continuing operations includes the following specific expenses:		
<b>Expenses</b>		
Employee benefits expense:		
contributions to defined contribution superannuation funds	117,501	108,928
Depreciation of property, plant and equipment	6,000	5,190
Audit Fees	4,500	4,500
<b>4 Cash and Cash Equivalents</b>		
Cash in Hand	600	600
Cwlth Bank Cheque Account	7,049	7,371
Cwlth Bank Online Saver	478,241	1,479,858
Cwlth Bank - Direct Debit	7,430	-
	<u>493,320</u>	<u>1,487,829</u>
<b>5 Trade and Other Receivables</b>		
<b>Current</b>		
Trade Debtors	4,265	34,273
Income Accrued	431	16,700
GST Credits	3,596	-
	<u>8,292</u>	<u>50,973</u>
<b>Non-Current</b>		
Bank Guarantee Deposit	<u>17,867</u>	<u>17,867</u>
The carrying value of trade receivables is considered a reasonable approximation of fair value due to the short term nature of the balances.		
<b>6 Other Non-Financial Assets</b>		
<b>Current</b>		
Prepayments	<u>3,164</u>	<u>14,961</u>

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

**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2016**

	<b>2016</b>	<b>2015</b>
	<b>\$</b>	<b>\$</b>
<b>7 Furniture, Fittings and Equipment</b>		
<b>Furniture, Fixtures and Equipment</b>		
At cost	195,396	192,287
Accumulated depreciation	<u>(176,128)</u>	<u>(170,127)</u>
<b>Total Furniture, Fixtures and Equipment</b>	<u>19,268</u>	<u>22,160</u>
<b>8 Trade and Other Payables</b>		
<b>Current</b>		
Accrued Expenses	9,294	16,374
PAYG Liability	20,533	19,222
Superannuation	17,375	15,080
TU Staff Social Club (3rd Party Funds Holding Acc)	2,726	1,953
GST Credits	-	74,742
Provision for Annual Leave	86,862	70,334
Provision for Sick Pay	<u>29,197</u>	<u>29,197</u>
	<u>165,987</u>	<u>226,902</u>
<b>9 Funds Unexpended</b>		
<b>Current</b>		
Funds Unexpended	<u>79,064</u>	<u>1,087,819</u>
<b>Total Funds Unexpended</b>	<b>5</b> <u>79,064</u>	<u>1,087,819</u>
<b>10 Provisions</b>		
<b>Non-Current</b>		
Provision for LSL	90,863	92,391
Provision for Redundancy	95,714	95,714
Provision for Parental Leave	<u>29,611</u>	<u>29,610</u>
	<u>216,188</u>	<u>217,715</u>

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

**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2016**

	<b>2016</b>	<b>2015</b>
	<b>\$</b>	<b>\$</b>
<hr/>		
<b>11 Retained Earnings</b>		
Retained earnings at the beginning of the financial year	61,354	59,144
Surplus attributable to the Co-operative	<u>19,318</u>	<u>2,210</u>
Retained earnings at the end of the financial year	<u>80,672</u>	<u>61,354</u>
<b>12 Cash Flow Information</b>		
<b>Reconciliation of Cash Flow from Operations with Surplus</b>		
Surplus	<u>19,318</u>	<u>2,210</u>
	<u>19,318</u>	<u>2,210</u>

**13 Co-operative details**

TENANTS' UNION OF NSW CO-OPERATIVE LIMITED

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

**DIRECTORS' DECLARATION**

The directors have determined that the Co-operative is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies described in Note 1 to the financial statements.

The directors of the Co-operative declare that:

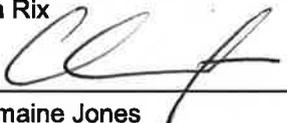
1. The financial statements and notes, as set out on pages 3 to 12 are in accordance with the Co-operatives National Law (NSW) and the Australian Charities and Not-for-profits Commission Act 2012.
  - (a) comply with Accounting Standards as stated in Note 1; and
  - (b) give a true and fair view of the Co-operative's financial position as at 30 June 2016 and of its performance for the year ended on that date in accordance with the accounting policies described in Note 1 to the financial statements.
2. In the directors' opinion there are reasonable grounds to believe that the Co-operative will be able to pay its debt as and when they become due and payable.

This declaration is made in accordance with a resolution of the Board of Directors.

Director:

  
\_\_\_\_\_  
Paula Rix

Director:

  
\_\_\_\_\_  
Charmaine Jones

Dated this

*1st day of November 2016*

**MEAGHER, HOWARD & WRIGHT**  
CERTIFIED PRACTISING ACCOUNTANTS  
ABN 42 664 097 441

Suite 505  
Level 5 / 55 Grafton Street  
BONDI JUNCTION NSW 2022  
PO Box 653  
BONDI JUNCTION NSW 1355

PARTNERS

K...J. WRIGHT J.P. M.COMM. F.C.P.A.  
G. MIDDLETON B.COMM. ACA

FINANCIAL PLANNING

MARK MAYCOCK J.P.

Phone: 02 9387 8988

Fax: 02 9387 8388

[greg@mhw.net.au](mailto:greg@mhw.net.au)

ASSOCIATE

L.J. HOWARD O.A.M. J.P. B Ec. F.C.P.A.

## TENANTS' UNION OF NSW CO-OPERATIVE LIMITED

ABN: 88 984 223 164

### AUDITOR'S REPORT

#### Report on the Financial Report

I have audited the accompanying financial report, being a special purpose financial report, of Tenants Union of NSW Co-operative Limited, which comprises the balance sheet as at 30 June 2016, profit and loss statement and cash flow statement for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the director's declaration.

#### Director's Responsibility for the Financial Report

The director of the company is responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards, Co-operatives National Law (NSW) and the *Australian Charities and Not-for-profits Commission Act 2012* (ACNC Act) and for such internal control as the director determines is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error. In Note 1, the director also state, in accordance with Accounting Standard AASB 101: Presentation of Financial Statements, that the financial statements comply with International Financial Reporting Standards (IFRS).

#### Auditor's Responsibility

My responsibility is to express an opinion on the financial report based on my audit. I conducted my audit in accordance with Australian Auditing Standards. Those standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial report that gives a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the director, as well as evaluating the overall presentation of the financial report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

### **Independence**

In conducting my audit, I have complied with the independence requirements of the Corporations Act 2001. I confirm that the independence declaration required by the Corporations Act 2001, which has been given to the director of the company, would be in the same terms if given to the director as at the time of this auditor's report.

### **To the Members,**

In our opinion:

1. The accompanying financial statements, being Profit and Loss Account, Balance Sheet, Cash Flows Statement and notes to the accounts are properly drawn up in accordance with the provisions of the *Co-operatives National Law (NSW) and Australian Charities and Not-for-profits Commission Act 2012* (ACNC Act), including:
  - a. giving a true and fair view of:
    - i. the state of affairs of the co-operative at 30 June 2016 and of the results and cash flows of the co-operative for the year ended on that date; and
    - ii. the other matters required by Section 283 of the *Co-operatives National Law (NSW)* to be dealt with in the financial statements; and
  - b. complying with applicable Accounting Standards and other mandatory professional reporting requirements and Division 60 the *Australian Charities and Not-for-profits Commission Regulation 2012*.
2. The accounting records and other records, and the registers required by the Act to be kept by the co-operative have been properly kept in accordance with the provisions of that Act.
3. We have been given all information, explanations and assistance necessary for the conduct of the audit.

Signature: \_\_\_\_\_



Date: 1<sup>st</sup> November 2016

Full name: Kenneth Wright

Registered company auditor, registration number : 274924

Telephone: 02 9387 8988

Email: ken@mhw.net.au

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

**PROFIT AND LOSS STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2016**

	2016 \$	2015 \$
<b>INCOME</b>		
Grants - Law and Justice Foundation	36,302	5,000
Donations Received	342	355
Cert IV Income	-	3,360
Interest Received	12,939	36,159
Membership Fees	1,392	1,854
Grants - NSW Fair Trading	1,374,849	1,205,659
Grants - Legal Aid	223,107	215,165
Grants - Boarding House Project	84,008	49,290
Grants- Regional Network	23,494	22,890
Grants - Regional Network Other	-	4,514
Aboriginal Women Leaving Custody	-	35,000
Management Fees	36,598	-
TAAP Meetings	21,306	-
Sundry Income	1,073	4,299
Tenants Rights Manual	2,576	-
	<b>1,817,986</b>	<b>1,583,545</b>

The accompanying notes form part of these financial statements.

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

**PROFIT AND LOSS STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2016**

	<b>2016</b>	<b>2015</b>
	<b>\$</b>	<b>\$</b>
<b>EXPENSES</b>		
Archiving	2,032	2,192
Audit Fees	4,500	4,500
Bank Charges	786	860
Building Services	10,333	9,796
Consultants & Contractors	72,556	23,580
Computer & IT Expenses	5,496	18,634
Depreciation	6,000	5,190
Equipment	10,872	8,863
Courier Services	726	1,025
Cert 4 Assessment Fees	300	100
Insurance	8,344	5,433
Legal Library Expenses	509	2,602
Meetings Expenses	15,184	11,767
National CLC Levy	6,200	6,100
Postage	16,406	10,697
Printing & Stationery	30,362	18,832
Photocopying	4,483	2,691
Practice & Legal Costs	1,711	12,988
Publications & Subscriptions	12,254	15,215
Rent	82,978	82,988
Repairs & Maintenance	260	491
Provisions & Reserves	15,000	-
Recruitment Expenses	280	1,674
Salaries	1,267,923	1,133,845
Staff Amenities	1,781	3,520
Training & Accreditation	11,483	15,834
Superannuation	117,501	108,928
TAAP Meetings	53,197	45,672
Utilities	4,669	4,788
Tenant News	-	8,974
Telephone & Communications	13,310	10,584
Travelling Expenses	11,863	-
Venue Hire	9,369	2,972
	<b>1,798,668</b>	<b>1,581,335</b>
<b>Surplus</b>	<b>19,318</b>	<b>2,210</b>

The accompanying notes form part of these financial statements.

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

**DEPARTMENTAL TRADING, PROFIT AND LOSS STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2016**

	<b>2016</b>	<b>2015</b>
	<b>\$</b>	<b>\$</b>
<b>OFFICE OF FAIR TRADING</b>		
<b>OTHER INCOME</b>		
Grants - NSW Fair Trading	1,374,849	1,205,659
Grants - Regional Network Other	-	4,514
Cert IV Income	-	3,360
Interest Received	10,919	30,735
	<b>1,385,768</b>	<b>1,244,268</b>
<b>EXPENSES</b>		
Archiving	1,763	1,863
Audit Fees	3,550	3,825
Bank Charges	668	731
Building Services	8,631	8,327
Consultants & Contractors	19,413	15,043
Computer & IT Expenses	4,380	15,126
Depreciation	5,129	4,471
Equipment	9,970	7,534
Courier Services	616	871
Cert 4 Assessment Fees	300	100
Insurance	7,092	4,618
Legal Library Expenses	145	2,212
Meetings Expenses	6,135	9,516
National CLC Levy	5,270	5,185
Postage	14,306	9,092
Printing & Stationery	16,582	14,579
Photocopying	4,125	2,691
Practice & Legal Costs	1,681	7,467
Publications & Subscriptions	10,896	8,635
Rent	70,156	70,540
Repairs & Maintenance	221	417
Provisions & Reserves	15,000	-
Recruitment Expenses	252	1,423
Salaries	1,032,266	899,015
Staff Amenities	1,136	2,992
Training & Accreditation	10,451	13,459
Superannuation	95,472	86,810
TAAP Meetings	15,761	22,782
Utilities	4,195	4,070
Tenant News	-	8,974

The accompanying notes form part of these financial statements.

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

**DEPARTMENTAL TRADING, PROFIT AND LOSS STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2016**

	2016	2015
	\$	\$
Telephone & Communications	11,977	8,928
Venue Hire	<u>8,229</u>	<u>2,972</u>
	<u>1,385,768</u>	<u>1,244,268</u>
<b>Surplus</b>	<u>-</u>	<u>-</u>

The accompanying notes form part of these financial statements.

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

**DEPARTMENTAL TRADING, PROFIT AND LOSS STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2016**

	<b>2016</b>	<b>2015</b>
	<b>\$</b>	<b>\$</b>
<b>LEGAL AID COMMISSION</b>		
<b>OTHER INCOME</b>		
Grants - Legal Aid	223,107	215,165
Interest Received	2,020	5,424
	225,127	220,589
<b>EXPENSES</b>		
Archiving	269	329
Audit Fees	950	675
Bank Charges	118	129
Building Services	1,702	1,469
Consultants & Contractors	2,009	3,537
Computer & IT Expenses	364	3,508
Depreciation	871	719
Equipment	902	1,329
Courier Services	110	154
Insurance	1,252	815
Legal Library Expenses	364	390
Meetings Expenses	377	1,765
National CLC Levy	930	915
Postage	520	1,605
Printing & Stationery	2,729	3,141
Photocopying	358	-
Practice & Legal Costs	-	5,521
Publications & Subscriptions	1,358	2,282
Rent	12,822	12,448
Repairs & Maintenance	39	74
Recruitment Expenses	28	251
Salaries	175,620	159,304
Staff Amenities	584	528
Training & Accreditation	1,032	2,375
Superannuation	16,329	15,020
Utilities	474	718
Telephone & Communications	1,062	1,588
Travelling Expenses	1,954	-
	225,127	220,589
<b>Surplus</b>	-	-

The accompanying notes form part of these financial statements.

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

**DEPARTMENTAL TRADING, PROFIT AND LOSS STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2016**

	<b>2016</b>	<b>2015</b>
	<b>\$</b>	<b>\$</b>
<hr/>		
<b>BOARDING HOUSE EDUCATION PROJECT</b>		
<b>OTHER INCOME</b>		
Grants - Boarding House Project	84,008	49,290
<b>EXPENSES</b>		
Consultants & Contractors	31,202	-
Meetings Expenses	38	486
Printing & Stationery	2,644	1,112
Salaries	44,938	43,526
Superannuation	4,265	4,098
Telephone & Communications	221	68
Venue Hire	700	-
	84,008	49,290
<b>Surplus</b>	-	-

The accompanying notes form part of these financial statements.

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

**DEPARTMENTAL TRADING, PROFIT AND LOSS STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2016**

	2016 \$	2015 \$
<b>TAAP - REGIONAL MEETING</b>		
<b>OTHER INCOME</b>		
Grants- Regional Network	<u>23,495</u>	<u>22,890</u>
<b>EXPENSES</b>		
TAAP Meetings	<u>23,495</u>	<u>22,890</u>
	<u>23,495</u>	<u>22,890</u>
<b>Surplus (Deficit)</b>	<u>-</u>	<u>-</u>

The accompanying notes form part of these financial statements.

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

**DEPARTMENTAL TRADING, PROFIT AND LOSS STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2016**

	<b>2016</b>	<b>2015</b>
	<b>\$</b>	<b>\$</b>
<b>TENANTS UNION INTERNAL</b>		
<b>OTHER INCOME</b>		
Donations Received	342	355
Membership Fees	1,392	1,854
Management Fees	36,598	-
TAAP Meetings	21,306	-
Sundry Income	1,073	4,299
Tenants Rights Manual	2,576	-
	<b>63,287</b>	<b>6,508</b>
<b>EXPENSES</b>		
Consultants & Contractors	19,932	-
Computer & IT Expenses	752	-
Meetings Expenses	8,623	-
Printing & Stationery	721	-
Publications & Subscriptions	-	4,298
TAAP Meetings	13,941	-
	<b>43,969</b>	<b>4,298</b>
<b>Surplus</b>	<b>19,318</b>	<b>2,210</b>

The accompanying notes form part of these financial statements.

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

**DEPARTMENTAL TRADING, PROFIT AND LOSS STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2016**

	<b>2016</b>	<b>2015</b>
	<b>\$</b>	<b>\$</b>
<hr/>		
<b>RESIDENTIAL PARKS EDUCATION PROJECT</b>		
<b>OTHER INCOME</b>		
Grants - Law and Justice Foundation	36,301	5,000
<b>EXPENSES</b>		
Consultants & Contractors	-	5,000
Meetings Expenses	11	-
Postage	1,580	-
Printing & Stationery	7,686	-
Practice & Legal Costs	30	-
Salaries	15,099	-
Staff Amenities	61	-
Superannuation	1,435	-
Telephone & Communications	50	-
Travelling Expenses	9,909	-
Venue Hire	440	-
	36,301	5,000
<b>Surplus</b>	-	-

The accompanying notes form part of these financial statements.

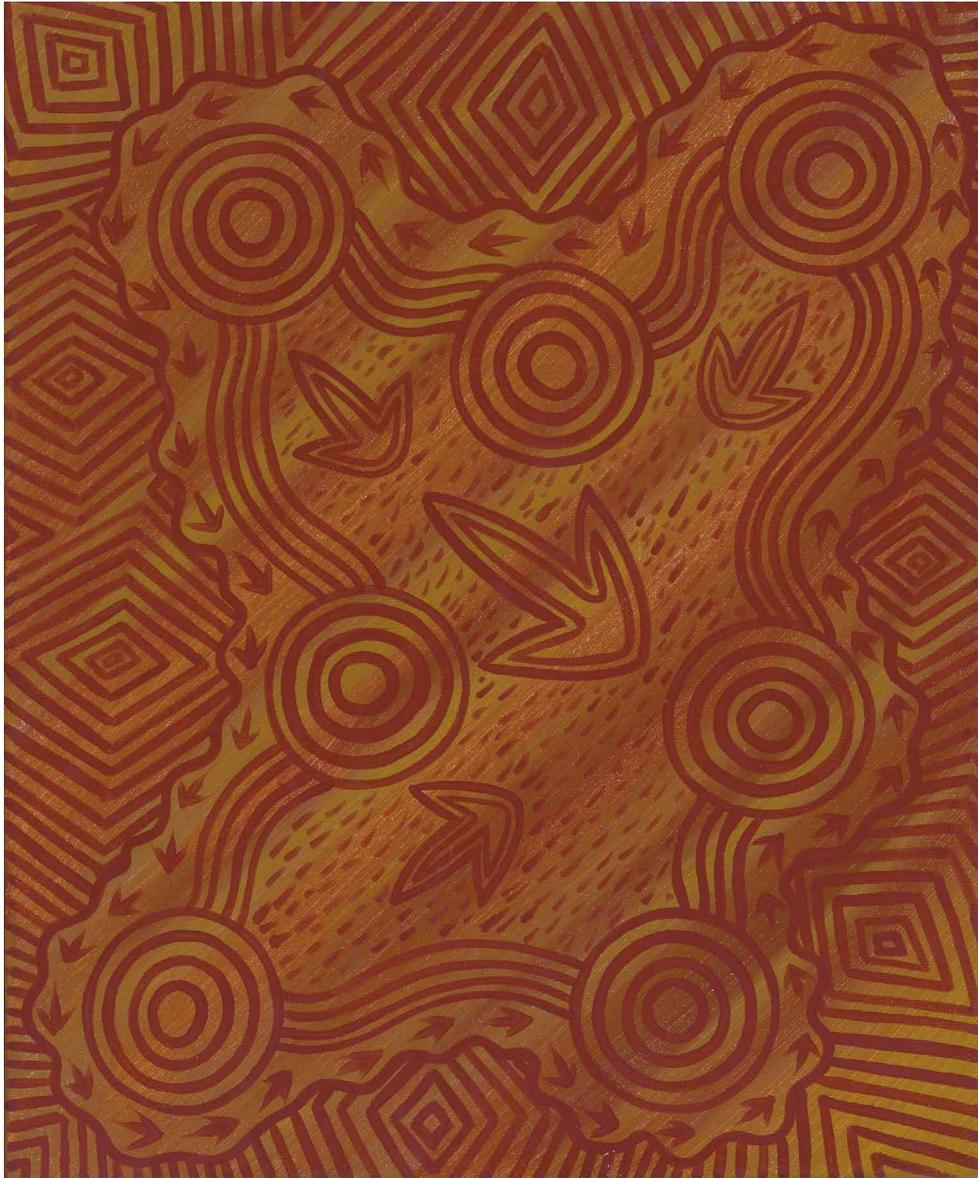
***Ngurampaa, by Millmullian, 2015***

This painting depicts Wawai the Rainbow Serpent travelling across country creating rivers, streams and waterholes. The animals represent all the different groups of people, their totems and their home country. The lines on the outside represent the different sacred places in each country. The dots in the border represent the eyes of the ancestors that continue to watch over all of country everywhere.

It is upon this history and living culture of today that all homes exist in what is now called "Australia".

*Artwork commissioned by the Tenants' Union.*





***Dinewan dhina, by Millmullian, 2015***

Dinewan dhina means Emu's tracks. This painting depicts concentric circles linked by four lines which represent different places/homes on country linked by a common Wailwaan law. The large emu footprints in the centre represent the people who carry the Wailwaan law and the smaller emu footprints represent the people who walk in that law. The outer lines represent the strength and security we have within our Wailwaan law.

*Artwork commissioned by the Tenants' Union.*

# VALE ROSS SMITH



**It is with great sadness that we note the passing of Ross Smith – a tireless advocate for fairness in the housing system, and member of the Tenants’ Union of NSW.**

Ross was actively involved with the Waterloo Neighbourhood Advisory Board as the Peoples Precinct representative. He was a member of Counterpoint Community Services, King Cross Community Centre and South Sydney Community Aid, Treasurer and long-standing member of REDWatch, and volunteered with the South Sydney Herald. He was also an active member of the Australian Labor Party.

Ross was always willing to say what many others would not regarding social housing policy – or as he would say ‘public and community housing’ policy. He strongly disliked the term social housing.

He was a strong advocate. He was always a touchstone for those who might stray too far from hearing tenants’ voices. He was also keen to stay in touch with tenants from across the state and would travel across Sydney to be at tenants’ events. He had a passionate commitment to tenant participation.

Ross was well known in Waterloo and the wider public and community housing community for his tireless advocacy work. He will be sadly missed.

Our thoughts are with his family and friends. Vale.



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

☎ 61 + 2 8117 3700

☎ 61 + 2 8117 3777

✉ [contact@tenantsunion.org.au](mailto:contact@tenantsunion.org.au)

🏠 [tenants.org.au](http://tenants.org.au)

📡 [tunswblog.blogspot.com.au](http://tunswblog.blogspot.com.au)

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