



ANNUAL REPORT 2021-2022



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Some icons used within sourced from freepik.com.

Front cover photos (clockwise from bottom left):
tenants Emily, Kaye, and Riki, and land lease
community resident Charles. Read their stories at
rentingfair.org.au and tenants.org.au/thenoticeboard.

Support our work – tenants.org.au/tu/donate

Healing Gunya, by Aboriginal Artist Debra Beale – below and throughout this Annual Report. The Tenants' Union was pleased to be able to purchase this work through *Boomalli Aboriginal Artists Co-operative*.

Debra writes: "I am a Sydney-based Artist and Designer Maker. I come from the Palawa/Yorta Yorta and Gamilaraay/Wonnarua Nation. My artwork tells a narrative of my Aboriginal cultural practices, focusing on cultural heritage, family and community. It is a combination of Womens Business, with a process of acknowledging the past and moving forward to the future. A healing journey celebrating with song and dance and laughter."



ACKNOWLEDGEMENT OF COUNTRY

The Tenants' Union of New South Wales acknowledges Aboriginal and Torres Strait Islanders as the first sovereign Nations of the Australian continent and its adjacent islands, and who possessed their lands under the laws and customs of those Nations. The lands were never ceded and always remain Aboriginal and Torres Strait Islander Country. Our office is located on the Country of the Gadigal people of the Eora Nation.

We acknowledge that the land, sea, sky and waterways are of spiritual, social, cultural and economic importance to Aboriginal and Torres Strait Islander peoples and support their right to culture, language, land and various notions of self-determination.

We acknowledge that as a result of government policies and practices, Aboriginal and Torres Strait Islander Peoples have been dispossessed from Country without compensation. We acknowledge the strength and resilience of Aboriginal and Torres Strait Islanders in the face of past and present structural racism implemented through government policies and practices that impact on housing, encompassing home ownership and tenancy.

We recognise, respect and value Aboriginal and Torres Strait Islander Peoples, their communities and their advocates who have taken action to bring about change in these policies and practices and those who continue to do so. We acknowledge their successes. We commit to working in partnership with them as they continue to seek justice in housing and tenancy.

We call for the establishment of a First Nations Voice, in a form determined by Aboriginal and Torres Strait Islander Peoples and enshrined in the Constitution.



Tenants' Union staff joined Redfern Legal Centre staff and hundreds of other participants at NAIDOC at Sydney Town Hall in July 2022.



WHO WE ARE

The Tenants' Union of New South Wales is a Community Legal Centre specialising in NSW residential tenancies law. We are accredited by Community Legal Centres Australia.

We work to promote the interests of all renters facing housing disadvantage, including:

- Aboriginal tenants
- Boarders, lodgers & other marginal renters
- Private rental tenants

- Public and community housing tenants
- Land lease community residents.

We are the main resourcing body for the Tenants Advice and Advocacy Services (TAASs) across New South Wales.

We are an independent, secular, not-for-profit membership-based co-operative under the *Co-operatives (Adoption of National Law) Act 2012 (NSW)*.

Tenants' Union staff at our annual planning day, March 2022. *Left to right: Grant Arbuthnot, Julie Lee, Anne Coates, Eloise Parrab, Jack Moon, Paul van Reyk, Charlie Wilde, Robert Mowbray, Daen Phillips, Lehana De Silva, Leo Patterson Ross, Jeremy Kerbel, Anushke Guneratne, Olivia Nielsen-Gurung.*



OUR VISION

'We seek a future where all renters have the home they want'.

The Tenants' Union works with and for renters for housing justice. We work to ensure renters, particularly those in need, have homes that are safe, secure, affordable and sustainable.

To achieve our vision:

- We inform tenants, Tenant Advocates, and community workers.
- We educate Tenant Advocates, community agencies and government departments.
- We advise and assist tenants, Tenant Advocates and community workers.
- We advocate for systemic change in law and policy so tenants have more safe, secure, affordable and sustainable homes.
- We listen to and are accountable to renters.

For more about our strategic direction for the future see page 21.



Participants in the Tenants' Union Annual General Meeting, November 2021.

CHAIRPERSON'S MESSAGE

Once again, the incredible and resilient staff at the Tenants' Union of NSW have weathered a year of extraordinary challenges. The 2021-2022 financial year began with Sydney under a strict four-month lockdown to curb an outbreak of the delta coronavirus variant and finished with severe weather and flooding across the state.

The team seamlessly adapted to a remote work environment during the lock-down and remained focused on supporting the ever-growing population of NSW renters with information, website resources and advocacy. During the various flooding events in early 2022 the Tenants' Union quickly expanded its advice lines to support the tenancy services in northern NSW whose offices were impacted by the floods.

While the actions and impact of the Tenants' Union this year are too many to mention, here are a few big highlights.

This year the Tenants' Union launched its innovative use of open software technology (Koha) to bring its reference library online and make resources more accessible to the network of Tenant Advocates. The Koha software has been used to both catalogue the Tenants' Union's existing reference library, as well as to store Tribunal decisions relevant to the Tenant Advice and Advocacy Services (TAAS).

From September 2021 the Tenants' Union began producing a series of podcasts with Legal Aid NSW called *Renting Matters*. These podcasts have been very popular and have received great feedback.

In early 2022 the Tenants' Union published a Special Report called *Eviction, Hardship and the Housing Crisis*, which asks people to take a new look at eviction. The financial costs, and the stress and anxiety associated with moving are substantial, and these are exacerbated when a household is forced to move (evicted). This report received excellent



media coverage and called for an end to 'no-grounds' evictions in NSW – never more important than during and after lockdowns.

In May 2022 the Tenants' Union produced a TAAS Network Guide from interviews with Coordinators aimed at strengthening the network and hosted its first face-to-face conference since 2019!

I want to thank the Board for their continued service and dedication to the Tenants' Union through these tumultuous years. This year we have developed a new strategic plan in collaboration with the staff; we have created two new Board subcommittees; and we created a new function within the Tenants' Union Administration Coordinator role to support our governance practices.

Finally, a big thank you to the Board members who stood down at the 2021 AGM or since: Dean Price, Aideen McGarrigle, Jane Kenny, and Charmaine Jones. And welcome to our new Board members in 2022: Mauro Di Nicola, Melissa Brooks, Hayley Winchcombe, Chris Hartley and Olivier Gonfond.

Julia Davis
Chairperson

It will come as no surprise to anyone that this financial year continued to be a challenging one, with a series of disasters facing the renters of NSW. The first half of the year was once again dominated by COVID and the impacts on the ways we live and work, and the second half was dominated by flooding, rain and mould - and a deepening housing crisis. Once again, we must thank the staff for their deep commitment to the renters of New South Wales and to the organisation. I am proud every day to work alongside these committed and inspiring humans.

Once again, our ability to respond to changing circumstances was tested and we responded. Our digital flexibility allowed us to continue to adapt and respond to COVID-19 effectively and with imagination – we tested new ways to provide duty advocacy in virtual hearing rooms, we built on that system to ensure that when the Tenants Advice and Advocacy Service in the Northern Rivers was completely flooded we were able to continue the provision of duty advocacy by advocates across the state.

We continued to train, advise and support the local Tenants Advice and Advocacy Services who assisted a record 36,000 clients over 147,000 sessions. Combined with our own advices, that means more than 38,000 people sought and received advice from the Tenants Advice and Advocacy Network this year.

Since the last Annual Report we have farewelled three people who made incredibly significant contributions to the Tenants' Union.

Julie Lee was our Land Lease Communities Officer until May. Her expertise and dedication to the land lease community residents has been invaluable over the last eight years and closed out a 20 year history in the Tenants Advice and Advocacy Network.



Anne Coates was our Administration Coordinator before leaving in July to focus on her studies after nearly 10 years of work with the Tenants' Union. Anne was valued and appreciated not only for her problem-solving and organisational skills but also for her deep care for other staff and the tenants of NSW. Luckily Anne has continued assisting in a casual capacity.

Anushke Guneratne, our Technology Coordinator, moved on after seven years with us. An unflappable source of solutions, Anushke made sure our technology capacity kept up with the rapidly changing world. This was never more obvious than when he ensured we not only met the challenges of COVID but used it as an opportunity to improve our systems.

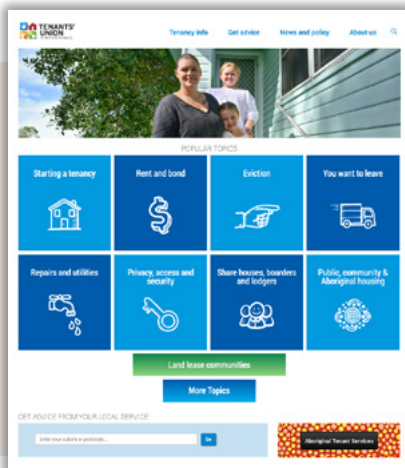
2022 and 2023 look set to be important years with the opportunity to set the foundations for a renting experience that honours the dignity and supports the health and wellbeing of those who rent their home. We will be here to work to prevent housing injustice and harm hand-in-hand with the renting communities of NSW.

Leo Patterson Ross
Chief Executive Officer

WE INFORM

We give accurate, timely information on tenancy law to:

- Tenants, land lease community residents, and other renters
- Advocates in the 19 Tenants Advice and Advocacy Services (TAAs) across NSW
- Community workers and other people working with tenants



tenants.org.au



Page views: 3,715,699

Sessions: 1,395,424

Users: 1,011,762



Factsheets unique page views: 859,060

Most popular topics: Landlord ends agreement, Ending tenancy early, Repairs and Maintenance, You want to leave, Sale of rented premises, Bond, Rent increases, Access and privacy, Mould.



Tenant News email newsletter



Subscribers: 2,335 (12% increase)



Issues over the year: 9



This Renting Life – Tenants' Union blog



Page views: 111,194

Unique page views: 65,000



Posts over the year: 28



The Noticeboard – land lease communities



Page views: 38,957

Unique page views: 20,392



Outasite print magazine: 6,000 copies distributed



Outasite lite email newsletter: 1,246 subscribers

Issues over the year: 4



Media appearances



Total mainstream media appearances: 91

- **Print (quoted):** 44
- **Radio:** 20
- **TV:** 11



Social media



Facebook: 8,080 followers (7% increase). Average engaged users 1,128 per month; reach of 9,415 users.



Twitter: 2,972 followers (9.2% increase)



Instagram: 512 followers



Renting Matters – podcast with Legal Aid



Episodes: 9

Average listens per episode: 478



Rent Tracker postcode tool



Page views: 41,262

Unique page views: 23,448



Renters' Guide to COVID-19



Page views: 411,082

Unique page views: 184,646



Housing News Digest email



Subscribers: 437 (232% increase)



Issues over the year: approx 104 (two issues per week)

WE ADVISE AND ASSIST

We are a Community Legal Centre and give expert legal advice and assistance to:

- Tenants, land lease community residents, and other renters
- Advocates in the 19 Tenants Advice and Advocacy Services (TAASs) across NSW
- Community workers and other people working with tenants



2021–2022 legal advice & assistance at a glance

16,248

Total instances of advice and assistance



Advices to Tenants Advice and Advocacy Services: 985
(to over 90 Tenant Advocates in 19 TAASs across NSW)



Advices to Aboriginal TAASs: 192



Advice Line (tenants): 484 (advice and referrals)



Bushfire and COVID-19 funded advice: 577
(from July 2021 to September 2021)



Additional advices direct to renters in support of local TAASs during flooding and other service difficulties: 363



Advices to other organisations: 31
(e.g. Community Legal Centres, People with Disability Australia)



Residential Land Lease Communities: 190

Total referrals: 13,841 (including social media)



- **Information/referral by Tenants Union staff outside of advice line hours:** 2,768
- **Tenants' Union Digital Assistant:** 10,365 (SMS sent to 3,988)



Other services: 344 (e.g. title searches)

Case study: Repairs, water usage and arrears

Georgia's* house flooded during storms in August 2021 causing water damage and mould. Between August 2021 and January 2022, her oven was not working and there were leaking taps. She reported the issues to the landlord numerous times but no repairs were conducted.

Georgia had also received an eviction notice for being in arrears of water usage charges.

Georgia contacted the Tenants' Union regarding her repair issues and eviction notice. We advised she is only legally responsible to pay for water usage charges if certain conditions are met, and as she had made multiple reports of water leaks which had not been addressed, water efficiency requirements had not been met, and she had not been liable for these charges since reporting the leaks.

We advised Georgia to write to the landlord to make a written request for the repairs, to challenge the validity of the termination notice and on making a Tribunal application with respect to repairs, rent reduction, compensation and the invalid notice.

Case study: Succession of tenancy

Renata*, an authorised occupant who had been a live-in carer for her mother, called the advice line to seek advice on how to be recognised as a tenant after her mother had passed away.

We advised that she must make a succession of tenancy application to the community housing landlord and referred her to the applicable 'Succession of Tenancy' Policy, which sets out the eligibility criteria.

Based on Renata's instructions, we advised that she would meet relevant criteria and assisted with draft wording for an application for succession as well as the types of evidence to attach to her application. We also noted the relevant time limits that had to be complied with for the application.

* Names have been changed for privacy.

We provide training and support to:

- Advocates in the 19 Tenants Advice and Advocacy Services (TAASs) across NSW
- Community workers and other people working with tenants
- Community legal education for advocates, community workers, and renters

In 2021–2022:

397

Advocates, community workers & volunteers trained

- 13% from Koori TAASs
- 39% from regional services

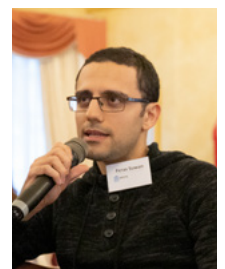
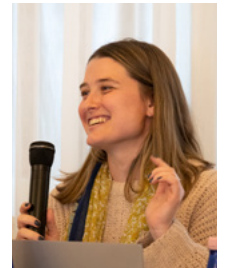
71,259

TAAS Portal page views

(resource web site for Tenant Advocates)

Network meeting, May 2022, Katoomba

After two years of successfully pivoting to online training and conferences, the Tenants' Union and Tenants Advice and Advocacy Services were excited to have the chance to meet in person in May. We had a record attendance for our face-to-face Network Meeting with over 70 advocates participating in three days of tenancy-oriented knowledge and skill sharing sessions and networking. We had a range of speakers from within the Network and guests presenting on topics including domestic violence provisions and bonds; designing service delivery for disasters; the cost of evictions; climate change for tenants; artificial intelligence, renting and discrimination; and gearing up for what's ahead.



"I was looking forward to this training and... it was greater than my expectations."

– Participant at Tenancy and Hoarding training, 2022

"The training gave me confidence to be able to recognise and deal with boarding house issues if they arise. Thank you!"

– Participant at Boarding Houses Act training, 2022

"Thank you for organising and making this happen and making it all so fun!"

– Tenant Advocate at the Network meeting, May 2022

"Thank you for a terrific conference"

– Tenant Advocate at the Network meeting, May 2022

TAAS Network meeting, May 2022, Katoomba.



Tenant Advocates and Tenants' Union staff at the TAAS Network meeting, May 2022, Katoomba.





Community education: Breaking down barriers

This year community education focussed on breaking down barriers, recognising that a 'one-size-fits-all' approach doesn't work for everyone, and striving to meet tenants' diverse needs and preferences.

Easy Read resources

The Council for Intellectual Disability worked with us to develop five new factsheets in Easy Read. Easy Read is for people with intellectual disability or low literacy, using short sentences and pictures to present information. Our Easy Read resources are part of our commitment to creating content that is accessible to all tenants, including tenants with intellectual disability and low literacy.

Podcasts

Our *Renting Matters* podcast series with Legal Aid NSW helped us adapt to the needs of tenants and community workers who prefer to listen to information rather than read it on our website. The series features interviews with Tenant Advocates, tenants and community workers. It has become one of the most successful series produced by Legal Aid NSW's Community Legal Education team, with our top episode 'Getting a foot in the door' receiving 671

listens so far. The nine episodes published over this period had an average of 478 listens during the reporting period.

Community group consultations

A core part of our work is to listen to tenants, advocates and community organisations about the problems tenants deal with. Following on from our *Young Renters Report* last year, we held structured consultations with young people from diverse backgrounds and with youth workers. This will inform our ongoing project to better bridge the gap between our legal information and practical things people need to know if they are just starting out as renters.

"Half the problem we are facing as young people in the renting market is getting our foot in the door, not so much what to do when things are messed up."

– Young renter

A rental housing system in crisis

In many ways our work this year continued to be framed by the COVID-19 health crisis. Throughout the year, as we moved through lockdown and various stages of restrictions, we briefed Fair Trading and the Minister on the impacts of the crisis for renters, ensuring renters' voices were heard and their experiences considered.

We strongly advocated for and provided constructive feedback on the implementation of the residential tenancy support package that was made available. This included financial assistance of up to \$4,500 per tenancy agreement for landlords who agreed to reduce rent for COVID-19 impacted tenants, and – after November 2021 – could be applied for directly by impacted renters.

More broadly we continued to speak up for renters in NSW, highlighting the barriers and challenges they face in accessing healthy, secure, affordable homes. Our analysis and recommendations were shared via reports, briefings and coordinated joint statements.

Advocacy highlights

We advocated with key legislators and agencies to:

- take action on the crisis in relation to supply and increasing rents facing renters, in particular in regional areas, as a result of floods and bushfires and the pandemic through our submission to the Regional Housing Taskforce, Sept 2021.
- progress reforms to the *Boarding Houses Act 2012* in line with recommendations coming out of the statutory review to expand coverage under a new Shared Accommodation Act and substantially strengthen the framework of protections currently provided through the Act.
- change NSW strata laws, including ensuring more pet friendly strata laws and highlighting the importance of building in more opportunities for renters' participation in strata community decision making.
- reassess the National Housing and Homelessness Agreement highlighting

the importance of significantly increased investment in public and community housing, and the need for law reform across all jurisdictions to ensure a basic framework of rental protections, and strengthen security of tenure for Australian renters via the Housing and Homelessness Agreement Review being undertaken by the Australian Productivity Commission.

- create a strong framework for implementation of mandatory minimum energy efficiency standards in rental housing, providing input alongside our partners in the national Healthy Homes for Renters campaign to the consultations on implementing Trajectory for Low Energy Buildings.
- address through tenancy reform the insufficient protections and supports provided for older renters aged over 55 who face increasing housing vulnerability and financial disadvantage through the NSW Parliamentary Inquiry into Older persons (written submission, hearing attendance).



Sabina Wynn (Seniors Rights Service), Thomas Chailloux (Public Interest Advocacy Centre), and Leo Patterson Ross (Tenants' Union CEO), at NSW Parliament for the Parliamentary Inquiry into Homelessness amongst older people aged over 55.

Working with renters

We are committed to working with tenants and tenant organisations. This includes land lease community resident organisations, the Residential Land Lease Communities Forum and the Parks Legal Working Group (convened by the Tenants' Union of NSW).

We are also building strong relationships with our community campaign supporters, engaging them as 'Campaign Leaders' in our relaunched Make Renting Fair campaign (see panel at right).

Working with others

We also work with other housing and consumer action organisations. In 2021-2022, they included:

- Sydney Alliance, on the Voice for Power campaign
- Groundswell: Alliance of community organisations working with tenants on the impact of social housing renewal in Waterloo
- Healthy Homes for Renters
- Ageing on the Edge
- Shelter NSW
- Energy and Water Consumer Advocacy Group
- Public Interest Advocacy Centre
- NATO – National Association of Tenants' Organisations
- Sydney Policy Lab



**make
renting
fair.**

Spotlight | Community Campaign: Make Renting Fair

The Make Renting Fair campaign relaunched in late 2021 with two online forums focussed on *When renters organise, we can win!* The first in October 2021 featured successful renter organising in Berlin. At the second in November 2021 we heard from community organisers Renters United! from New Zealand. Between the two events there were 140 registrations, and both were also live-streamed to Facebook.

The relaunch of the campaign also required a reinvigoration and reinvestment in our campaign asks. We sent out a survey to our supporter list for input on refreshed campaign branding and priorities. Based on over 100 responses, and through ongoing consultation with campaign supporters, we settled on four main advocacy themes: affordability, security, health & safety, and [feels like] home.

We built a community of 'Campaign Leaders': everyday renters with some ownership over and input into the campaign. With our Campaign Leaders we held a #MyRentedHome social media week of action in early 2022. The action engaged a broad range of renters with the Make Renting Fair campaign in a public conversation about what renters' homes mean to us. Across the week of action, we posted renters' contributions across our Facebook, Twitter and Instagram channels, with significant engagement. 18 renters in our community participated in the action by posting to their own social media channels, across four different platforms, covering a range of renting experiences and renting issues. We also shared five different #MyRentedHome long-form renter stories to our website, garnering a total 667 views to those stories across the week. The week succeeded in building on community recognition of rental housing not as an asset, but as a home.

WE ADVOCATE



Participants in the Make Renting Fair online forum – When renters organise, we can win!



Spotlight | Research Report: Eviction, Hardship and the Housing Crisis

Moving house is generally considered one of life's most stressful events. The financial costs, and the stress and anxiety associated with moving are substantial, and these are exacerbated when a household is forced to move (evicted). Our current renting system relies too heavily on eviction, and as a community we have become complacent about the costs associated with eviction. Too often, we intervene after the fact, rather than looking to see what a better model or approach might look like. In February 2022 the Tenants' Union launched a Special Report on Eviction, Hardship and the Housing Crisis, asking us to take a new look at eviction.

The report considers the broad range of costs faced by a household when they move, in particular, the costs associated with a forced move or eviction. The report intervenes in the ongoing discussion on what we have learned from COVID-19, and how we can 'build back better'. It provokes us to think again - and think harder - about how we can more effectively prevent eviction. It asks:

- How can we ensure renters aren't forced to move unnecessarily?
- How can we better support renters impacted by crisis – whether that be a health crisis, climate crisis (such as floods and bushfire), or a personal life crisis – to sustain their tenancies, and stay safely housed?

Main findings

- Renting households in NSW are likely to face direct financial 'core' costs of around \$2,500 when they move.
- Renting households in NSW generally

EVICTION, HARDSHIP, AND THE HOUSING CRISIS



Special Report
February 2022



Building a crisis-resilient renting system

face 'average' costs of around \$4,000 each time they move.

- Direct cost of evictions to the NSW economy based on estimated average costs around \$122 million per annum.
- Existing protections for renters experiencing hardship are insufficient, leading to eviction for households who, if better supported, may have been able to sustain their tenancy through recovery.
- Building a more crisis-resilient renting system requires the introduction of a more effective and permanent hardship framework, one that ensures eviction is considered only an action of last resort.

Strategic litigation

Strategic litigation over 2021-22 included:

- An interstate landlord and an unresolved jurisdiction question
- Ensuring residents voices are heard in significant State development projects
- Preserving the remaining protection under the repealed *Landlord and Tenant (Amendment) Act 1948*
- Challenging the use of no grounds terminations by social housing providers
- A government agency appealing a decision of the NSW Civil and Administrative Tribunal (NCAT)
- Challenging a claim for possession in the Supreme Court
- Removing an unjust listing on the TICA database
- Challenging numerous site fee increase terms and the method for calculating increases in Residential Land Lease Communities (RLLCs) – previously known as residential parks – in the Tribunal and in the Supreme Court of NSW
- Contempt application to the Supreme Court of NSW for a RLLC operator's continued failure to comply with Tribunal Orders.

Challenging unfair anti-social behaviour allegation

We assisted Murra Mia Aboriginal Tenants' Service to advocate for a public housing tenant who had been taken to the Tribunal for termination. The landlord claimed that the tenant had breached the terms of the tenancy agreement by causing or permitting a nuisance and interfering with the reasonable peace, comfort and privacy of a neighbour. We prepared submissions in reply, arguing that the landlord had not established the grounds of its claim, and that the circumstances of the case were not sufficient to justify termination – particularly because the tenant had been overpowered by others who were making the noise. The Tribunal found that in all the circumstances, it was appropriate to exercise its discretion to not make the termination order.

A right to quality drinking water

We represented eight RLLC homeowners in the Tribunal regarding the quality of the drinking water supplied in their residential community. The proceedings commenced in November 2020 and ended in December 2021. Both sides had expert reports in evidence. The operator was represented by a major Sydney law firm and a barrister. We worked with Western Sydney Tenants Service and obtained pro bono assistance from Nick Eastman, barrister. The matter settled with consent orders including a program of works and maintenance including testing and water treatment. Compensation to the homeowners for economic loss and non-economic loss was agreed and paid.

Third party electricity retailers in RLLCs

We provided ongoing advice during 2021 to RLLC homeowners and resident associations regarding residential community operators purporting to step out of electricity supply (where the operator has on selling exemptions) by engaging a third party retailer to sell electricity within the RLLC. The problem with this behaviour is that contracts between the homeowners and the third party are not created by the operator's conduct. Contracts for the supply of electricity need the agreement of both parties. Also, the third party can effectively charge more for electricity than the operator lawfully can. We are aware of this problem arising in at least four RLLC's. We have been advising TAASs on the issue as well. The explicit informed consent (EIC) of a customer is required and the Australian Energy Regulator (AER) was alerted to breaches of the specific EIC provisions by electricity retailers. Several recommendations about reforms to the regulation of charging for electricity supplied (through an embedded network in RLLC's) were made by the Tenants' Union and others and are set out in the *RLLC Act 2013 Statutory Review Report* tabled in the NSW Parliament on 29 November 2021.

A STRONG & DYNAMIC ORGANISATION

In 2021–2022:

- We successfully continued online work-from-home and training operations under COVID-19 health and safety precautions.
- We met all our performance indicators and reporting requirements.
- We undertook staff professional development.
- We increased permanent staffing positions.
- Our Board met six times during 2021–2022, and participated in the Strategic Planning process.
- Our Finance and Human Resources subcommittee met eleven times during 2021–2022.
- The Board established Governance & Membership, and Policy Review subcommittees.
- The Board Governance & Induction Kit was extensively reviewed in preparation for the Induction of new Board members prior to the first Board Meeting of 2022.
- We gave presentations on our Knowledge Management Project to the Tenants Advice and Advocacy Services, and the Community Legal Centre sector.
- We undertook a comprehensive Strategic Planning process with Board and Staff.
- We worked with the Tenants Advice and Advocacy Services to help ensure the Network's service delivery continues to meet the community needs.

Our Board

- **Julia Davis** (Chair)
- **Melissa Brooks** (Secretary; elected AGM November 2021)
- **Mauro Di Nicola** (elected AGM November 2021)
- **Olivier Gonfond** (from May 2022)
- **Chris Hartley** (Vice-Chair; elected AGM November 2021)
- **Charmaine Jones** (until May 2022)
- **Jane Kenny** (until AGM November 2021)
- **Aideen McGarrigle** (Secretary; until AGM November 2021)
- **Brendon McKeon**
- **Maree O'Halloran** (Treasurer)
- **Dean Price** (until AGM November 2021)
- **Lisa Smaljov**
- **Haley Winchcombe** (elected AGM November 2021)

Our Staff

- **Grant Arbuthnot** (Principal Legal Officer)
- **Patrycja Arvidssen** (Learning and Development Coordinator)
- **Riley Brooke** (Policy and Campaigns Officer)
- **Anne Coates** (Administration Coordinator)
- **Lehana De Silva** (Solicitor – Aboriginal Support)
- **Anushke Guneratne** (Technology Coordinator)
- **Jeremy Kerbel** (Communications Coordinator)
- **Julie Lee** (Land Lease Communities Officer, to May 2022)
- **Jack Moon** (Data and Research Officer, from Oct 2021)
- **Jemima Mowbray** (Policy and Campaigns Manager)
- **Robert Mowbray** (Advocacy Officer – Older Renters)
- **Tara Mulholland** (Administration Officer, until March 2022)
- **Olivia Nielsen-Gurung** (Advocacy Officer)
- **Leo Patterson Ross** (Chief Executive Officer)
- **Eloise Parrab** (Advocacy Officer, until May 2022; Land Lease Communities Officer, from May 2022)
- **Daen Phillips** (Aboriginal Paralegal)
- **Paul Smyth** (Land Lease Communities Solicitor)
- **Dylan Stanford** (Administration Assistant)
- **Isobel Stockler** (Administration Officer, from April 2022)
- **Paul van Reyk** (Operational Support Manager)
- **Charlotte Wilde** (Community Education Coordinator)
- **Rita Wilkinson** (Climate Project Officer)
- **Cass Wong** (Solicitor – Strategic Litigation)

A STRONG & DYNAMIC ORGANISATION

Spotlight | Strategic Plan

In the first half of 2022, the Tenants' Union staff and Board engaged in an extensive Strategic Planning process, facilitated by Jon Davies from the Social Impact Hub. We undertook big picture thinking, discussing and reviewing the why, what and how of what we do along with articulating our values.

We set six priority areas for 2022-2025:

- 1. Drive systemic change and long-term creative solutions:** Because renting is a legitimate and important way people make their homes, we will shape the narrative, keeping a fighting focus on the needed reforms and be responsive during times of crisis.
- 2. Renter engagement, awareness and education:** Because we can only authentically represent renters who feel connection to us, we will continue to engage, consult and embed awareness and education in the community.
- 3. Access to the best advice, support and information:** Because it is important that renters receive the highest quality services, we will play an essential role working with the TAAS Network to ensure that advice, support and information is easy to access in a range of ways and is consistently the best quality possible.
- 4. Staff wellbeing and tenure:** Because the change we seek requires tough conversations and representation over many years, we will

continue to create a workplace which promotes staff wellbeing, connection and stability.

- 5. Funding sustainability:** Because we need to ensure our independent voice to meet the broad needs of renters' rights and advocate for systemic change, we will grow, diversify and ensure the sustainability of our sources of funding.
- 6. Strong and dynamic organisation:** Because we need to provide high quality services and advocate effectively in the interests of renters at a systemic level, we will build and maintain strong organisational capacity.

We look forward to reporting on our progress in our next Annual Report.

WHAT WE DO

1. We assist renters to assert their rights.
2. We work for systemic change.
3. We educate and advise.
4. We listen to and are accountable to renters.

WHY WE DO IT

We seek a future where all renters have the home they want.

OUR VALUES

We boldly commit to social change.
We openly and creatively connect.
We champion fairness.
We learn, grow and do it well.
We build inclusive compassionate communities.

HOW WE DO IT

The Tenants' Union of NSW works with and for renters, particularly those in need, for housing justice.
We support renters to have homes that are safe, secure, affordable and sustainable.

FINANCIAL STATEMENTS

Tenants' Union of NSW Co-operative limited | ABN 88 984 223 164

Extract from the Financial Report for the year ended 30 June 2022

What follows is an extract from the Tenants' Union's financial statements. The full financial statements are available at tenants.org.au, and are also available from the Australian Charities Register, on the Australian Charities and Not-for-profits Commission website, acnc.gov.au

Tenants' Union of NSW Co-operative Limited
Statement of profit or loss and other comprehensive income
For the year ended 30 June 2022



	Note	2022 \$	2021 \$
Revenue			
	4	2,415,319	2,426,679
Interest revenue calculated using the effective interest method		3,667	585
Total revenue		<u>2,418,986</u>	<u>2,427,264</u>
Expenses			
Accounting fees		(46,800)	(45,200)
Computer expenses		(21,795)	(21,368)
Consultancy fees		(47,157)	(25,309)
Employee benefits expense		(1,980,087)	(1,859,397)
Depreciation and amortisation expense	5	(145,419)	(83,853)
Meeting expenses		(37,323)	(8,360)
Membership fees		(18,143)	(19,092)
Client support costs		(38,092)	(3,572)
Postage, printing and stationery		(9,409)	(18,444)
Operating lease expenses	5	-	(47,542)
Telephone and internet		(14,670)	(16,046)
Travel and accommodation		(3,511)	(4,466)
Other expenses		(79,171)	(86,413)
Finance costs	5	(6,740)	(6,575)
Total expenses		<u>(2,448,317)</u>	<u>(2,245,637)</u>
Surplus/(deficit) for the year		(29,331)	181,627
Other comprehensive income for the year		-	-
Total comprehensive income for the year		<u>(29,331)</u>	<u>181,627</u>

The above statement of profit or loss and other comprehensive income should be read in conjunction with the accompanying notes

FINANCIAL STATEMENTS

Tenants' Union of NSW Co-operative limited | ABN 88 984 223 164

Tenants' Union of NSW Co-operative Limited
Statement of financial position
As at 30 June 2022



	Note	2022 \$	2021 \$
Assets			
Current assets			
Cash and cash equivalents	6	792,509	1,206,658
Trade and other receivables	8	29,731	7,190
Other financial assets	7	524,750	24,750
Other assets	9	8,491	21,231
Total current assets		<u>1,355,481</u>	<u>1,259,829</u>
Non-current assets			
Property, plant and equipment	10	71,179	126,558
Right-of-use assets	11	102,905	191,110
Total non-current assets		<u>174,084</u>	<u>317,668</u>
Total assets		<u>1,529,565</u>	<u>1,577,497</u>
Liabilities			
Current liabilities			
Trade and other payables	12	105,091	102,933
Contract liabilities	13	193,788	211,150
Lease liabilities	14	94,034	86,260
Employee benefits	15	453,654	392,303
Provisions	16	20,290	19,745
Total current liabilities		<u>866,857</u>	<u>812,391</u>
Non-current liabilities			
Lease liabilities	14	16,194	110,228
Employee benefits	15	165,662	159,847
Provisions	16	39,995	24,843
Total non-current liabilities		<u>221,851</u>	<u>294,918</u>
Total liabilities		<u>1,088,708</u>	<u>1,107,309</u>
Net assets		<u>440,857</u>	<u>470,188</u>
Equity			
Reserves	17	65,309	-
Retained surplus		<u>375,548</u>	<u>470,188</u>
Total equity		<u>440,857</u>	<u>470,188</u>

The above statement of financial position should be read in conjunction with the accompanying notes

FINANCIAL STATEMENTS

Tenants' Union of NSW Co-operative limited | ABN 88 984 223 164

Directors declaration

This declaration relates to the full financial statements.

The full financial statements are available at tenants.org.au, and are also available from the Australian Charities Register, on the Australian Charities and Not-for-profits Commission website, acnc.gov.au.

Tenants' Union of NSW Co-operative Limited
Directors' declaration
30 June 2022



In the directors' opinion:

- the Co-operative is not a reporting entity because there are no users dependent on general purpose financial statements. Accordingly, as described in note 2 to the financial statements, the attached special purpose financial statements have been prepared for the purposes of complying with the *Australian Charities and Not-for-profits Commission Act 2012* and the *Co-operatives (Adoption of National Law) Act 2012* and associated regulations requirements to prepare and distribute financial statements to the members of Tenants' Union of NSW Co-operative Limited;
- the attached financial statements and notes give a true and fair view of the Co-operative's financial position as at 30 June 2022 and of its performance for the financial year ended on that date; and
- there are reasonable grounds to believe that the Co-operative will be able to pay its debts as and when they become due and payable.

Signed in accordance with a resolution of directors.

On behalf of the directors

Julia Davis
Chairperson

28 October 2022

Maree O'Halloran
Treasurer

Independent Auditor's Report to the Members of the Tenants' Union of NSW



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Chartered Accountants & Business Advisors
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Elias Y Bader

Rupa Dharmasiri

George P Rochios

Mark W Willock

Tenants' Union of NSW Co-operative Limited

ABN: 88 984 223 164

Independent Auditor's Report to the Members of Tenants Union of NSW Co-operative Limited

Opinion

We have audited the accompanying special purpose financial report of Tenants' Union of NSW Co-operative Limited (the Co-operative), which comprises the statement of financial position as at 30 June 2022, the statement of profit or loss and other comprehensive income, the statement of changes in equity and the statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, and the directors' declaration.

In our opinion, the accompanying financial report of the Co-operative is in accordance with the Division 60 of the *Australian Charities and Not-for-profits Commission Act 2012* (ACNC Act) and the *Co-operatives (Adoption of National Law) Act 2012*, including:

- (i) giving a true and fair view of the Co-operative's financial position as at 30 June 2022 and of its financial performance for the year then ended; and
- (ii) complying with Australian Accounting Standards to the extent described in Note 2, and Division 60 of the *Australian Charities and Not-for-profits Commission Regulation 2013*.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Co-operative in accordance with the ethical requirements of the ACNC Act and Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including independence standards)* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter - Basis of Accounting

We draw attention to Note 2 to the financial report, which describes the basis of accounting. The financial report has been prepared for the purpose of fulfilling the Co-operative's financial reporting responsibilities under the ACNC Act and the *Co-operatives (Adoption of National Law) Act 2012*. As a result, the financial report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Independent Auditor's Report to the Members of the Tenants' Union of NSW



Tenants' Union of NSW Co-operative Limited
ABN: 88 984 223 164

Independent Auditor's Report to the Members of Tenants Union of NSW Co-operative Limited

Responsibilities of Directors for the Financial Report

The directors are responsible for the preparation of the financial report that gives a true and fair view and have determined that the basis of preparation described in Note 2 to the financial report is appropriate to meet the requirements of the ACNC Act and the *Co-operatives (Adoption of National Law) Act 2012*. The directors' responsibility also includes such internal control as the directors determine 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 preparing the financial report, the directors are responsible for assessing the Co-operative's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the Co-operative or to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report.

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit 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 Co-operative's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the directors.

Independent Auditor's Report to the Members of the Tenants' Union of NSW



Tenants' Union of NSW Co-operative Limited
ABN: 88 984 223 164

Independent Auditor's Report to the Members of Tenants Union of NSW Co-operative Limited

- Conclude on the appropriateness of the directors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Co-operative's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Co-operative to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the directors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

We also provide the directors with a statement that we have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on our independence, and where applicable, actions taken to eliminate threats or safeguards applied.

Rupaninga Dharmasiri
Partner

LBW & Partners
Chartered Accountants
Level 3, 845 Pacific Highway
CHATSWOOD NSW 2067

Dated this 28th of October 2022

ACKNOWLEDGEMENTS

We acknowledge the crucial work of the Tenants Advice and Advocacy Services who provide frontline advice and advocacy to tenants in NSW. Our work in law and policy reform and resource development is dependent on their invaluable experience and insight.

We acknowledge the funding provided by the Australian Government, NSW Government through Fair Trading and the Public Purpose Fund through the Community Legal Centres Program administered by Legal Aid NSW, City of Sydney, and the continued support of Community Legal Centres NSW.

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

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

Our Volunteers

Advice Line

Keith Harding
Merrilyn Kennedy

Student placements

Alan Chen
Abinaya Sundar

Residential Land Lease Communities Forum

Lisa Ashby	John McCabe
Rebecca Bryant	Emma McGuire
Charles Dalgleish	Pam Meatheringham
David Dodge	Bob Morris
Tom Coster	Margaret Nicoll
Jill Edmonds	Jock Plimmer
Ian Finlayson	Mary Preston
Judy Fogarty	Franya Repolusk
Sandy Gilbert	Noleen Robinson
Nicole Grgas	Don Rose
Lynn Harvey	Barry Sanders
Ann Holmes	Jade Saxelby
Dorothy Hudson	Greg Skinner
Judith Janczuk	Trevor Sullivan
John MacKenzie	Lyn Wilson
	Kim Wright

Individuals

Allan Anforth
Bridget Barker, Legal Aid NSW Community
Legal Education Branch
Christopher Brown
Emily Bullock, Hands Off Glebe
Freya Conomos, Youth Action
Julia Cordina, Legal Aid NSW
Sue Cripps, SC Consulting
Jon Davies, Social Impact Hub
David Dodge
John Engeler, Shelter NSW
David Evans
Murray Gatt, Youth Action
Professor Nicole Gurran, University of Sydney
Jane Hearn
Pamela Hunter, VERTO
Trina Jones, Homelessness NSW
Jessica Kendall, Economic Media Centre
Dr Chris Martin, City Futures, UNSW
Katherine McKernan, Homelessness NSW
Professor Alan Morris, Institute for Public Policy
and Governance, University of Technology
Maria Nawaz, Grata Fund
KerryAnn Pankhurst, New England and Western
Tenants Advice and Advocacy Service
Professor Hal Pawson, City Futures Research
Centre, University of NSW
Chris Perry

Continued...

Individuals, *continued...*

Dr Emma Power, Western Sydney University
Karen Pritchard, Uniting Care
Joanna Quilty
Margaret Reckless, resident Ballina Waterfront
Village and Tourist Park, West Ballina
Sydney Ross Nicholas, Costs Plus Pty Ltd
Philippa Scarf, Legal Information Access Centre
Michael Snape, Legal Aid NSW
Lila Sullivan, Legal Aid NSW
Dr Laurence Troy, University of Sydney
Lee Watson, Fair Trading
Brett Webb, Northern Area Aboriginal Tenants
Advice and Advocacy Service

Barristers

Paul Batley, Frederick Jordan Chambers
Ryan Coffey, Martin Place Chambers
Nick Eastman, Martin Place Chambers
Alexander Flecknoe-Brown, 6 St James Hall Chambers
Greg James KC, 11 Garfield Barwick Chambers
Liam James, Level 22 Chambers
Chris Koikas, 11 Garfield Barwick Chambers
Pat Lane, Level 22 Chambers
Lara Nurpuri, Martin Place Chambers
Mark Seymour, Martin Place Chambers
Andrew Tokley SC, 5 Wentworth Chambers

Organisations

Ageing at the Edge NSW Forum
Australian Council of Social Services
Australian Services Union (ASU)
College of Law
Community Housing Industry Association
Community Legal Centres NSW
Community Legal Centres Australia
Council for Intellectual Disability
Energy and Water Ombudsman
Homelessness NSW
Indigi-Print
Law Access
Law Society of New South Wales
Legal Information Access Centre
Maritime Union of Australia
Metropolitan Local Aboriginal Lands Council
National Shelter
Newtown Neighbourhood Centre
Ngalya Indigenous Corporation
NSW Council Of Social Services
Oz International Students Hub
Older Women's Housing and Homelessness Group
People With Disability Australia
Port Stephens & Affiliates Park Residents Assn Inc.
Rivergum Holiday Park Residents Committee
Shelter NSW
State Library of NSW
Sydney Alliance
Sydney Community Forums
The Catering Specialists
Tweed Residential Park Home Owners Assn Inc
Youth Action



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Erratum: Minor correction to fully acknowledge funding sources.