

TENANT NEWS

NEWSLETTER OF THE TENANTS' UNION OF NSW # 113 AUGUST 2016



"We can't 'Share the spirit' if we can't afford the rent!" – a Rentwatchers rally voicing concern about rising rents and evictions in the lead-up to the Sydney Olympics.

DRAWING ON THE PAST, TAKING ON THE FUTURE

Ned Cutcher – Senior Policy Officer, Tenants' Union of NSW

The Tenants' Union of NSW is working towards a society where low-income households can access secure, liveable and affordable rental housing. In the meantime we'll make a positive difference to the lives of people who rent in NSW.

Drawing on the experience and expertise we've gathered over the last four decades, we're celebrating our 40th anniversary with a bold new plan. We'll ensure that high quality legal information, advice and advocacy is freely available to all tenants, and we'll influence public opinion about tenants' rights and interests through research, advocacy and public comment. We'll push for fairer renting laws, and a rental market that provides tenants and other renters with the housing options they need. Most importantly, we'll strengthen our capacity, and build new support for our

goals, so we can continue to work with tenants and do these things for another 40 years or more.

Many of our priorities have remained with us since we were established in 1976. Starting out as a volunteer and activist Tenancy Working Group of the newly formed Shelter NSW, our original aims were to become a representative organisation and act as a voice for the interests of tenants.

We sought to improve the status and rights of tenants through law and policy reform, and to disseminate information on tenants' rights and obligations. We hoped to build a network of autonomous local groups, affiliated with our organisation, to provide advice and resources to tenants and encourage them to take action in support of their rights. We collected information and undertook

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40th
anniversary

SPECIAL EDITION

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LIFE BEGINS AT 40!

Julie Foreman – Executive Officer, Tenants' Union of NSW



Congratulations to the TU! 40 years of working for tenants rights and housing justice is no mean feat. This edition of *Tenant News* celebrates the achievements of that hard work and also takes a clear-eyed view of what still needs to be done.

The TU, including our thousands of volunteers, staff, members, Board directors, funders and supporters over four decades 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 will hear about all of this from those directly involved in the pages that follow.

At any anniversary it is appropriate to acknowledge and thank our founders, many of whom not only continue to be influenced by their time at the TU but also in turn continue to participate in the social justice movement.

It hasn't always been an easy journey and a key characteristic of the TU is our long-term commitment to positive change for renters and its vision for a secure, liveable and affordable renting system in NSW. The long-term commitment has meant that the TU has evolved.

Today the TU is a nationally accredited community legal centre, registered training organisation, policy think tank and authoritative source of information for tenants. We have also, over time, expanded our expertise in Aboriginal housing, social housing, residential parks, boarding houses and older renters. The TU thanks the tenants of NSW who have taught and guided us in this work.

Not only has the TU changed, so has the context of our work. There are more renters now (in actual numbers and percentage) than could have been imagined when the TU 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. Information is now accessed in different ways – last year our website had over 700,000 unique visits.

The role of civil society organisations has changed in that time too. The contraction of the amount of government funding and the narrowing of its focus; the competition within the community services sector; the out-sourcing of government services and pressures for small organisations to amalgamate has meant that the TU has worked hard to ensure we have not unintentionally veered from our original aims or been silenced in our fight for tenants rights. We remain anchored by our vision of housing justice.

The TU knows that we are only as strong as those around us. This is truer today than 40 years ago. It requires organisations like us to be excellent communicators, to collaborate, adapt and find common

1916

1976

1977

1910

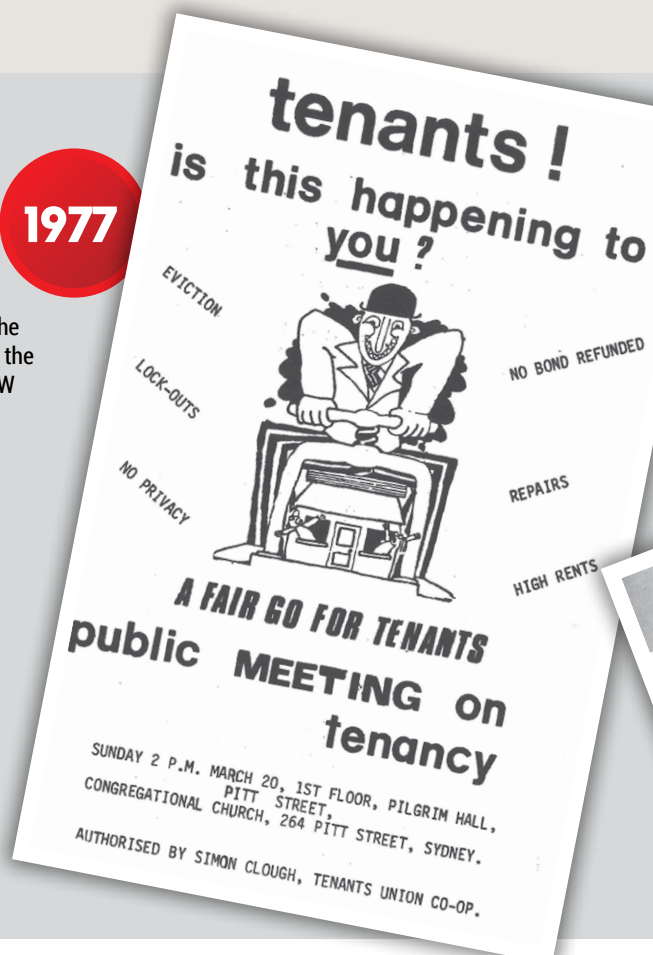
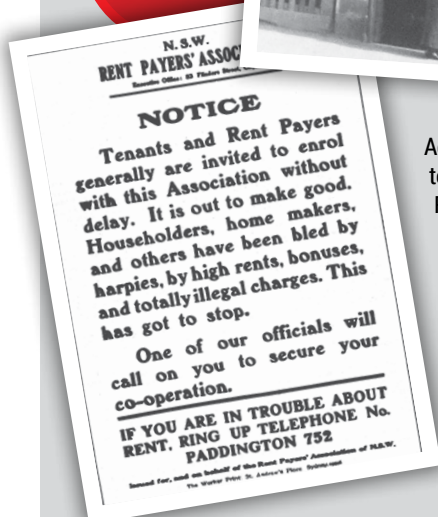


On 17 August 1976, the formation meeting of the Tenants' Union of NSW Co-Op Ltd was held. The first issue of *Tenants' Union News* was published in November 1976.

Active from 1910 to 1916, the Rent Payers' Association of NSW was the first tenant organisation in Australia.

1975

On 17 March 1975, the Tenancy Working Group of Shelter NSW held its first meeting, out of which grew the Tenants' Union. Also in 1975, *Your Rights as a Tenant in NSW* was published – a booklet in English, Italian, Greek, Serbo-Croat, Turkish, Arabic & Spanish.



ground. It also requires us to notice, acknowledge and loudly call for change when we witness the impacts of the imbalance of power on renters.

So what of the future for the TU? This short quiz will give you a clue:

1. Can renters be told to leave their home for no reason?
2. Can rent be increased an unlimited number of times in a year?
3. Can landlords enter a renter's home without their consent and when they are not there?

If you answered yes to these questions, you are right and you will know there is more work to do! Work to raise awareness, work in standing beside all tenants in difficult times, work in changing laws & policy. We're up for it; we hope you are too! 🏠

The TU has also commissioned a short film to chart its progress over 40 years. You can watch it on our website & Facebook. We interviewed people who have engaged with the TU over the last 40 years. Some of their stories appear in this anniversary edition of *Tenant News* (see right).

Robert Mowbray

Founding TU member and current TU Project Officer for Older Tenants



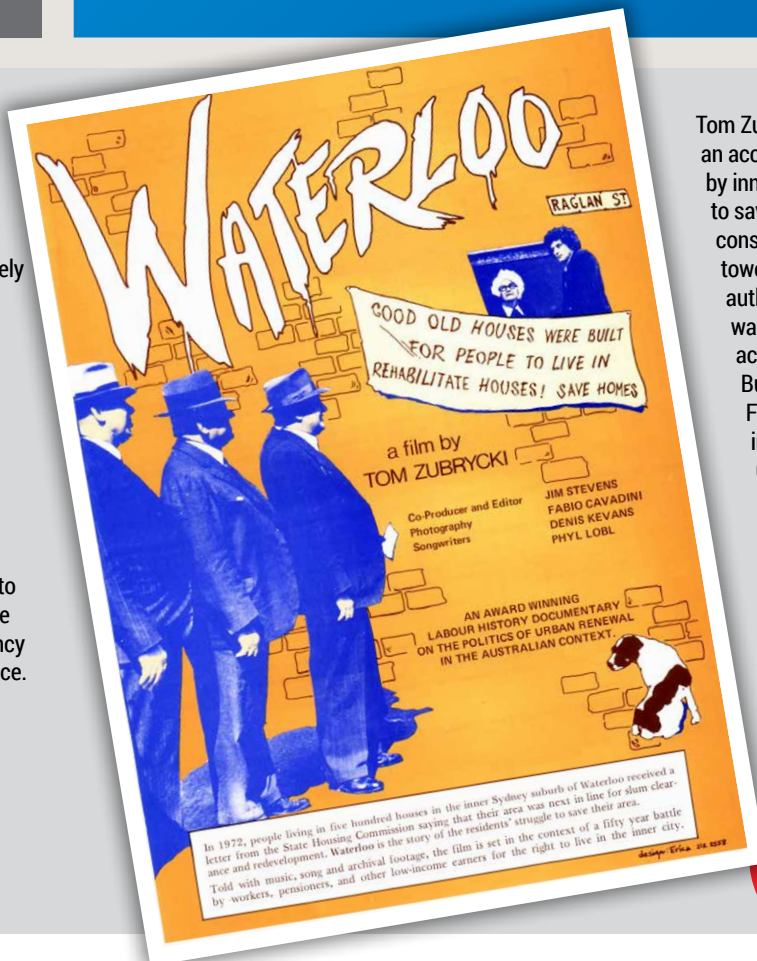
Robert is the longest serving tenant advocate in NSW. His involvement in tenancy issues extends over 40 years. He became involved in tenants' rights in his final placement as a social work student in 1974 – and is yet to finish that placement! Robert's first job in the community sector was with South Sydney Community Aid as a Tenants Rights Officer in 1975. Around that time Shelter NSW was established and it set up a number of working groups, including the Tenancy Working Group. Membership consisted of housing activists from a range of backgrounds, but with a strong commitment to housing justice. They felt that there was a strong need for a separate tenants' organisation; out of that group the Tenants' Union was born. Robert became its first Secretary in 1976. He's been active in the TU ever since and was awarded Life Membership in 1996.

Robert wrote the first *Tenants' Rights Manual* in 1975 and has been a major contributor to all editions since. He has co-authored the 'Private rental' section in all editions of *The Law Handbook*, bar one. He also wrote the early tenants' rights factsheets. Along the way Robert collected two postgraduate qualifications from the University of Sydney. His research was based on following the fortunes of over 700 rental properties for 10 years.

In 2004 Robert received the *Justice Medal* (awarded by the Law and Justice Foundation) for an individual who has 'demonstrated outstanding achievement in improving access to justice in NSW, particularly for socially and economically disadvantaged people'. In recent years Robert has worked as a tenant and housing advocate and, since 2014, as the TU's Project Officer for Older Tenants – his first paid job for the TU! Robert always fights hard for his many clients – he's not one to be intimidated! See overleaf for some stories from Robert's time as an advocate. 🏠

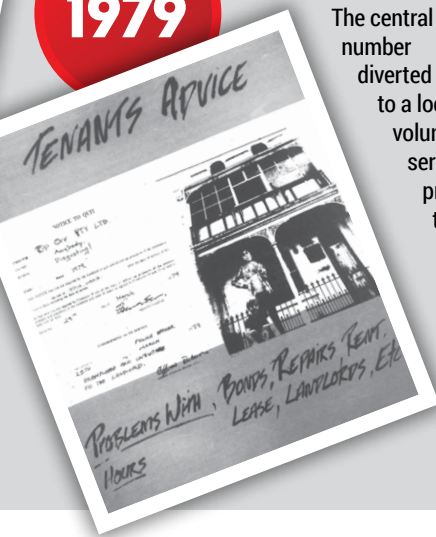
In 1977, the TU trained and set up voluntary tenants' advice services around NSW. The first Community Legal Centres and the Rental Bond Board were also established. The TU immediately began campaigning for funding of tenant services from interest on bonds. In 1979 the Tenants' Hotline opened for business. The central number

diverted calls to a local volunteer service to provide tenancy advice.



Tom Zubrycki's film *Waterloo* is an account of the 1970s battle by inner Sydney residents to save their suburb from the construction of high-rise towers by the public housing authority. The campaign was supported by resident action groups and the Builders Labourers Federation. It succeeded in persuading the Government to renovate existing dwellings and add 'in-fill' houses instead. Their campaign also contributed to community consultation becoming part of the development process in NSW.

1979



1980

STORIES FROM 40 YEARS OF ADVOCACY

Robert Mowbray – TU Project Officer for Older Tenants

AN 'OUTSIDE AGITATOR'

Late one evening one of my clients who lived in a country town was told by his neighbour that she'd just overheard a phone conversation... and his landlord was coming next morning to demolish his house.

The client rang me immediately. I sprang into action. I organised a solicitor to seek an injunction first thing next morning in the Land and Environment Court. The Minister's office also was contacted. My wife and I arrived at the client's house at the crack of dawn and rallied the neighbours. At 7.45 the landlord arrived with a bulldozer, several trucks and two security guards carrying guns. I ordered them off the premises, warning them of a raft of laws that they were about to breach. We called the police. The developer pulled back. We won a stay in the Land and Environment Court. It all ended up in the Court of Appeal five years later in the case of *May v Ceedive*. The police report on the incident states that

Mr Mowbray 'appeared to inflame the situation' because he insisted 'that police prevent action by [the landlord]'. This report then refers to Mr Mowbray as an 'outside agitator'.



SUB-TENANT & LANDLORD: BOTH WINNERS

With great relish I served a Notice to Quit on a tenant... on behalf of his sub-tenant.

The landlord had walked into the office of a real estate agent who agreed to manage his property. But, instead of entering into a management agreement, the real estate agent signed a tenancy agreement himself. He then promptly sub-let it to my client at a substantially higher rent – much more than the rent that he was paying to the landlord. Subsequently, my client found out that his landlord owned the corner shop and they got to talking about the property. The landlord

was aghast to hear what the tenant was paying. So, I agreed to serve a *Notice to Quit* on his tenant – the real estate agent – and negotiated a new tenancy agreement between the landlord and my client, with the landlord collecting an increased rent and my client paying a lower rent. The sub-tenant and landlord, both winners!

UNORTHODOXY

Housing NSW wanted to sell a tenant's house, because it was seen as too good for social housing.

(In other words, Housing NSW could sell it for lots of money because it had appreciated greatly in value.) Neighbours rallied in support of the tenant. She was the only social housing tenant in the street. They signed petitions and lobbied the local MP. I wrote many letters. Housing NSW was not moved. Finally, I wrote directly to the Director saying that I was coming to his office, picking him up and driving him to the tenant's house, so that he could explain why they wanted to evict her.

1980

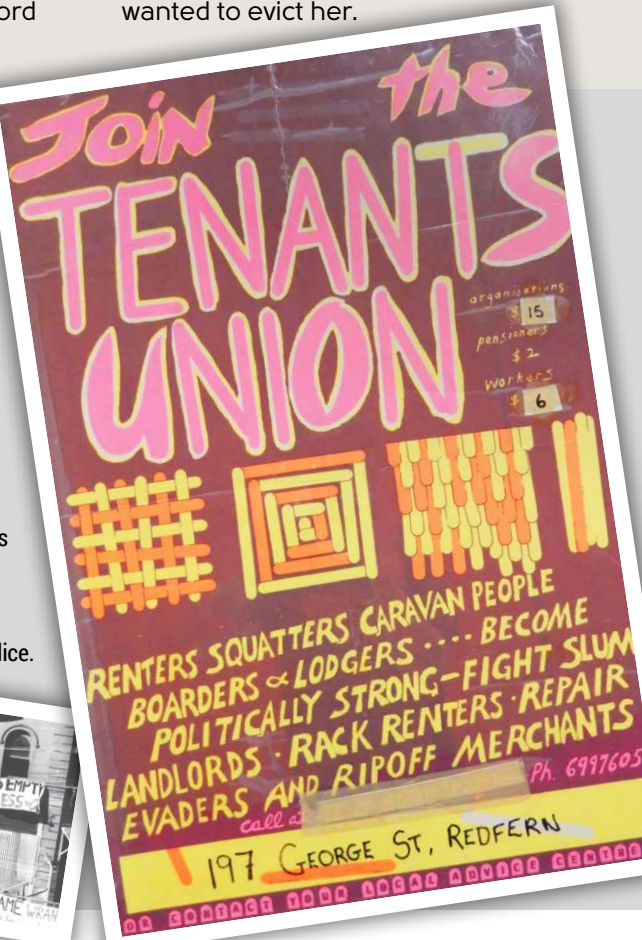
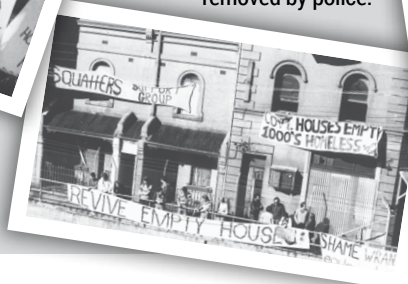
In January 1980, the TU got its first paid worker, funded by Legal Aid.

1981

In 1981 the TU provided support to rent strikes and squatters in Annandale, Dulwich Hill and The Rocks. Houses were squatted to highlight the housing crisis.



A 'Tent City' protest was set up in Hyde Park to highlight that many people could no longer afford the rent in Sydney. The 'Ratbags of Rhythm' (left) played and people occupied the park until removed by police.



My letter was passed down the chain and halfway through a subsequent telephone conversation with the Area Manager I said: 'You're not going to evict the tenant, are you?' He replied 'No'.

A CROSSED PHONE LINE

In the late 1970s Andrew Refshauge, then a doctor with the Aboriginal Medical Services (and later Deputy Premier), referred a single mum to my service.

He was concerned about one of his clients being very depressed and he realised why – it was her appalling housing situation. It was clear that she was being exploited by an unscrupulous landlord. We organised for ABC TV's *This Day Tonight* program to film at her place. That night, the wife of the producer of *This Day Tonight* picked up her telephone to call a friend and got a crossed line. And it happened to be the caretaker of the building talking to the landlady. The producer's wife had been watching *This Day Tonight* and recognised what they were talking about. One of the things they said was, 'Well, whatever you do, don't let anyone find out about the old

couple upstairs.' So she relayed that conversation to me at South Sydney Community Aid and we pursued how this couple was being ripped off. The tenant who was filmed eventually was rehoused rent free by a landlord who had watched the program.

ACCIDENTAL COUNSELLOR

Sometimes tenant advocates find themselves in the role of 'accidental counsellor'.

I received a call on the Tenants' Hotline from a distressed person. It was a not-unusual share housing situation where good friends had fallen out. I found myself giving advice on techniques for calming down when you feel like throttling your flatmate! I said: 'Imagine their pants are on fire, their teeth are falling out, their hair is turning green ...' 'Oops', I said, 'you said you live in Newtown. Perhaps their hair is green'. The caller replied 'Yes'. 🏠

Mary Perkins

1981 TU staff member and 1989 TU Board member



In the 70s I was working in Kings Cross/Darlinghurst in a youth unemployment project. When eventually the Tenants' Union did pick up some money from the Legal Aid Commission for a project worker I applied and was hired. We were located in the old Uniting Church building – it was pretty rough and tumble; most of the glass in the windows was gone, the floor sloped. On Friday nights we had to pack up our desks and put all of the papers away so they could have church on Sunday. On Monday we'd unpack it all so we'd have a Tenants' Union office for the rest of the week. At that time there was a bit of campaigning to get an award for social welfare workers and there was a hearing for the award, a site meeting held at our workplace, which was described by the judges as easily the worst workplace they'd ever seen in terms of its physical comfort and conditions. 🏠

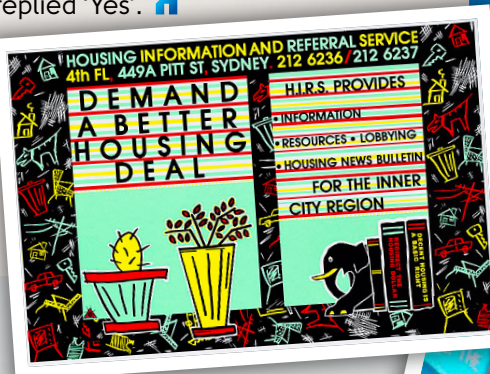
1982

In 1982, the TU published *Reforming a feudal law* with Cabramatta Community Centre and Australian Consumers Association, and launched the *Campaign Action for Rental Reform*. The TU also released a model lease – a focus for ongoing campaigning for fair tenancy laws.

Meanwhile, the Green Bans movement was one of the defining moments in Sydney's history, protecting hundreds of significant properties, and thousands of vulnerable residents. The TU was linked to this movement through local Residents Action Groups who worked together with the Builders and Labourers Federation (BLF) to protect Sydney's people and heritage in areas still controversial today, such as Millers Point, Waterloo & Glebe.

During the early 1970s these Resident Action Groups had collaborated with each other on broader issues, and realised their common concern was housing. One of their joint projects was the creation of Shelter NSW, and the beginnings of the TU.

The BLF Green Bans Mural (right) by Michiel Dolk & Merilyn Fairskye, at Woolloomooloo, featured on the cover of *Tenant News* #18.



1984

In 1984 the TU moved into an office in Redfern, and was promptly immortalised in a mural, which can still be seen today in Reconciliation Park. It was painted by the Public Art Squad – founded by David Humphries and Rodney Monk – who pioneered the Community Mural Movement in Australia. The mural incorporates images of local residents, and was awarded the Sir John Sulman art prize in 1985.



1985



In 1985 the Housing Information and Tenancy Service (HITS) program was funded by the NSW Government through Rental Bond Board interest money. The TU played a key role in establishing and resourcing HITS workers around NSW.



DRAWING ON THE PAST, TAKING ON THE FUTURE

Ned Cutcher – Tenant and Senior Policy Officer, Tenants' Union of NSW

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research about conditions in the rental market, and the problems tenants faced. We worked to have tenants directly represented in all forms of

government and the administrative decision making that affects them. We argued for the availability of good quality rental housing for all.

These priorities have seen us through 40 years as an organisation. They have driven us in all we have set out to do, and all we have achieved. The landscape has shifted from time to time – sometimes dramatically – but we have never seen a change that would render our work complete. Nor do we expect to. No matter how big or small the victories we might yet claim, there will always be more to do. Tenants need strong, enforceable rights, and to achieve this they need an organisation that speaks with them, hears them, and engages with them as they voice

their needs and concerns. As we look back over the many years of the Tenants' Union of NSW, we can see that sometimes the more you succeed, the harder you have to try.

INFORMATION, ADVICE AND ADVOCACY

The establishment of information, advice and advocacy networks was a founding objective for the TU. As early as 1975, before we had formally established a discrete organisation, the Tenancy Working Group produced and distributed a booklet called *Your Rights As a Tenant in NSW*.

In 1977 we began training volunteers to set up tenants' advice services around the state, inviting people from a range of organisations to take our information about tenants' rights back to their local communities. They, in turn, gave us stories and insights from their work that helped shape our understanding of tenants' rights, and further develop our expertise.

That same year the Rental Bond Board was established and we lobbied, unsuccessfully at the time, for the interest on bonds to fund tenants' advice services. The Tenants Hotline began in 1979, with administrative funding from the Legal Aid Commission but staffed by volunteers. It was not until 1985 that the first funded services began to operate under 'HITS' – the Housing Information and Tenancy Service program funded by the interest on tenants' bonds. The TU was instrumental in establishing these services, and provided resources and training for HITS workers across NSW.

But HITS was relatively short-lived. In 1989 the program was defunded, and the HITS network – 60 workers by this time – was dismantled. The TU was again reduced to one worker. This was a difficult time for the organisation.

We spent the next five years working with a small number of organisations who could spare some of their funding for a tenancy worker. We maintained our networks as best we



In the 1980s Royal Prince Alfred Hospital owned a third of the housing in Camperdown and rented it to retired employees, caretakers and cleaners etc., on the understanding they could stay there the rest of their lives. But RPA decided to knock down

half the houses to allow for expansion of the hospital, and sell the rest. The residents campaigned to protect their homes. On one occasion elderly residents and a TU staffer had to lie down in front of the bulldozers, and in another an 80 year old resident was asleep in bed when the roof was taken off his house! The TU provided legal advice and general support. The campaign lasted many years, but was ultimately successful. All houses to be sold were bought by the Dept. of Housing; no more demolitions occurred without the residents being housed in the area.



1986

The Residential Tenancies Tribunal Act 1986 formed the Tribunal to deal with variations of rent and excessive rent.



could, relying again on volunteers and activists to provide information and organise around tenants' rights, and to keep our hotline running. We reworked and published our booklet as the *Tenants' Rights Manual* in 1991, and continued to develop a model for community-based tenants' advice services across NSW.

"The history and longevity of the Tenants' Advice and Advocacy Services is testament to their value."

Then, in 1994, following a period of economic and political turmoil for NSW, the Tenants' Advice and Advocacy Program was established. The TU negotiated a trade-off against the HomeFund scheme, which meant that independent Tenants' Advice and Advocacy Services would be funded across the state. The TAAS program continues to this day.

In December 2015 the TAAS celebrated their 20th birthday.

The history and longevity of the Tenants' Advice and Advocacy Services is testament to their value – there has always been a need for these services, and there always will be. The establishment of the TAAS network will always be one of the TU's greatest achievements. In spite of this, the TAASs are under pressure. They have not had a proper increase in funding since 2002, and we estimate they are unable to assist one in every three tenants who comes to them for help. In 2015 we called for the NSW Government to unlock some of the surplus of tenants' money that still sits with the Rental Bond Board and bring their funding up to scratch. These calls have gone unanswered.

BETTER LAWS, STRONGER RIGHTS

The maintenance of advice networks and services across the state has given us continued access to tenants' experiences. It has allowed us to observe the emergence of trends and changes in the conduct of landlords, and understand the often-urgent need for improved tenants' rights. For 40

years we have used these insights to press the case for law reform.

From the establishment of the Rental Bond Board in 1977, to the implementation of the first *Residential Tenancies Act* in 1989 and its redraft in 2010, and the introduction of basic occupancy rights for boarding house residents in 2012, much of the TU's policy work has centred around engagement and intervention in law reform.

Our connection to frontline services and their everyday encounters with tenants provides clear evidence of their experience and expectations of the law, and this has bought us a seat at the law reform table. But our influence has always been measured against the powerful forces of the property lobby – despite our expertise and our clear vision for fairer renting laws, our influence remains difficult to exert.

Nevertheless, there is no doubt that our renting laws would be worse for tenants if not for the work of the TU. We've managed to steer the *Residential Tenancies Act* in some sensible directions, notwithstanding its flaws. Particularly during the transition from the 1987 version to the 2010 Act, we lobbied

Continued overleaf...

1986

In 1986, residents of the fifteen apartments at 18 York St Fairfield were fed up. Repairs were often ignored, and when they were done the quality was poor. Council had issued compliance notices on the landlord with no

effect. Despite this, rents were increased every 6 months. Eventually, the residents met and decided they needed to take some collective action – they sent a joint letter from all apartments requesting improvements before the rent increase would take effect. The only response was a one week eviction notice to the longest standing resident. The residents resolved that a rent strike was the only viable solution. The residents reached out to the TU who put them in touch with the Fairfield Tenants Advice Service. This voluntary service, with advice from the TU, helped ensure that the group did not become vulnerable to illegal responses by the landlord and agent. The rent strike was ultimately seen as successful by the residents with an agreement that all required works would be done and in return rent including an increase was to be paid. The action attracted much media across the nation and contributed to protections put in place with the *Residential Tenancies Act 1987*.



The passing of the *Residential Tenancies Act 1987* was hailed as a victory for the long campaign by tenants & advocates to reform the archaic & unfair 1899 legislation covering private tenants.

Also in 1987, the TU held a benefit gig at Glebe Town Hall (poster to the left) featuring performances by members of Castanet Club, Mambologists, & songstress Robyne Dunn.

1987



Continued from page 7...

for the regulation of tenancy databases; as well as provisions that recognised co-tenancy agreements for the first time, making it easier for a co-tenant to leave a violent partner by allowing them to end their interest in a tenancy.

On the flipside, we were unable to convince the government of the day to refrain from excluding sub-tenants from the Act's coverage unless they had a written tenancy agreement, or prevent landlords from ending tenancies without specifying their reason. The Act is now five years old and it is currently under review. The TU has raised these and many other concerns with the NSW Government and we anticipate further discussion about law reform in the coming months. Our work continues.

Our policy work has also included tracking the NSW Government's approach to our social housing system, which has been in steady decline for decades. Rather than seek to bolster its stocks with new housing, various state administrations have set to the task of rationing and rationalising social housing so that it is now seen as a

form of social welfare, or "housing of last resort". We've always struggled to accept this and have worked hard to ensure the rights and interests of tenants in social housing are kept front-of-mind when new policy initiatives are being considered or implemented. With the recently announced "Future Directions for Social Housing" outlining a ten-year plan for the growth and management of social housing in NSW, there's still much to be done on this front as well.

WHAT'S NEXT FOR THE TU?

As we celebrate our 40 years of history, we find ourselves in an unexpected position. We have much to celebrate, and we can run off a list of achievements that may have seemed unattainable in 1976. But the more we accomplish, the harder it becomes to effect change... and greater change is still needed. Our renting laws include some useful provisions, and we're better off with them than without, but they still leave tenants without the basic protection of reasonable grounds for termination. This reflects a housing market that is driven by outcomes for property investors rather than

the needs or desires of those who live in rented homes.

To get to where we are we've adapted, made allowances, and accepted that sometimes we need to wait for another day. In doing so, we've managed to wedge ourselves deep within the system that we once set out to challenge. That's not to say we should abandon our position – it is useful to occupy a space from which we know we will be heard. But as we argue against the worst excesses of a housing system that has failed, we also know that simply being heard is not enough. Changing the law is one thing, but what's really important is to change people's minds about the way housing should work.

Over the last 40 years the nature of renting has changed. Our laws have improved, and tenants have obtained greater access to information and advice about their rights. But the rapidly increasing cost of housing means that more people are now renting for longer, as they struggle to break into home ownership. Working families with children now make up nearly half the private rental market in Australia, and the fastest growing group in

1989

TENANT NEWS No. 36.
February 1989.

AXED!
21 TENANTS ADVICE
AND HOUSING REFERRAL
SERVICES ACROSS NSW
YOUR MONEY.
IT COSTS \$2.40 PER TENANT PER
YEAR TO RUN THESE SERVICES.
WRITE OR TELEPHONE THE PREMIER,
MINISTER FOR HOUSING OR
LOCAL MEMBER OF PARLIAM
SAY THAT TENANTS' MONEY
PROVIDE TENANTS' SER

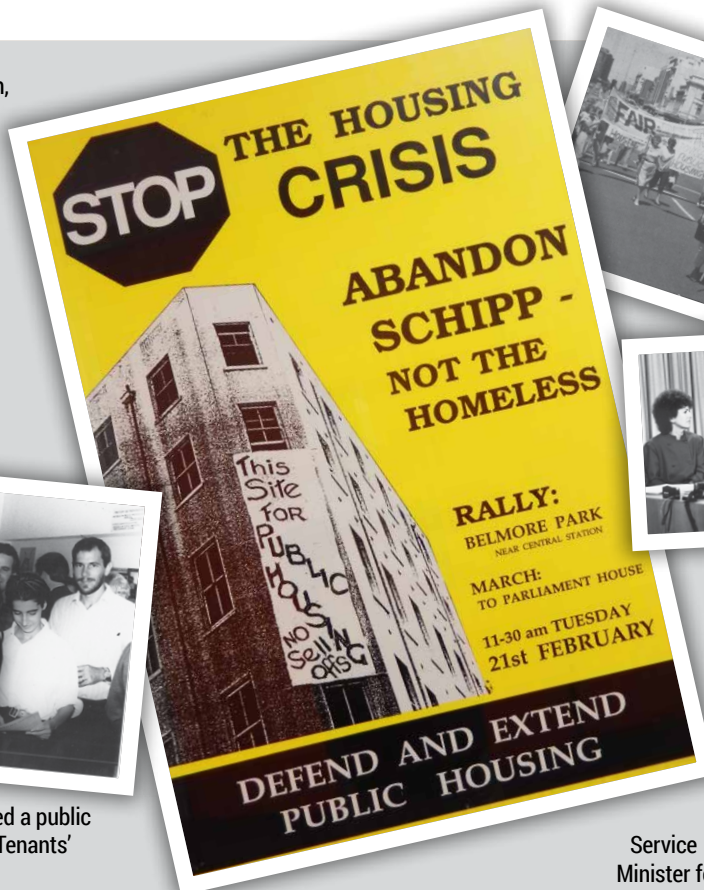
Despite spirited opposition, in 1989, the new Coalition government defunded HITS (the Housing Information and Tenancy Service).

The network of 60 HITS workers (some pictured below) was dismantled, and the TU was again reduced to one worker.



1988

In 1988, the TU organised a public forum for International Tenants' Day at Bondi Pavilion.



In 1989, the TU organised actions & media to highlight problems with the new Act and the defunding of the Housing Information and Tenancy

Service by Joe Schipp – Minister for Housing.

the market is tenants who share their house with flatmates. For many, the private rental market will always be the only genuine option for housing. Rates of home ownership are in decline and even those who have achieved home ownership are finding it difficult to pay off their mortgages before retirement. In the current conditions, the idea that renting is just a stepping stone to a better life simply cannot be sustained.

“A house is a home, and a secure home should not depend upon whether you’re a tenant or a mortgagor.”

The Tenants' Union knows this. We understand that many others know this, too. Our challenge is to convert this knowledge into action, to bring about an understanding amongst all who engage with the Australian housing system. A house is a home, and a secure home should not depend upon whether you're a tenant or a mortgagor. 🏠

Jen Rignold

Social housing tenant, TU Board 2009-2013, & TU member



I live in the social housing estate in Airds/Bradbury. My estate is undergoing redevelopment with some properties being upgraded and others being demolished to allow building of private dwellings. The home I had for almost 30 years was demolished six years ago, and I was moved into a new seniors and disability complex that was built as part of this redevelopment project. Along with other members of my community, we had for many years tried to get our voice heard. Quite unsuccessfully at times. When the redevelopment started, the tenants decided to be a part of the process by attending meetings and again trying to be heard. We were fortunate enough to work with Dept. of Housing staff who were willing to listen and incorporate, where possible, what we were saying. Our difficulty these days is getting organisations to see past their outdated policies and to see the

value of the people they think they know. The most important issue that can improve and change tenants' lives is respect. Respect us, respect our knowledge and respect our experience. And talk TO us. Not at us or down to us. We as tenants can be of enormous value if given the chance and are listened to. After all we're the experts on our lives and community.

I was invited to join the Tenants' Union as a representative of a resident organisation. At the time I knew very little about the TU. I became a member in my own right and then served on the Board of Directors for five years. I would encourage any tenant to become a member of the TU for the following reasons:

1. Individual tenants are very rarely heard but the TU is a strong organisation and has the power to be heard where issues need to be brought into the light.
2. Tenants can struggle alone with an issue but the TU speaks for many.
3. The TU has resources or can access resources that a tenant may be unaware of. 🏠

SHINING A LIGHT ON TENANTS' RIGHTS

Sharon Callaghan – Former Tenant Advocate in the Illawarra

In the early 1980s I was a community worker at the Community Youth Support Scheme (CYSS), where housing and tenancy were significant problems for those living on low fixed incomes, trying to rent or living in boarding houses. The downturn in the steel industry and economic crisis of that time worsened the poverty for young people and families without paid employment. We asked the Tenants' Union for training on tenants' rights and for information on squatting.

Prior to the establishment of formal mechanisms for resolving breaches of tenancy laws and when faced with extreme landlord abuse of tenants' rights, we relied on the media, assistance from trade unions and local social justice activists.

For example, in the early 1980s a developer landlord of a Wollongong CBD block of flats allowed demolition workers to illegally take the roof literally from over the tenant's head rather than challenge rent-controlled tenancies through the courts. We had to act quickly. It meant the local Uniting Church minister (who could frock up at speed when the need required) joining the union leader of the day to talk with the developers and landlords about how to best support the tenants to relocate, as they wanted to move on despite their legal and moral entitlements.

Union workers, shocked by the treatment of the tenants, would go on strike leaving half-demolished flats exposed to the weather. The raging reverend in his Sunday best had no problem chaining himself to the developer's construction fence. I suggested the *Illawarra Mercury* would be interested in this story.

The developer assisted the tenants by paying their costs to relocate to alternate accommodation.

In 1986 I started work as an adviser with the Tenancy Advice and Housing Referral Service (TAHRS). The issues were many and varied, making community education essential as the demand for individual casework was relentless. We needed to assist community workers who could in turn assist tenants.

Caravan park residents raised many issues and one case became the project of creative arts students at the University of Wollongong. The very successful *The Home Show* was produced with theatre, music, song, photography and much humour, depicting the challenges for a group of park residents.

In 1995 I joined the Tenants Advice and Advocacy Services (TAAS) network as a tenancy advocate at the Illawarra Legal Centre and took cases to the Tribunal. Our

TAAS team continued educational work, especially in regional or rural areas where residents had limited access to support services. We put tenant's rights and homelessness in the media spotlight every chance we could and lobbied for law reform, particularly around security of tenure. We used theatre and art projects to show those recently arrived to Australia how best to handle tenancy problems and where to get assistance.

Rent increases, illegal lockouts, lack of privacy, bond disputes and the landlord's failure to maintain the property were constant issues. I saw terrible examples of landlords exploiting the power imbalance with tenants and TICA, the so called "bad tenant's database", was often the worst example of this.

The TU was crucial to supporting me as a tenant advocate facing the complexity of the law. I always valued the TU training, support, advice and solidarity provided through the hardest, longest and most bizarre cases that would really test a tenancy worker's faith in a sane world. 🏠



1991

On 27 February 1991, the TU launched the first properly published edition of the *Tenants' Rights Manual*. The author was Phillipa Bellemore and it was funded by the Law Foundation of NSW. The manual was launched by Helen Wellings of ABC TV.

1992

In 1992, the TU developed and recommended a model for the future funding of community-based Tenant Advice Services in NSW.

Pictured at right: 'Tenants Have Rights!' mosaic on Marrickville Road. Created by community artists in the mid 1990s.



FIGHTING EVICTIONS IN RESIDENTIAL PARKS

Jill Edmonds – Park resident and Tenants' Union member

In 1990 I bought a manufactured home in a residential park (now called a 'residential community'). I knew there was an element of risk in using my meagre retirement funds to become the owner of an 'affordable' house located on land owned by someone else. I did not know it was possible that park owners who had approval for redevelopment were permitted to evict pensioner residents and take ownership of their homes with no legal requirements for compensation. I thought such things could only happen in third-world countries!

When, in 2003, this threat descended on our community of 200 elderly, low-income home owners, we discovered that hundreds like us in NSW were, indeed, being made homeless and stripped of their modest investments.

Legal Aid recommended we call the Tenants' Union. The TU helped us decipher the complexities of the Residential Parks Act. They advised on how to deal with our local council in calling for a social impact assessment. They made submissions and lobbied

on our behalf. They connected us to other supportive organisations such as the (sadly, now defunded) Parks and Village Service.

Consequently, a social impact assessment was eventually tabled and the development application for our land was refused on the grounds of the proposed loss of affordable housing. (One improvement under the new *Residential (Land Lease) Communities Act 2013* is residents' right to compensation for loss of their homes – one of several improvements won with the support of the TU.)

The ongoing problem in park communities is residents' lack of knowledge of their rights, combined with the mistaken belief that nothing can go wrong once they have become the legal owner of a home. This lack of knowledge leads many into serious, even ruinous, consequences.

Consequences would be much worse and more widespread if it were not for the Tenants' Union. They host a regular forum for



park residents; make available legal guidance as well as informed analysis and application of the legislation, also via newsletters and a website; advise on preparation for actions in the Tribunal; conduct training and information sessions across the state; and are tireless advocates for a fair balance of rights between landlords and tenants of all forms of housing.

In this worsening crisis of affordable housing, if you're not a member, please support the Tenants' Union by joining as soon as possible! 🏠

1994



After years of constant pressure from community groups across NSW for the reintroduction of tenancy services, (pictured above is an action in support of Boarding House Residents, with Jack Munday on the megaphone), finally in 1994 housing activists forced a deal with the Minister for Housing, using difficulties with the HomeFund as leverage. The resulting Tenants Advice and Advocacy Program saw the first generalist services funded from 1 December 1994 and the specialist services from late 1995. The Tenants' Union was funded to be the 'resourcing body', to provide training and support.

1995

Pictured below: Tenants of Lansdowne Caravan Park outside Liverpool Court in 1995, where they won a landmark victory.



THE IMPORTANCE OF A SECURE HOME

Carol Barr and Vivian Clifton – Social housing tenants and Tenants' Union volunteers



Firstly, to introduce us, I am Carol (on the left in the picture above) and my sister is Vivian (above right). We are social housing residents living in Riverwood and have lived here since 1984. Originally we were in a third-floor unit on – a word I dislike – a housing estate. Because Vivian had a health problem we were given a transfer a short distance away to a small villa.

Our introduction to the Tenants' Union was while I was doing a Diploma of Community Work/ Welfare at TAFE around 2007. This required doing two placements in organisations providing social contact on several levels, or assistance with information that empowered or improved an enquirer's daily life. My second placement was the TU. When my placement period ended I was occasionally asked in to do administration tasks when an issue of *Tenant News* came out. I was only too happy to help staff in posting out the issue, as it is a major and time-consuming job. Being a good sister,

I volunteered Vivian as another helper leaving more staff to carry on with their work. So began our long-time association.

I continued to keep in touch and when the time came and I was no longer working, the then Executive Officer asked if we could help out with the posting of *Tenant News* when issues came out. Vivian and I became part of the team labelling envelopes, inserting the newsletter, doing a count for the post office; finally, tidying up and breaking down the boxes the newsletters had been packed in for recycling. Memories when we look back are that we always enjoyed mailout time. When the TU was at Millers Point we had a trolley that the mail was stacked on and then pushed (no mean feat!) up a small hill to the post office.

Why have we continued to assist? The friendships already made plus the ones when new faces appear. More importantly it is contributing to informing people of issues that may affect the most important part of our lives, the security of home. We can cope with problems when they assail us if at the end of the day we can be in our own place.

Having always lived in rented accommodation we have seen great changes. Once upon a time there was no need to sign a lease, no bonds, landlords did not come

to inspect the property, and there were protected tenancies with both tenant and landlord going to the Fair Rent Court. Now renting is more complex. Social housing has also undergone changes. Where once a tenant went to their local office and could establish a sound relationship with their Client Service Officer, online contact or phoning a call centre now seem to be the norm.

On looking to the future, selling social housing stock has been voiced but maintenance then raises issues for old stock. Will partnerships with developers, creating a mix of social and private, lessen the voice of social housing tenants? How do we integrate those with mental health issues; will the department find itself unwilling to tackle the problem of friction?

For those renting in the private sector there are issues over bonds, there is stress and cost if rent increases mean continually moving, and there is landlords' unwillingness to carry out repairs.

Also, as older people, we notice that new inner-city affordable housing developments have focused on young workers. Would affordable housing for pensioners work, where their rent goes towards home ownership; or is this wishful thinking? Constant monitoring across the board is needed, the TU is needed. 🏠

1996



In 1996, the TU celebrated its 20th anniversary and published *Unfinished Business* – the story of the TU, 1976-1996, by Paul Mortimer.

Unfinished business



The story of the Tenants' Union of New South Wales

1997

The second edition of the *Tenants' Rights Manual* was published in 1997. Below are Faye Lo Po' (left), then Minister for Fair Trading, and Phillipa Bellemore (the author) at the launch.



1998

The *Residential Parks Act 1998* was the first Act specifically for residential parks.

Paul Mortimer

TU staff member
1990-1997

Straight out of Uni, I got a job at Panania Community Youth Support Scheme. The other worker there said, 'Oh, we do the Tenancy Advice Hotline, or we should do the Hotline', so she just sent me off to be trained. I did that for a number of years and then when I left that organisation there happened to be a job coming up at the old tenants' advice services, the TAHRS services. This was 1989 and they'd all been defunded. But the services in Western Sydney had a bit of money left so they pooled it for a housing project in Western Sydney for 1 year.

After that I was invited to apply for a job at the TU for 3 months, 3 days a week, and I ended up being there for 7 years.

It was an organisation that had been pretty gutted. There was just me and Sue Creek, she was the one who grabbed it and held it together. 🏠



Sue Creek

TU staff member
1985-1994

I was doing a Master's in Urban Planning and one of the subjects was housing. The lecturer invited guest speakers who were the most inspiring bunch of people. One of them was Robert Mowbray who mentioned that there was a research project position going at the Tenants' Union and asked if I was interested in applying. Well, it was an amazing offer for someone who knew nothing about tenancy law and was very new to housing law!

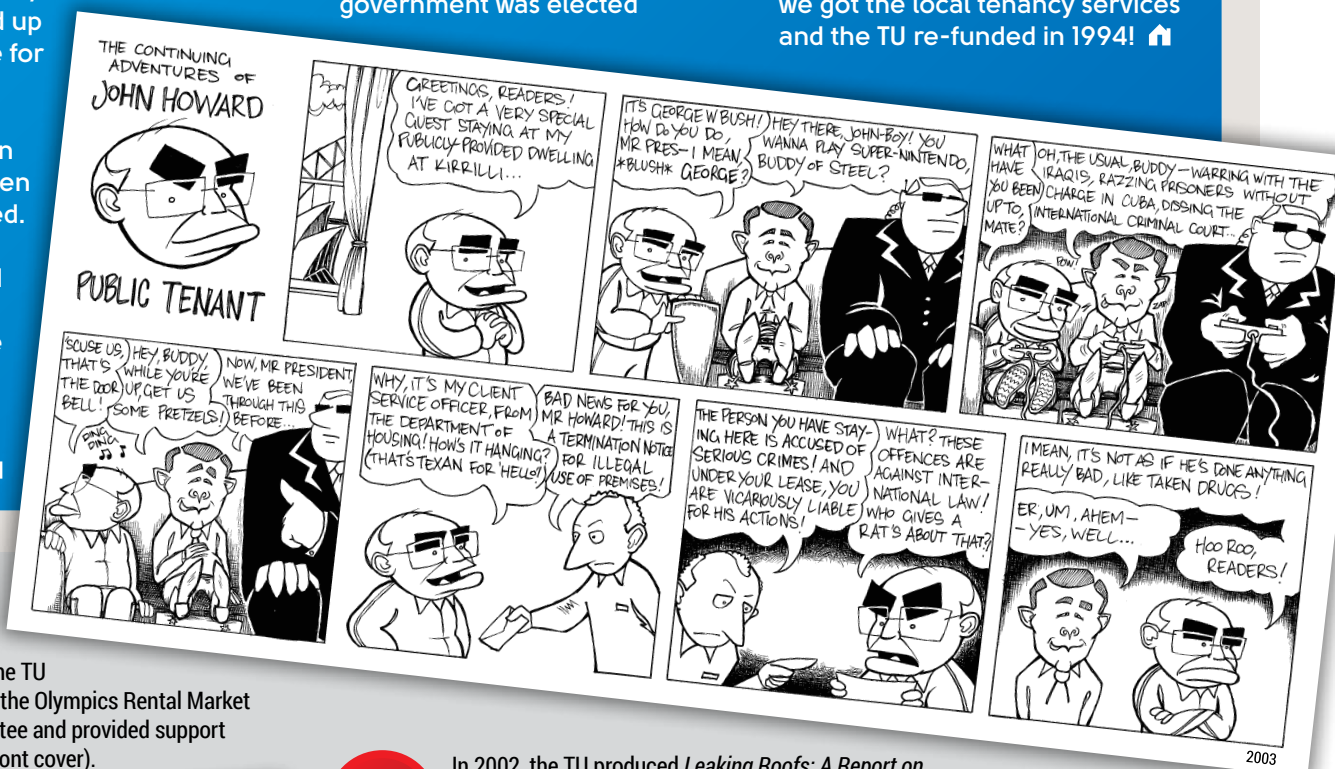
From then on for 10 years I was working either for the TU or working very closely with them with the local tenancy services that had recently been funded. About five or six years into that period a new government was elected



and they did what they said they were going to do and defunded the tenancy services and the TU. But the

TU still had a little bit of funding from other sources, enough for one staff member, for possibly a few months. I thought, as ill-equipped in some ways as I was, and not any way the activist but with the inspiring role models that I'd had around me, it was something I wanted to do. So I went in there as the Policy, Legal, Admin, everything else Officer all crunched into one!

During that period we had to restructure the organisation to be a lean mean fighting machine. We were able to punch way above our weight and still provide an amazing array of services. Then came the absolute icing on the cake; we got the local tenancy services and the TU re-funded in 1994! 🏠



2000

In the lead-up to the Sydney Olympics, the TU participated in the Olympics Rental Market Monitoring Committee and provided support to Rentwatchers (front cover).

2002

In 2002, the TU produced *Leaking Roofs: A Report on Australian Tenancy Law* on behalf of National Association of Tenancy Organisations. Also, in 2002, the Consumer, Trader and Tenancy Tribunal replaced the Residential Tribunal.

2004

In 2003, the TU became a nationally recognised Registered Training Organisation, and in 2004 the TU published the *Before You Rent* booklet.

2005

In 2005, the TU employed a solicitor to work with the Parks and Villages Service on park resident issues. The TU also responded to discontent among public housing tenants who were forced to relocate due to estate renewal. The first review of *Residential Tenancies Act 1987*.

2001

In 2001, the TU launched tenants.org.au – an online tool for tenants.



Sue Scott

TU Chair and Board member
Chair 2001-2004,
and TU member



I did a research project when I was working at the Law and Justice Foundation of New South Wales, called Gateways to the Law. It was interviewing community organisations about how they assisted people with finding out about the law and their legal rights and addressing legal issues. Among the people who I interviewed were a number of Tenants' Advice and Advocacy Services. I was really impressed with the model and I actually wrote the model up in the final report as the best practice model. I actually launched the report at a Tenants' Union Annual General Meeting. So that was I guess when I really became aware of what the TU and the TAAs did.

So after I'd done that report I thought, 'Okay, how can I contribute?' So I went and did the tenants training which was absolutely fabulous. I then volunteered at the Eastern Area Tenants Service once a month on the hotline. Then I nominated to be on the Board of the TU. 🏠

Lyn Bullman

Social housing
tenant and volunteer



Lyn (right) with fellow tenant volunteer, Yvonne Sayers

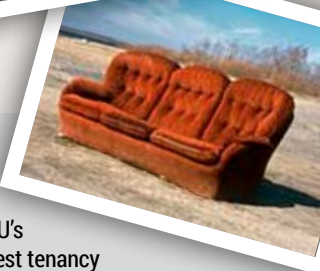
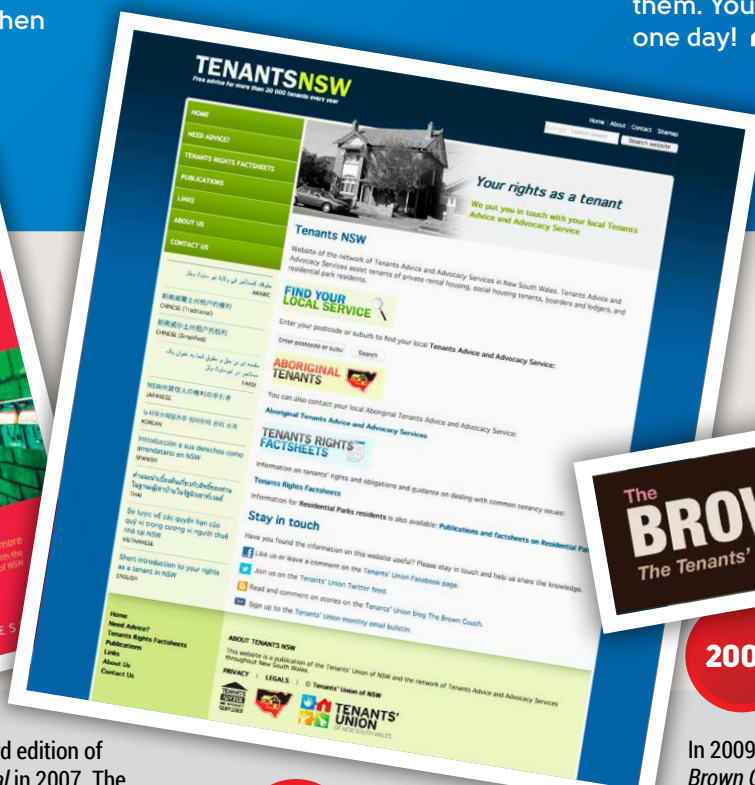
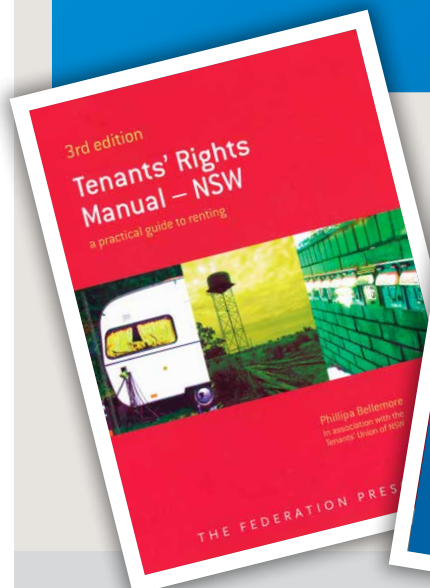
I live in a three-bedroom house in Eaglevale. I rent my home from the Department of Family and Community Services.

Back in 2003 I was in a spot of bother and Housing was trying to evict me. I didn't know where to turn and I didn't have any money. A lady referred me to the TU. They were so supportive and helped a lot. I can't thank them enough.

We now have stabbings and shootings in the area plus a big drug problem. Housing and the police do not listen to us or help in any way. The other big problem is maintenance; it just doesn't exist in our suburb. People's houses are falling down around them and no-one is doing anything to help. We are just a number to them, but we are human beings and we have feelings.

I think it would improve if Housing and tenants could work together and listen to one another. It would help if maintenance could be done and not put on planned work. The biggest issues are maintenance and rubbish and I think if we could combat that, people would take pride in their homes and their suburb. We can only hope.

I would like to tell people to support the Tenants' Union as they're fighting to improve the rights for tenants. The Tenants' Union is very supportive and understanding. If it wasn't for the TU, I'd be out on the street. So I would encourage people to support them. You might need them one day! 🏠



2009

In 2009, the *Brown Couch* started – the TU's blog for the latest tenancy news and policy analysis.

2007

The TU published the 3rd edition of *Tenants' Rights Manual* in 2007. The TU Aboriginal Advisory Committee was also established, and the TU employed a dedicated Aboriginal Legal Officer.

2008

In 2008, the TU relaunched tenants.org.au

TENANT NEWS: A LONG HISTORY

Paul van Reyk – Senior Resources Officer, Tenants' Union of NSW

You are holding in your hands the 113th issue of *Tenant News*. From its first issue on 10 November 1976, when it was known as *tenants' union news* (very post-modern in dropping capitals from the title), to this 40th Anniversary issue, this publication has been a TU flagship production.

That first issue (photocopied and stapled) set the pattern for content that has been stable

over the years: news of law reform, work of the Tenants' Union, commentary on general tenancy and low-income housing issues. It critiqued a new lease produced by the Real Estate Institute acknowledging that while it 'reduced many areas of potential conflict', further improvements would only be dealt with through 'early legislative review of, and action relating to, landlord/tenant law in NSW'. It also recorded that over 160 representatives of tenants' groups, social welfare agencies and state government departments had been trained by the TU in the previous five months.

The front page of Issue 36 (now being offset printed), taking its lead from tabloids, screamed

AXED! announcing the defunding by Liberal Housing Minister, Joe Schipp, of the TU, NSW Shelter and the 21 tenant advice services then operating. A picture of the Minister on the front page cheekily has him saying: "I want to make sure tenants know exactly what their rights are under my Ministry". But it also carried an update of the TU's Migrant Community Action Kit as well as

the refunding of the TU plus the new Tenants Advice and Advocacy Program under the new Liberal Minister, Robert Webster. It carried stories about proposed boarding house reform, strata-titling and tenants, and an end section on Cases, the precursor to the current Tenancy Q&A.



Boarding house law reform was not to come until 2012, and the operation of the new Act and what it would mean for boarding house residents was the subject of the first full-colour version of *Tenant News*, Issue 107, August 2014. The issue also marked a shift toward a greater emphasis on tenants telling their own stories.

information on tenants' right to rent assistance through the Department of Social Security.

Defunding did not stop production of *Tenant News* and Issue 52, November 1994, the self-styled 'Victory Issue', carried the news of

What was originally a handful of pages distributed to a small number of individuals and agencies now has a print run of over 3,000. But the struggle to ensure the rights of all tenants still has some way to go – and *Tenant News* will continue to trumpet it! 🏠

"Tenant News was something I loved being involved with because I like getting information out... there's only so much you can do as one person or as a small organisation. It was a vehicle for giving people information. We'd focus each edition on an issue – about how the new laws were working, or it was focused on a Tribunal case and what you could do with the law. It was also a vehicle for giving coverage to caravan and boarding house issues." – Sue Creek (TU staff member, 1985–94)

2010

The new *Residential Tenancies Act 2010* included some improvements on the 1987 Act, such as regulation of tenancy databases; as well as provisions that recognised co-tenancy agreements for the first time. In 2010, the TU travelled across NSW training tenant advocates in the new legislation. The TU also commenced a partnership with LawAccess NSW to provide direct telephone advice service to prisoners.



Jessica Abi-Khattar

Tenant and current TU Board member (pictured above centre)

I'm Jess, and I live in a one-storey house in the western suburbs. I came to be involved with the TU in 2008 when I was a tenant advocate working in the Western Sydney Tenants' Service, an advice and advocacy service for residential tenants. The TU was a great resource in supporting us to service the tenants of Western Sydney.

To improve day-to-day tenants' lives, it would be wonderful to see greater compliance with tenancy legislation by landlords and real estate agents. Stable housing is such a fundamental aspect of people's lives and is the foundation upon which many other important things rely.

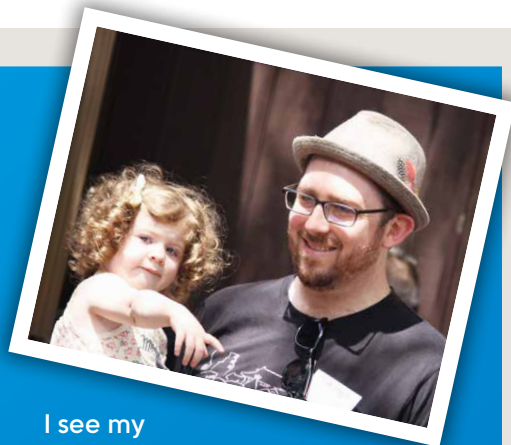
In encouraging the TU's work, we can be a step closer to ensuring we live in a society where as many people as possible have a chance at sustaining stable and long-term housing. 🏠

Leo Patterson Ross

Advocacy and Research Officer, Tenants' Union NSW (pictured at right with his daughter Poppy)

I'm a social worker and I started out working for the Department of Housing, writing reports, analysing their programs and also working as a Community Development Officer on the housing estates. So I've organised my fair share of barbecues and community get-togethers. However what really got under my skin was the frustration that tenants feel when trying to communicate with the department. There are good people within the system, but the system sucks! I started working for the Northern Area Tenants Service in Chatswood soon after I left Housing. I've worked as a staff member at the TU for five years now.

I see my role is to support the tenants of NSW in whatever way is most useful and isn't covered by other parts of the organisation. Whether it's legal backup to Tenants' Advocates, policy analysis and argument, fielding requests for assistance on social media, running the Tenants' Union's Advice Line or digging into data, it's all about advancing the cause! 🏠



BOARDING HOUSE RESIDENTS HAVE RIGHTS!

"The roof is leaking in a number of places and water flows under residents' doors. It's not right!"

"The landlord tried to forcibly evict me with no notice. Luckily a crowd gathered and stopped him. I ended up going to the Tribunal about it."

"There are ten rooms and I know all of the residents. There's a sense of community in this house."

"It's a safe house in a good street."

Do you live in a boarding house?
Your local Tenants' Advice and Advocacy Service is on your side.

- ✓ You're entitled to receipts and a written agreement.
- ✓ The house should be clean and in reasonable repair.
- ✓ You should get reasonable notice to resolve disputes.
- ✓ You can apply to the Tribunal to resolve disputes.
- ✗ You can't be evicted without reasonable notice, in writing.
- ✗ The deposit can't be more than two weeks' rent.
- ✗ The owner can't charge penalties for breaking rules.
- ✗ The rent can't be increased without four weeks' notice.

**Got questions?
Get free advice.**
Call 1800 767 126
(Free from mobiles and landlines)
www.tenants.org.au

2011

In 2011 there was a coroner's investigation into a number of deaths in licensed residential centres. The TU convened a roundtable and developed a 4 point plan for the marginal renters sector. A NSW Government Interdepartmental Committee on Boarding Houses was also established.

LITIGATION: WE BEEN EVERYWHERE!

Grant Arbuthnot – Principal Solicitor, Tenants' Union of NSW

I became interested in the Tenants' Union as a tenant. Then I was a volunteer at the Redfern Legal Centre and was exposed to tenancy issues. I got on the roster there and was on the roster for a number of years. After I finished College of Law I was convinced that I never wanted to practise! I applied for a job as a non-lawyer advocate at Redfern and became a tenants' advocate. In 1997 I got the job I'm in now as Tenants Advice and Advocacy Services (TAAS) Backup Legal Officer, so I moved to the TU and I was there two years. After that I spent two years as a legal officer for the Registrar of the Tribunal, and then I came back to the Tenants' Union. That was 2002, and I've been here as Principal Solicitor ever since.

...

The TU legal practice has been almost everywhere – apart from the High Court and the Federal Court. With our clients we have participated in the work of the NSW Court of Appeal, the Supreme Court of NSW,

the Land and Environment Court, the District Court, the Local Court, the tenancy tribunals, the NSW Civil and Administrative Tribunal Appeal Panel and, last but not least, the Federal Circuit Court (FCC).

It is lamentable that 12 of the above cases involved social housing providers. Eviction from social housing often leads to homelessness.

Eleven of the above matters were residential park disputes. Whether the residents' agreement is covered by the relevant legislation is often the question litigated.

The Land and Environment cases have mostly been about re-development of residential parks. For example, we negotiated compensation and timing for residents leaving the Lansdowne Caravan Park prior to redevelopment.

The FCC matters were for evictions of people living on the proposed Badgerys Creek Airport site. Her Majesty's Federal Government legislated to pull such evictions out of the NSW tribunal and run them in the FCC (formerly the Federal Magistrates Court). The last of those clients have moved out after protracted and difficult proceedings.

Our clients are often vulnerable people in danger of homelessness. Extreme hardship and a potential to have an affect beyond the particular client are our intake criteria.

We want to clarify the law, or change it for tenants, as well as win for the particular client.

Not every case gets good results for the client or the TU. It is possible to lose at litigation. The clients' interests have priority over the TU's

interests and some cases settle in favour of the client. This avoids the winner-take-all aspect of litigating to the end. It is possible to win for the client and the reasoning does not assist tenants generally. Sometimes a wonderful win prompts the government to legislate away the improvement or clarification of the law.

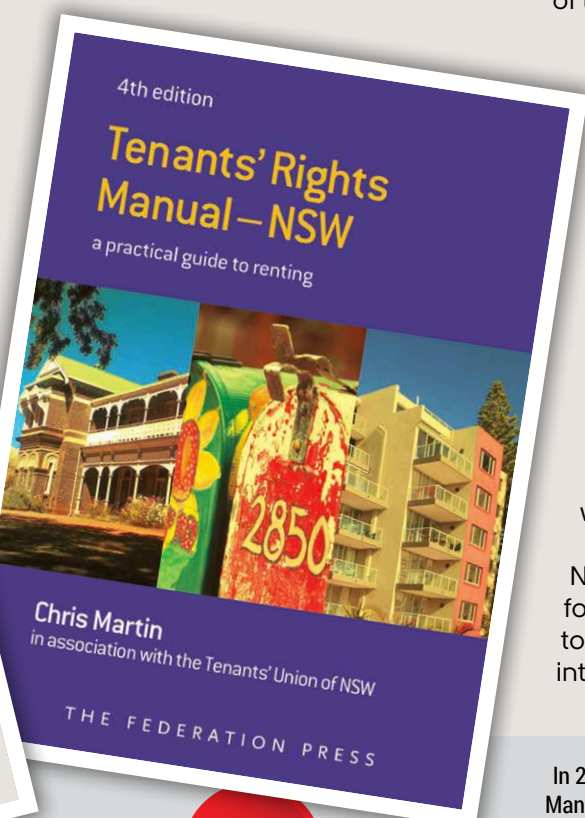
Losing can demonstrate dysfunction in the law. We lost rent increase cases against a Local Aboriginal Land Council and showed that the system for challenging rent increases is harsh and inflexible. This can only be fixed by legislative change.

Winning is more pleasing. For example, we have confirmed that landlords are strictly liable for the tenant's loss caused by repairs being done badly. The case involved a new hot water system leaping off the wall, tearing its plumbing asunder and so flooding the premises.

Our ongoing litigation goals include:

- to ensure people are covered by the relevant law
- to stop social housing providers using no grounds termination
- to demonstrate dysfunctional aspects of tenancy law
- to discourage systems that make people homeless.

The TU also advises TAASs and other organisations on tenancy law every day. 🏠

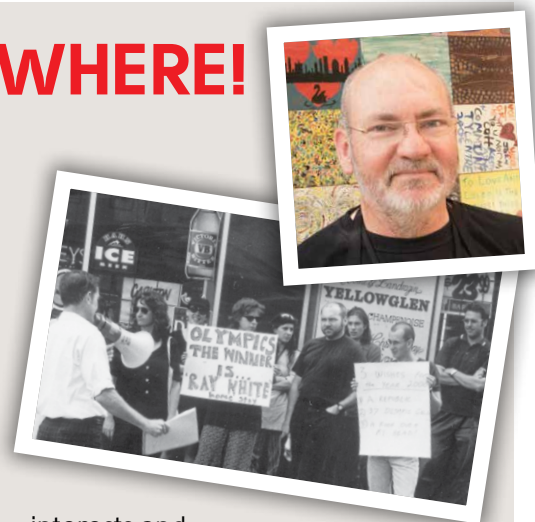


2012

In 2012, the 4th edition of Tenants' Rights Manual was published, authored by Chris Martin – TU Senior Policy Officer. The Manual also went online in partnership with the State Library of NSW's 'Find Legal Answers.' The *Boarding Houses Act 2012* also passed – the first Act to clearly define rights for residents of boarding houses.

2013

In 2013, the TU expanded to work on residential parks and older tenants' issues, and also began producing our regular email bulletin.



TU e-news

A STRONG VOICE FOR TENANTS

Charmaine Jones – Social housing tenant and Tenants' Union Treasurer



Charmaine (left) with TU staff

My first involvement with tenancy issues was not long after I became a public / social housing tenant. I realised there was a culture within housing at the time, where it was implied that tenants should "Shut up and be grateful." Of course, I was infinitely grateful for my housing property, my home, but I didn't feel that I had to shut up. Certain things needed to be addressed, especially in the community that I live in: a high-density, high-rise public housing estate.

So I got involved in some of the tenant participation activities that were happening in the social housing sphere, and then through those I was introduced to the Tenants' Union and their work. What attracted me to the TU especially was not so much the work they did in the social housing sphere, but with private renters. Because the reason I was so grateful to have my public housing property was that as a single mother in the private rental market, my children and I had been shuffled from pillar to post. We would move into a place, then it would be put up for sale, or the owners would want to take possession for a family member, or the rent would increase to an unaffordable level. We would just get settled and then have to move on again. We were moving every six months. I have now been in my current place for about 20 years.

My initial contact with the TU was through David White, who was the Chair at the time. He later became my husband, so therefore there was a personal connection there, but he encouraged me to become a member. I then became interested in learning about the governance of community organisations, and it was suggested that the Board of the TU was a good strong Board. So I put my hand up to sit on the Board, partly because I believed strongly in the work of the TU but also because I understood it to be well-governed.

The TU's mission and purpose is to ensure that tenants have a strong voice speaking on their behalf and advocating for their rights, and allowing them not to be the forgotten voice, the marginalised voice, which can so often happen to people living in a renting situation. The achievements I have seen over the years include the work done around the boarding house legislation and marginalised renters. That was a huge amount of work, with many, many people advocating for many, many years on behalf of boarding house tenants and marginalised renters. The TU made a concerted effort towards the end of that process and brought together many stakeholders; finally, we got some legislation that provides a measure of support and rights to boarding house tenants. It could be a lot stronger of course but it was better than what was there before, which was absolutely nothing.

The *Tenants' Rights Manual* is another success. I have copies at home and in my office which, through our work with the Tenant Participation Resource Service, are well-thumbed. Very easy to read and understand, and a bible to all the Tenants Advice Services.

I think the work done around Aboriginal tenancies and with Aboriginal housing is another strong point. I think they are again another marginalised group of renters who could easily be forgotten. The TU has ensured that is not the case and has provided strong support, and has always ensured that Aboriginal renters have a space and a voice.

The TU's role is important, and increasingly so with the current housing affordability crisis in Sydney. It's critical, now more than ever, that there is advocacy around policies that affect housing affordability. I know the TU will continue to do that and hopefully, at some stage, all levels of government will take notice and start making the legislation and taxation changes needed to break a hole in that wall of unaffordability. 🏠

2014

In 2014 the TU started the Boarding Houses Education project, and the NSW Civil and Administrative Tribunal replaced the Consumer, Trader and Tenancy Tribunal.

2015



RENTERS IN PARLIAMENT

Jenny Leong MP, Shayne Mallard MLC and Tania Mihailuk MP

At the launch of our 40th anniversary celebrations at the Northcott estate in Surry Hills, we asked the three Members of Parliament who attended about their experience renting in Sydney. This is what they had to say...

Jenny Leong, MP

Member for Newtown

I have rented many places. I think my count was something like 10 just in the electorate of Newtown before I was an MP. I'm no longer a renter, but I have had the ups and downs of renting and I've experienced the reality of being told two weeks out from my university exams that I need to move out of my rental property. So finding myself trying to look for a place, while I was trying to study.

I found myself in a situation where I had a pet, and trying to find rental accommodation. When you have a dog, as anyone would know, it's not easy.

But I've also known of people in much more desperate situations than myself where because of the challenges around income, or work, they've actually struggled to secure any form of rental housing. And that's a

problem for our city, and a real problem for the kinds of communities that we want to live in.

Shayne Mallard, MLC

Member of the NSW Legislative Council

I've rented most of my life, and I know how hard it is in Sydney, I know how difficult it is with landlords who ignore their obligations. I've seen that time and time again myself.

As a Councillor for 12 years I've had many tenants, public housing and private housing, come and see me with genuine issues of landlords not fulfilling their obligations, like maintaining the building and unfair evictions without due process.

Rents going up dramatically is of course another issue. I think that a six-month tenancy period in Sydney is too short.



Left to right: Jenny Leong, Shayne Mallard, Julie Foreman, and Tania Mihailuk

Tania Mihailuk, MP

Member for Bankstown

I certainly have been a renter in my life and I've certainly experienced, like many others, tough times and you rely on getting good advice. In fact, I have actually taken up advice from the Tenants' Union! It certainly gave me confidence to be able to argue articulately with the landlord and how to progress forward. I think for everybody, every day that you wake up, probably the most important thing in your life is having a roof over your head. And you want to make sure your housing is, at the very best, a long-term arrangement or possibly permanent. I can appreciate that – my parents worried about housing. My grandparents in fact lived here at Northcott in Surry Hills, and I can remember coming and staying here with them in the holiday period. Everyone I've ever talked to worries about housing. 🏠



In 2015, the TU launched the 'More Bang for Your Bond' campaign for an increase to TAAS funding. The TU also lent support to Millers Point tenants in the face of the sale of public housing. The Review of the *Residential Tenancies Act 2015* also commenced and the *Residential (Land Lease) Communities Act 2013* came into force.

2016

TENANTS' UNION
OF NEW SOUTH WALES

40th
anniversary

In 2016, the TU celebrates our 40th anniversary with a number of events. We're drawing on the past, and taking on the future...

STAY IN TOUCH

The Tenants' Union of NSW is a membership-based co-operative and a community legal centre specialising in NSW residential tenancies law. We're also the resourcing body for Tenants Advice & Advocacy Services.

The Tenants' Union has represented the interests of all tenants in NSW since 1976. We have a proven track record of improving tenancy laws and providing legal assistance and training.

We encourage you to support us in our work for safe, secure and affordable housing. Together we can achieve more. Please fill in this form, tick the appropriate boxes and return to the address below.

Name:

Organisation:
(if applicable)

Address:

Email:

Phone:

SUBSCRIBE (It's free!)

- ☐ Send me *Tenant News*.
- ☐ Send me the TU email bulletin.
- ☐ Send me additional copies of *Tenant News* to give to others.

VOLUNTEER

- ☐ I would like to participate in the TU's volunteer program.

JOIN (You don't need to join to get advice or subscribe.)

I apply for membership of the Tenants' Union of NSW Cooperative Ltd as an: ☐ individual tenant ☐ individual (non-tenant)
☐ tenant organisation ☐ organisation (non-tenant)

Membership fees (GST included):	1 year	5 years
Low wage / pension / benefit	\$8.00 <input type="checkbox"/>	\$35.00 <input type="checkbox"/>
Waged worker	\$16.00 <input type="checkbox"/>	\$70.00 <input type="checkbox"/>
Organisation	\$32.00 <input type="checkbox"/>	\$150.00 <input type="checkbox"/>

Donation: \$ Total: \$

Signed: Dated:

Name (please print):

Payment method

- ☐ Enclosed cheque or money order payable to Tenants' Union of NSW
- ☐ Deposit into our bank account below
(for online deposits, please give reference: "MEM" plus your surname)

Account name: Tenants' Union of NSW

BSB: 062-004

Account number: 00802624

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

Phone: 02 8117 3700

Fax: 02 8117 3777

Web: tenantsunion.org.au



TENANTS' UNION
OF NEW SOUTH WALES

Get free tenancy advice



Tenants Advice and Advocacy Services

Eastern Sydney	9386 9147
Inner Sydney	9698 5975
Inner West Sydney	9559 2899
Northern Sydney	8198 8650
Southern Sydney	9787 4679
South Western Sydney	4628 1678
Western Sydney	8833 0933
Blue Mountains	4782 4155
Central Coast	4353 5515
Hunter	4969 7666
Illawarra South Coast	4274 3475
Mid Coast	6583 9866
Northern Rivers	6621 1022
North Western NSW	1800 836 268
South Western NSW	1300 483 786



Aboriginal Tenants Advice and Advocacy Services

Greater Sydney	9698 0873
Western NSW	6884 0969
Southern NSW	1800 672 185
Northern NSW	1800 248 913

Free Tenants Rights Factsheets are available on the Tenants NSW website

www.tenants.org.au

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