



what's happened

In recent times the Tenants' Union has been actively involved in a wide range of actions on the housing front. These have included, for example, participation in the housing action 81 campaign to force housing on to the political agenda with the State Government. This has involved speaking at rallies and meetings, producing broadsheets and organising events like the tent city in Hyde Park. The campaign has certainly been an element in the creation of housing as a major political issue, even though both political parties are still more interested in buying the votes of middle-income home purchasers than in providing decent housing for people on low income. We will continue to press on this issue.

We have also actively supported squatting groups like the Rocks Push and the Squatters Support Group, in their efforts to highlight the inadequacy of a government that on one hand says it is concerned about the cost of housing and on the other hand allows thousands of government houses to remain empty - "demolition by neglect", the Rocks Push calls it. We have participated in several demonstrations in support of squatters.

We are also in the final throes of drawing up a model lease embodying the kind of things to which we feel tenants are entitled - e.g., rent control, security of tenure, dispute-settling procedures and so on. Already a number of groups have expressed interest in this lease, and we also plan to use it to negotiate with the Government for legislative changes. At the same time the Tenants' Rights Manual has also been extensively redrafted and new sections added, and this also is moving towards completion.

Mainly through Regina we have also begun to take an active interest in the massive western suburbs with the huge problems people there are facing in housing - migrants and refugees particularly are being badly ripped off simply because of language cultural differences - the private rental market is vastly different in this country from the housing situation in many other countries.

There is no doubt that the rental situation is worsening, and increasing numbers of people are finding themselves faced with the horrors of unregulated landlordism - even basic things like the fact that you can't be thrown out and your rent can't be increased while you are on a lease are simply being ignored - we have had cases where tenants have been intimidated in paying increases (under the threat that they will be thrown out as soon as the lease is up), or have been illegally evicted. In the TU Office there has once again been a sharp escalation in the people contacting us for help, in resourcing and backup and in demand for our pamphlets and the Tenants' Rights Manual. For some time now we have had to tell people that we are out of stocks of the manual and are awaiting a reprint. Because of stringencies in government funding Regina - who has been working in the office for some months, and who has initiated many of the above activities - has had to seek other employment. This is a heavy loss to us. Mary is now working 28 hours a week and Harvey 20 hours, and this just isn't enough to cope with the work load.

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TENANTS HOTLINE.

Phone: 698-8033
 Mon-Fri 1-9pm
 Sat 9.30am-12.30am

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migrants and tenancy

On recent months several tenancy cases have revealed the extensive and extreme problems migrants can have as tenants. These problems stem from language difficulties and cultural differences.

Through such experiences in the Fairfield/Cabramatta area, a large number of migrant community workers meet to look at ways the tenancy situation could be publicised, improved and simplified. There have been two large meetings and these meetings elected working parties to carry out the project. One working party is to look at the bond system and leases, and the other is to look at education for migrants. The working parties are to report regularly to the large groups concerned with migrants and tenancy.

Both the working parties have been meeting after. The first working party has drawn up a review of the Rental Bond System and is now preparing some options to improve the system and close up opportunities for exploitation. The review is included below.

The second working party which is looking at migrant education, will be organising community workshops on tenants rights for migrant workers, so tenancy information can be discussed with migrants in their own languages. The working party is also preparing press releases to all ethnic radio and press so basic tenants' rights and information can be regularly disseminated.

For any further information on this project, or if you would like to contribute, you can get in touch with Sue Brittain at the Cabramatta Community Centre on 727-0476.

BOND SYSTEM REVIEWED

The System

Disadvantages

"Form 1" The Rental Bond lodgement form is filled in by the landlord/agent and signed by the tenant.

The landlord/agent sends the money and the form to the Rental Bond Board.

The landlord/agent may not send the tenant's money to the Rental Bond Board. This is illegal but impossible to detect if the tenant is ignorant of the system.

It is possible for the landlord/agent to put false information on the lodgement form. e.g. incorrect address for tenant easily excused as a clerical error if the "mistake" should be discovered.

The Rental Bond Board notifies the tenant that the Bond has been lodged. Included are instructions on how the Bond may be claimed at the end of the tenancy.

If the landlord/agent has given any false information on the lodgement form, then the tenant does not receive this information. Many tenants particularly migrants would not expect any communication from the Rental Bond Board.

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By law the agent/landlord must lodge the entire Bond with the Rental Bond Board. This must not exceed 4 weeks rent on unfurnished premises or 6 weeks rent on furnished premises.

The landlord/agent returns some of the Rental Bond or demands an extra fee e.g. "for insurance" An ignorant or desperate tenant often pays without argument

At the end of the tenancy the Rental Bond Claim Form is lodged by either party. If agreement is reached, the tenant and the landlord/agent can send a joint claim. In cases where there is no agreement one or both parties can send in their own claims.

When apparent agreement is reached between landlord/agent and tenant it is easy due to the complexity of the claim form for a migrant tenant to be duped.

The Rental Bond Board responds to the first claim received. If it is a form signed by both parties it pays out the Bond as instructed on that form.

The landlord/agent can get the tenant to sign the claim form at the beginning of the tenancy although this is illegal. A tenant over anxious to obtain accommodation or unable to understand English, may sign this form along with the lease and other documents.

If separate claims are received or a claim from only one party then the Rental Bond Board responds to the first (or only) claim by notifying the other party that it has received the claim and that a dispute must be lodged within 10 days. This is known as a "10 day letter".

Some land/lord/agents put tenants under pressure to sign documents immediately. Time is not allowed for tenants to seek translation or explanation of the documents. The landlord/agent keeps the claim form until the tenancy has ended then lodges it and duly receives the Bond. The tenant receives no notification from the Rental Bond Board.



Rental Bond Claim forms are available from the Rental Bond Board or at branches of the Rural Bank.

Many tenants do not know where to obtain forms.

At branches of the Rural Bank the forms are not on display. The tenant must ask for the form at the desk - a disadvantage for migrant tenants.

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The System

If no dispute is lodged then the Rental Bond Board pays the Rental Bond to the first (or only) claimant.

The first (or only) claim is disputed by instituting proceedings at the Consumer Claims Tribunal. This can be done at a local office of Consumer Affairs or at a district Court house. The Tribunal number or a receipt number must be mailed to the Rental Bond Board to reach it within 10 days.

Disadvantages

The tenant may not understand how to lodge a claim. The landlord/agent may lodge a claim and give an incorrect forwarding address for the tenant or simply may not know the tenant's forwarding address. The Bond Board then sends the "10 day" letter to the wrong address or to the tenants old address. The tenant may not receive the "10 day letter" or may receive it too late to act.

The "10 day letter" is hard to understand particularly for a migrant.

The necessity of lodging a dispute at "a court" or Consumer Claims Tribunal is intimidating for many migrants who are unfamiliar with the Australian system or who have cultural inhibitions regarding "courts".

As Tribunal hearings are on week days, tenants unable to take a day off work will not risk appearing and losing a days pay and perhaps jeopardising their job.

The Bond can be claimed by the landlord/agent while the tenancy is still technically in force. As long as the tenant is unable or prevented from receiving the "10 day letter" he will remain unaware that the Bond has been paid out. E.G. - when a tenant has had to move from the premises but is still paying rent to satisfy the terms of this lease.

The Consumer Claims Tribunal is a simple and informal system. No costs are involved apart from the initial \$2 fee. Without evidence of some kind (e.g. the landlord/agent would produce receipts for cleaning costs or repairs if claiming for these), the Referee would have no facts on which to base his decisions.

Migrants and others are often entirely ignorant of the system and imagine enormous costs if they should lose migrants, particularly south East Asians attach a social stigma to "court" appearances.

Landlord/agents often capitalise on these fears and use the threat of "Tribunal" to persuade tenants not to claim or dispute Bond claims.

Landlord/agents recognise the need for "evidence" and sometimes even manufacture it. Tenants, particularly migrants appear empty handed with nothing but their story.

the end.

rent strikes!

Several times in recent months the Tenants' Union has been involved in the running of rent strikes in blocks of flats and apartments. On each occasion the initiative came not from us but from the tenants themselves - which in itself is a sign of the increasing pressure tenants are facing.



What has become clear from these strikes is that they are an effective means of bargaining and gaining concessions - even where the landlord refuses to recognise the existence of tenants' associations. Such opposition places landlords in a quandary, because it is a lot more difficult to get rid of a whole group of troublesome tenants than just one or two.

As in any other negotiating situation, we were not able to get all we wanted - but what we did get were significant reductions in proposed rent increases, and improvements in conditions, e.g., undertaking of repairs and so on.

Both in the struggle itself, and in the results it achieved, the tenants involved have become aware of the fact that they don't have to put up with the crap heaped on them - that they can struggle, and that they are not powerless. These are lessons they will not unlearn. The strikes also helped to break down the barriers between tenants. In every case, the tenants had no acquaintance with each other until the dispute took place - and in every case they discovered the advantages of organisation and solidarity.

Rent strikes are long and complicated procedures. They demand a high level of commitment and a lot of time, energy and leg work. Without a strong sense of grievance and outrage among the tenants they won't work.

We have also learnt lessons from strikes that didn't work. For example, in the case of tenants of a public instrumentality, we didn't organise well enough, and we tried to move too quickly - premature publicity about rent strikes without first taking extensive soundings from the tenants themselves scared a lot of people off, with the result that the tenants did not get organised. This was particularly regrettable, since this was one battle where victory would have been a distinct possibility.

Another lesson we have learnt is that it's unwise to let up too soon. Once the point has been made, agreement reached, and the money handed over, the landlord may try to renege or make extra impositions nullifying the original agreement. The tenants have to stay mobilised to defeat this kind of tactic.

Nevertheless, it is significant that tenants with no tradition of militancy - who, indeed, would often recoil from the notion of militancy - are starting to voice demands and to back this with action. It is, perhaps a sign of

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increasing dissatisfaction with the position in which tenants find themselves, and it is certainly a reflection of the way in which the plight of tenants is worsening. The fact is that every time tenants go on strike they are risking the roof over their heads.

The fact that tenants are increasingly prepared to take this kind of action is implicitly a call for legislative and social change - for a redressing of the inherent unfairness in the private rental market. But even in the short term, it is clear that there must be restraints placed on what landlords can demand. Why should they be able to exact outrageous rent increases? Why should people be forced to desert their homes without good and sufficient reason? Why should people be forced out on the street just for the sake of investment or capital gain?

The fact is that under the present system there is no recognition of any right to decent housing.

How can such a society be called "civilised"?

TENANTS RENT RISE 'STRIKE'

TENANTS angered by soaring rents are going "on strike" in groups against landlords.

By Sun Property Writer
JOE FAYNE

The strike action erupting in flats in the inner western suburbs will spread through Sydney, tenants' organisations forecast today.

"These strikes must happen as more people are unable to meet rising rents," said Mr Harvey Volke, of the Tenants' Union of NSW.

"Tenants in a block of 60 flats at Annandale recently forced a big cut in the threatened increase by refusing to agree to it.

"At Dulwich Hill 32 tenants are on strike against rent increases of \$8 to \$10 each.

"They are offering the old rent - but won't pay the increase, the second in three months."

Mr Volke said that before their protest the Annandale flats tenants had been hit by increases of 30 to 50 per cent - up to \$15 on bed-sitting rooms rented from \$25 to \$40 a week.

They offered the previous rent, but it was refused.

So they opened a special bank account to put aside their rent payments.

Finally the owner agreed to increases of \$1.50 to \$3 a week.

Mr Volke said a rent increases strike could only be effective in a

group of flats or units where collective resistance could be applied.

If individual tenants refused to pay they would be given notice to quit and, later evicted by court order.

"But if a group of tenants jacks up there is a lot more incentive for a landlord to negotiate," he said.

"The landlord suddenly finds he has a lot of flats to fill."

THE SUN
FRIDAY JULY
3, 1981.

at last! a tenants' union lease.

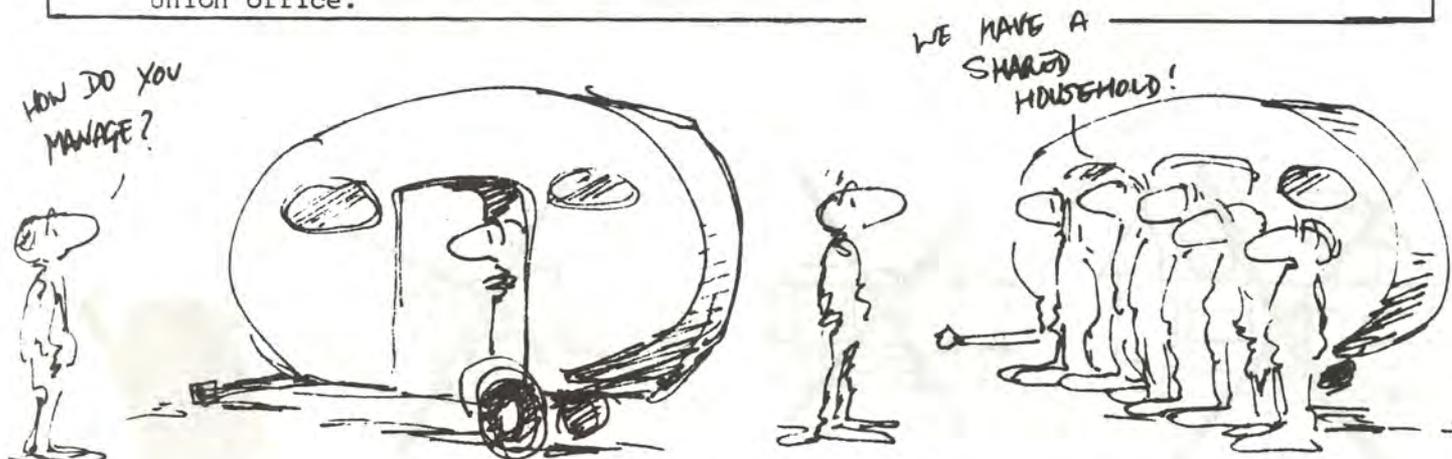
Over the last few months several Tenants' Union members have been meeting to produce a Tenants' Union lease. This lease is written from the tenant's point of view. Without changing any laws, this lease could be used to give tenant's security of tenure, control over rent increases and it guarantees that the premises will be repaired and maintained.

The lease, predictably enough, is completely different to Real Estate Institute leases. With a TU lease, the tenancy is periodic and perpetual rather than for a fixed term which is usually six months and periodic thereafter. Always on a TU lease the landlord has to give reasons for wanting a tenant to move out.

Furthermore, the TU lease is written in very simple language so it can be translated and easily understood. We felt clear layout and language were very important so tenants could solve their own problems.

Tenants may try to get their landlord to use this lease, however, initially, we think the lease will have a role as an encapsulation of what would be a good situation for a tenant. Very timely, as groups are searching for alternatives and improvements to the difficult housing situation in N.S.W. today. With this lease in hand the Tenants' Union will be lobbying that such a lease be required by law.

If you want to talk about the lease or help in a campaign to have the lease made statutory, please do not hesitate to contact the Tenants' Union office.



canterbury housing action group.

The Canterbury Housing Action Group (C.H.A.G.) was formed when a group of welfare workers in the Canterbury Municipality responded to the need for housing for youth by preparing a submission for a Youth Refuge.

Unfortunately, the funding for a refuge in the Canterbury area was not available, and so C.H.A.G. looked at other ways of attacking the housing problem. The group decided on a three-pronged plan. Firstly it agreed, a detailed study of housing in the area should be done. Secondly, it was seen that housing as an issue needed to be promoted. The third prong was to prepare a submission for funding of medium term accommodation for youth, which would service the youth refuges which now surround Canterbury.

So far number 3 has been completed and attempts have been made at promoting the housing issue. Number 2 has been only slightly successful as the local papers feel the issue and the articles we submitted were "too political".

The group would also like to get into other areas, like tenancy problems, but it is very small at the moment and needs more participation from the community. If anyone is interested, please contact Sue Findley on 78-8880.

C.Y.S.S. and housing action.

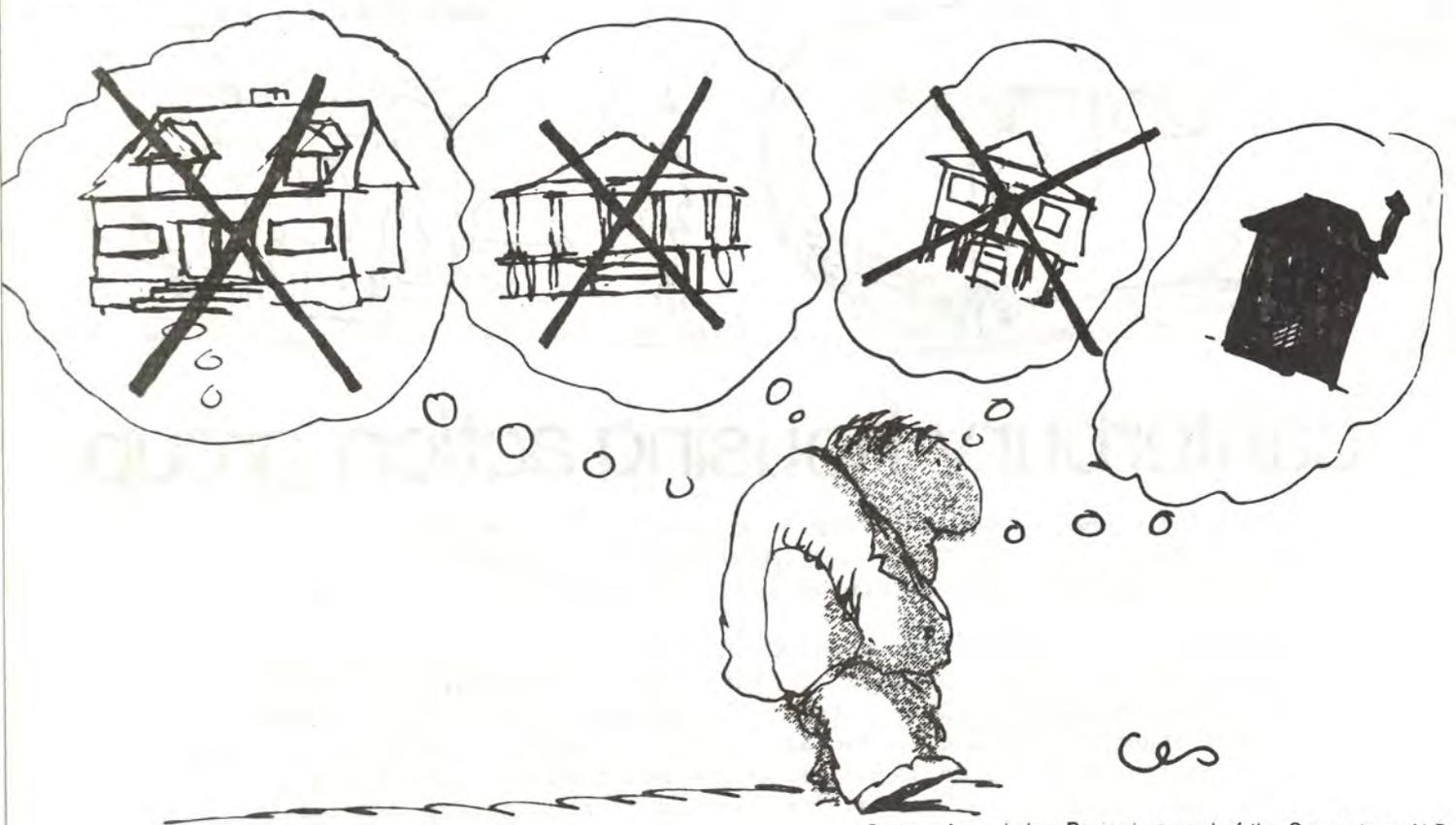
As the recent reversal by the Federal Govt. of its budget decision to abolish the Community Youth Support Scheme (C.Y.S.S.) indicates, the issues of unemployment and housing remain significantly important in the general public's minds.

Many local communities in which the 274 C.Y.S.S. schemes operate, recognise the needs of young and not so young people for good quality low cost housing.

Each week, numbers of young people come through a C.Y.S.S. schemes door, in varying states of homelessness and destitution. Frequently, they have been evicted from a private tenancy due to falling into rent arrears because of their impossible financial situation on the dole, or are victims of some form of retaliatory eviction.

As well, a certain amount of discriminatory practice by real estate agents and private landlords against young people, presents them having equal access to housing. The N.S.W. Housing Commission will not allocate any of its stock to single young unemployed people, so the position is often desperate.

C.Y.S.S. Schemes try to find the best and cheapest boarding house accommodation in their local areas. As well, many have approached local councils for 'surplus' housing to run crisis and medium-term housing projects. And, of course, C.Y.S.S. is constantly involved in lobbying the Housing Commission for public housing for young people. Last, but not least, C.Y.S.S. Schemes continue to push Social Security for increases in the unemployment benefit rate.

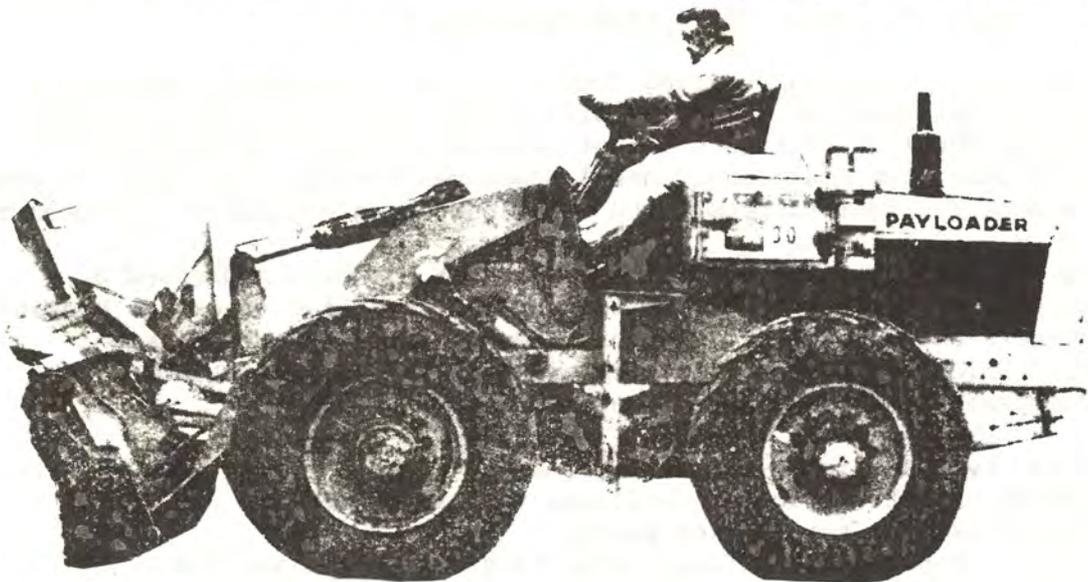


Cartoon from 'Labor Review', journal of the Queensland ALP

Our house is semi-detached. The walls are so thin you can hear the neighbours changing their minds.

ten years: the housing struggle in sydney

A COMMUNITY PHOTOGRAPHIC EXHIBITION



"TEN YEARS: THE HOUSING STRUGGLE IN SYDNEY" is a community photography exhibition which will be looking at one of the key issues facing people in Sydney.

The past ten years has been a period of growing awareness of housing and urban planning issues. Residents and workers, particularly in inner city areas began to organise to fight the threats to their houses and communities.

At present Sydney is facing a housing crisis which is worse than at any time since the Depression. Spiralling rents and house prices, diminishing rental stock and a drastic shortage of public housing, have left many homeless and 40,000 on Housing Commission waiting lists.

The exhibition plans to document a) housing struggles which have taken place during the past ten years in response to threats to housing, particularly low income housing, by redevelopment private or public, evictions etc.

b) aspects of the present "housing crisis", showing housing needs relating to the availability of houses, housing conditions, affordability (rents and prices), public housing tenants rights, homelessness, emergency accommodation, change in particular areas, effects of strata titling, gentrification etc. In particular, the effects of the current situation on groups such as the unemployed, women, aborigines, migrants, etc.

c) some housing solutions - public housing initiatives from federal/state/local governments, housing co-ops, squatting, rent strikes, rehabilitation schemes etc.

The exhibition will be travelling show. It will be available for display in community centres, public places, galleries etc anywhere in Sydney. Booking can be made through the Photographic Exhibition Committee. *If you have ideas, want to contribute contact Pwll Mar 116 Palmer St Darlinghurst 3576270.*

housing commission tenants organise

There are moves underway to re-establish a State-wide Housing Commission Tenants' Association in N.S.W. Various locality based public housing tenants groups have been in existence for a long time. But many now feel that the time is right to begin to organise on a state-wide basis.

Recent attacks on public housing tenants by both the Federal and State Governments necessitate the formation of a strong organisational and action base which can begin to let the voice of tenants be heard far and wide. Without this base, the State and Federal Governments will continue to implement draconian measures against people who live in housing commission accommodation.

People are no doubt aware of the concern that has been expressed by a number of community groups about implications of Federal cutbacks in housing funds and the State's response. A secret report prepared by management consultants (Price Waterhouse & Associates) into the administration of the Housing Commission and Land Commission recommended:-

- reducing over-servicing of public tenants
- disposing of better located dwellings to raise revenue
- moving quickly to full market rents
- shaking up tenants until family size fits dwelling size; and
- changing relocate formula so that multi-income households are charged considerably more.

HOUSING COMMISSION TENANTS MUST ORGANISE TO ENSURE THE RIGHT TO:-

- Public Housing, not Welfare Housing accommodation for all those in need
- adequate maintenance of unit, flat, or house
- protection against unwarranted and unnotified access to the tenant's home
- inadequate community facilities on the estate
- security of tenure and protection against arbitrary or unreasonable eviction; and
- Involvement in major decisions which affect their lives.

It is planned to hold a public meeting in the next couple of months to look at the possibility of establishing a state-wide Housing Commission Tenants' Association. If you want any further information contact Liz Faunce - 699-2696 or Ken Smith 699-4051 or write to Liz or Ken at:-

P.O. Box M515
Sydney Mail Exchange
2052.

