



TENANT NEWS

TENANTS UNION OF NSW
CO-OP LTD
61 Belling St
Milton Point 2200
Tel: (04) 27-3313

nsw

no.19

Dec. 1982

* THE TENANTS' UNION BOARD OF DIRECTORS *
* AND STAFF WISH ALL OUR MEMBERS A *
* HAPPY CHRISTMAS AND BEST WISHES FOR THE *
* NEW YEAR *

"BULLETIN"

NOTICES

Dulwich Hill Community Centre and Tenants' Advice Service have a new telephone number. It is 569-5801.

TENANT NEWS welcomes all contributions such as reports from N.S.W. Country areas, Migrant groups, and announcements from tenant groups. Maybe Tenant News should have a new format. Suggestions welcome.

We would like to congratulate the new group, Woolloomooloo Tenants' Association. They can be contacted through the Secretary, Pat Rawles, P.O. Box KX132, Kings Cross, N.S.W. 2011, and welcome new members.

ANNUAL SERVICE FEES NOW DUE

It's that time of the year again, time to ask members for service fees for 1982. The Tenants' Union needs your service fees to continue production of our quarterly newsletter and to cover postage. If your service fee is not forthcoming, we cannot guarantee that you will continue to receive the interesting newsletter and keep in touch with what's happening in and around the Union. Enclosed you will find a green form which you should return with your 1982 Service Fee.

The scale is, since the AGM in March, 1982:

Unemployed, Pensioners, etc.	\$1
Workers	\$5
Organisations	\$10

Also, it would help if you included your membership number which you will find on the front of this envelope. We can then quickly find your name in the membership register.

THANK YOU IN ANTICIPATION OF YOUR CONTINUING SUPPORT.

Donations always gratefully received.

TENANTS' UNION OF N.S.W., ANNUAL GENERAL MEETING

The next Annual General Meeting of the Tenants' Union will be held at 7.30pm on 14th March, 1983 at 118 Regent Street, Redfern. All members and friends are welcome. We are giving everyone this advance notice as there will not be another newsletter until the end of March, 1983 and we'd like a good turnout to elect and support the new management. We would like members to attend to meet management and staff and enjoy yourselves.

ORGANISATION OF THE TENANTS' UNION OF N.S.W.

Another advance notice! On 5th February, 1983, from 1pm until 5pm, there will be a meeting to examine the organisation of the Tenants' Union. It is time to review the ways of the Tenants' Union can better promote tenants' interests. To date, Tenants' Union influence is deceptive. This influence needs to be more prominent. Tenants' groups must become a force to be taken seriously. Some ideas floated so far have included searching for and supporting funded local Tenants' Services and developing tenants' services and other tenants' groups as branches of the Tenants' Union. Needless to say, the independence of these services should be recognised. Promotion of a new structure must be tempered by a number of factors such as the resources we have at our disposal and the potential for increasing those resources.

Attendance and all contributions are very welcome. Closer to the date, contact the Tenants' Union office to find out the venue for this sure-to-be zappy discussion.

TENANTS' UNION RESOURCING UNIT

Resources available from the Tenants' Union Office are:

Tenants' Rights Manual - \$16 plus postage.

Tenants' Rights Booklets in English, Chinese, Lao, Vietnamese, Turkish, Macedonian, Polish, Greek, Arabic, Spanish, (Italian and Portuguese available soon) free to tenants, \$1 each including postage to everybody else.

Back issues of Tenant News

Tenants' Union Leases

Tenants' Union Posters

Reforming a Fuedal Law \$2.50 or available for \$3 incl. postage from ACA, 28 Queen Street, Chippendale, 2008.

A wide range of resource material on tenancy.

Staff available for talks and training workshops.

SQUATTERS MEET

Weekly meetings of squatters are being held. One of their first intentions is to produce a manual on squatting.

All squatters and supporters are welcome. Contact the Tenants' Union for the time and venue.

PUBLIC TENANTS ORGANISE

Many Housing Commission tenants and Council tenants have formed themselves into groups to discuss local issues such as invasion of privacy, rising rents, isolation and policy practices of their relevant landlord. See if there is a group near you or form your own if you want a say in your housing environment.

.....

TENANT BLACKLISTS

Credit Reference Agency

At the beginning of the year the Tenants' Union was concerned about the possibility of a computerised data bank on tenants. Since then we have discovered that the Credit Reference Agency, (CRA), already operates such a data bank.

The CRA collects tenancy and credit information. This means that a bad creditor is presumed also to be a bad tenant. Thus, for example, a person who mixes up one hire purchase agreement can be refused housing.

If tenants are refused housing due to a bad record, the agent is supposed to give them a letter telling them the reason and informing them that they can check the record with the CRA. People cannot get access to the CRA record without this letter. The Tenants' Union suspects that many people are not given letters. It is too easy for real estate agents to simply say that the house has gone to someone else.

The Tenants' Union is very concerned about the subjectivity and accuracy of the information kept on tenants/ For example, a real estate agent could feed in information stating that the tenant was in rent arrears. This appears objective, but could be due to rent receipts being incorrectly dated or the agent attempting to enforce a retrospective rent increase or a rent increase during the term of the lease: These all amount to alleged rent arrears. Or the tenant might well be in arrears but the agent/landlord has refused to accept time payment of the debt. A similar situation of an incorrect record can arise when it is alleged that a tenant has "skipped out". To top things off, some real estate agents try to pass onto tenants the (unauthorised) fee of \$15 for a CRA report.

Throughout the year, the tenants' Union has campaigned against the system. One of the results has been that some tenants are now receiving letters informing them that a CRA record is the reason why they have been refused housing. Some of these people have sought assistance from the Tenants' Union. To date their cases confirm our arguments against this scheme. We are, however, interested in hearing from anyone who suspects that a CRA record is the reason behind their housing problems. We can then use this information to further lobby the State Government on the ill effects and injustices of linking credit and tenancy histories and continue to press for legislation to prevent this practice.

Report your case to the Tenants' Union office on 699-7605 or in writing to Mary Perkins, Tenants' Union of N.S.W., 118 Regent Street, Redfern, 2016.

CENTRAL RENTAL LISTING AGENCIES

For several years now, central listing agencies have advertised premises to let in newspapers and it is time to make some comment on these enterprises. These comments, it will be seen, advise caution when dealing with such a service.

A central listing of lettings is an attractive proposition insofar as prospective tenants can save time in locating premises to suit for price and location. But is the service worth the \$40 fee? Who uses the service and for what reason? Is it a service at all?

The largest letting brokerage in Sydney is Rent Mart, operating from Paddington. For a \$40 fee a client has access to their listings for 4 months. These listings are reputedly updated daily. Rent Mart attracts subscribers with advertisements of premises in newspapers.

Who are the prospective tenants most likely to be attracted to this service? Generally, they are middle-income earners who are short on time and are willing to pay to be directed to real estate agents managing likely-sounding premises, or low-income earners who are having difficulty locating affordable, let alone appropriate accommodation, and are lured by the listing agencies advertisements.

What then are the problems likely to be in the service? Firstly, the listing agency cannot guarantee that the rental property is still on the market as the managing agency will let it to a "suitable" tenant whether or not they were referred from the listing bureau.

If the lists are not regularly updated they can be useless. Secondly, there is the question as to whether some of the advertised accommodation ever existed. The listing agency is a business and must attract business for its survival. Familiarity with a certain area notifies an observer of the nature of that area's rental stock. Thus, for example, a cheap house in Bondi simply does not exist. Thirdly, the listing agency apparently does not alert low-income prospective tenants whether or not they are even a possible candidate for some properties. Some landlords and real estate agents discriminate against tenants such as pensioners, Aborigines, unemployed families and so on. This vital piece of information is an absent qualifier on some properties. In this respect, the service is undermined.

Could such a service ever be useful? For people who can easily afford the service, it may be satisfactory. For low-income earners such satisfaction is less likely. Such a service could be useful to low-income earners. If it was performed by an organisation with a particular interest in assisting this group such as an adequately resourced community group or a public authority. In South Australia, the Emergency Accommodation section of the Housing Trust operates a listing of low-cost accommodation as do some local community groups in Sydney. Such groups can monitor to whom particular agents and landlords will and will not let. They can seek out and update listings of low-cost rental.

Whether central listing agencies are well patronised is unknown. We did think it important to raise the issue so subscribers consider whether a listing agency can provide the service they want. In the event of a complaint about the service of a listing agency, full details of the event including information provided by the listing agency correlated with information from the relevant real estate agent, can be forwarded in writing to the Council for Auctioneers and Agents, P.O. Box 168, Queen Victoria Building, 117 George Street, Sydney, 2000.

THE ELECTORAL POWER OF RENTERS

give us homes, preserve our homes

Many tenants are aware of the growing housing crisis insofar as people realise how difficult it is to hold onto or to find appropriate and affordable homes. However, to date, the role the different levels of government can play to alleviate this situation has not been consistently addressed. Everyone is aware of cutbacks in public funds and the effect this has on public housing in particular. To a certain extent the (lack of) policy of governments and the low political profile they give housing is due to the fact that tenancy and housing have not been comprehended as electoral issues. We think it is about time tenants and other housing consumers make politicians realise that their seats can depend on the stance they take on these issues. In N.S.W. we have a situation where housing is expensive, renters have no security of tenure and there is rising unemployment and living costs. The least governments can do is stabilise some of these costs to soften the drastic economic situation we must endure.

32% Australians with mortgage - govt. gives \$ \$ \$
 30% ' ' pay rent - govt. gives 0 0 0

Let us turn to the roles the different tiers of government can play in influencing the housing environment of renters.

- FEDERAL
- sponsor a national housing policy;
 - increase funds to make the public rental sector viable, competitive and attractive including participation of the tenants in the control and management of their homes as individuals and groups;
 - ensure adequate housing for immigrants whom the Federal Government lures to Australia on the promise of a better life.
- STATE
- co-ordinate a state housing policy and focus assistance on regions experiencing most housing difficulty (e.g. resource and population boom areas and traditional areas of low-cost rental accommodation);
 - review the practices and policies of the State Housing Authority;
 - implement law reform for all renters to ensure security of tenure and housing of a reasonable standard at an affordable cost;
 - support programmes of community education on landlord and tenant and guarantee necessary funding to local tenants' advice services and their co-ordinating State body, the Tenants' Union.
- LOCAL
- This tier of Government is closest to the people and the role local government plays in preserving rental accommodation, low-cost in particular, is not widely comprehended. Council controls local development through its planning departments and policies. For too long, central and local governments have underwritten the interests of owner-occupiers. RENTERS VOTE. The next local government elections are in 1983. Renters should voice and vote your interests.

Waverly Council has employed a Housing Officer since April, 1980. Assisted by the Housing Officer, Waverly has demonstrated practically what a council's commitment to renters can mean.

Firstly, councils can research what group is facing housing difficulty and monitor what is happening to residential rental in particular.

Secondly, council must develop a housing policy to set about tackling the housing problems of those facing difficulty. This policy can include:

- i) Direct provision of housing allocation and management of housing. Some of this council housing can be emergency and short-term housing. Council often acquires housing, for example, for a future car park. Any housing should never be left vacant even though its life may be soon terminated.
- ii) Planning controls on loss of low-cost accommodation such as boarding houses and flats where the owner wants to strata-title for example. Preservation of low-cost rental is vital, and renters' interests need to be weighed against economic interests of an owner.
- iii) Councils can support renters as renters struggle to preserve their homes. Council can encourage and support local health, welfare and community services as those organisations help renters conserve their homes. Councils can, for example, contribute in cash or kind, to local community-managed tenants' and planning advice services.
- iv) Council can lobby central government on wider housing issues.

The Waverly experience has demonstrated the extraordinary effect council can have on a local housing situation (reports Bondi Junction T.A.S., Bondi Beach T.A.S., other local services and evaluation report of project - Social Welfare and Research Centre, University of N.S.W.).

Unquestionably, satisfactory housing, whether one own or rents is one of our most fundamental social needs. However, we must work for its provision and conservation. Over time tenancy and housing must become an electoral issue and political representatives must work for housing consumers.

Ask your Federal, State and Local representatives for their stance on renting and low-cost renting, especially. Electorally, then, housing consumer issues will be impossible to overlook.

Next September there will be local government elections. Tenants' groups could stand their own candidates. The Tenants' Union is available, of course, to give support, advice and information to any candidates on tenancy and housing interests.

MAKE YOUR POLITICAL REPRESENTATIVES WORK FOR HOUSING CONSUMER INTERESTS



Recommendations for Improvement of the Rental Bond System in N.S.W.

In 1977, the N.S.W. Government established the Rental Bond Board to protect tenants' bonds and gave the Consumer Claims Tribunal jurisdiction to hear disputes over bond returns. Experience has brought to light problems in the system. 5 years on, it is time for these faults to be rectified, the system improved, and the fund created by this system to be better managed for its contributors, tenants.

Toni Beachamp working with the Union, has drawn together the experience of tenancy advisors and compiled recommendations in a submission which, subject to Tenants' Union Board approval on 13.12.82, will be presented to the Minister for Consumer Affairs. Copies of the submission will also be sent to appropriate persons in the Department of Consumer Affairs, the Minister for Housing and other associations concerned with the plight of renters - Australian Consumers Association, Cabramatta Tenancy Working Party, N.S.W. Shelter, N.S.W. Council of Social Service, and N.S.W. Ethnic Communities Council..

BONDS BELONG TO TENANTS AND THIS SHOULD BE STRUCTURALLY REFLECTED IN THE OPERATION OF THE RENTAL BOND SYSTEM. This conviction has guided the recommendations and a summary of this detailed submission is reproduced below. The complete submission can be read in the Tenants' Union office.

SUMMARY OF RECOMMENDATIONS

1 AMOUNT OF BOND

The maximum amount of bond which can be required for any tenanted premises should be an amount of no more than the equivalent of four weeks rent and any other requirements other than administrative lease costs while they exist, should be clearly prohibited.

2 LODGEMENT OF BONDS

It should continue to remain the landlord's responsibility to lodge any bond with the Rental Bond Board within seven days of its receipt. Lodgement forms should notify the tenant that they must claim the bond at the end of a tenancy and that information on this procedure will be forwarded with their receipt from the Rental Bond Board. The lodgement form should ask the tenant in which language they would prefer to receive this information and the lodgement form should solicit appropriate information to monitor the nature of rental stock.

3 STANDARD INSPECTION RECORDS

The use of standard inspection record forms should be mandatory wherever a bond is required.

4 CLAIM OF BONDS

At the end of a tenancy only a tenant should be permitted to claim a bond or a consensual application made. If the landlord wishes to dispute a tenant's claim, he or she should lodge for a Tribunal hearing within seven days of notification from the Rental Bond Board of the tenant's claim. The landlord must support his dispute with a declaration of his losses. The tenant should immediately receive any undisputed part of the bond. The landlord would have the right to claim the bond, if the tenant has not done so, thirty-one days after the termination of the tenancy and receive his or her claim only after the Rental Bond Board has attempted to trace the tenant.

5 ENFORCEMENT OF THE PROVISIONS OF THE ACT

Enforcement provisions should be improved and penalties for breach of the Act increased.

6 BOND DISPUTES HEARINGS AT TRIBUNAL

The onus will be on the landlord to prove that the tenant has breached the leasing agreement. Information should be available to instruct the tenant how best to present their case. Provision should be made for a tenant to use an agent in the same way as a landlord can use an agent now. The referee should take an active role in raising issues and eliciting information. Where the tenant is obviously unprepared, another hearing date should be set and the tenant directed to advice (a discretionary power of the referee). Referees should be publically appointed by a committee representing all parties with a direct interest in the operations of the Tribunal. Tribunal should be given jurisdiction to hear disputes over security deposits involving licensees. Tribunal hearings should be easily accessible with flexible times and appropriate venues.

7 THE RENTAL BOND FUND AND THE RENTAL BOND INTEREST ACCOUNT

Funds from the Rental Bond Interest Account should primarily be spent in the following ways:

- * financing the operations of the Rental Bond Board
- * financing landlord and tenant law reform which gives security of tenure to tenants and the operations of a Residential Tenancy Tribunal
- * extension of hardship assistance to tenants, supplementing assistance available through the Department of Youth and Community Services and the Department of Social Security
- * funding of independent community-based Tenants' Services (the necessity of these services has been documented in every report discussing the disadvantages tenants face)
- * increased community education by Government and non-Government agencies on landlord/tenant law so that parties understand the provisions

Tenants forgo interest on their bonds for the entire period of their tenancy and under this programme for the spending of the rental bond interest, all parties to the tenancy relationship gain the benefits of improving that relationship.

Capital from the Rental Bond Fund itself should be invested in opportunities which lead in an increase of housing stock for rent and not in means and loans leading to the provision of housing for ownership.

AS YOU CAN SEE THERE IS A MASSIVE WORKLOAD FOR THE TENANTS' UNION.
IF YOU WOULD LIKE TO VOLUNTEER AND HELP, WE WOULD BE MOST GRATEFUL
FOR YOUR ASSISTANCE,

TENANTS UNION

TENANTS' UNION OF NSW CO-OP LTD
118 Regent Street, Redfern 2016

The Tenants' Union represents tenants against unfair treatment from property owners and real estate agents.

We help tenants work TOGETHER to make improvements by:

- maintaining Tenants' Advice Services;
- lobbying Governments on tenancy issues;
- publicising tenants' problems and rights.

We believe that good quality housing is a basic human right . . . This means security of tenure, houses in good repair and protection from excessive rents.

Solidarity in numbers is the only way that our rights can be fought and won.

Join now . . . help the Tenants' Union to help you and others!

THE TENANTS' UNION PROGRAM IS AS FOLLOWS:

To promote the establishment of a network of Tenants' Advice Services. The responsibilities of such services include:

- providing advice and information to prospective tenants on all aspects of renting and the relevant laws relating to the landlord/tenant relationship;
- acting as a tenant's advocate in cases where there is a dispute with the landlord.

To disseminate information throughout New South Wales on the rights and obligations of tenants and advice on where to go if problems occur.

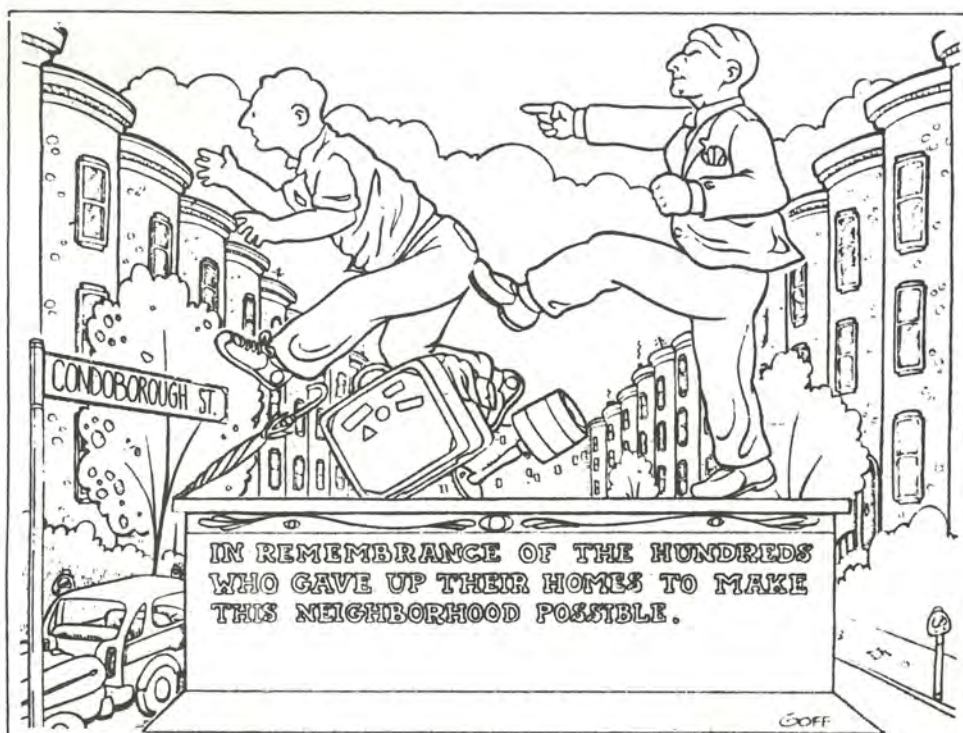
To organise a vigorous campaign of community education through conducting workshops, the media and other means.

To undertake research work in the area of tenancy and promote longer term solutions.

To lobby for legislative and other changes which will produce a more equitable landlord/tenant relationship.

To help initiate and support local tenants' groups.

To take part in new initiatives in the area of housing.



TENANT NEWS

TENANTS' UNION OF N.S.W. CO-OP LTD.,
118 REGENT STREET,
REDFERN 2016.

REGISTERED BY AUSTRALIA POST
PUBLICATION NUMBER NBH 2043.

POSTAGE PAID
REDFERN
NSW., AUST.
2016

TENANTS' HOTLINE: for advice and assistance
Phone: 698-8033
Mon - Thurs 1pm-9pm
Fri 10.30am-5pm
Sat 9.30am-12.30pm

GET YOUR
FRIENDS
TO JOIN.....



APPLICATION TO JOIN TENANTS' UNION

Name.....

Address.....

.....Postcode

Telephone.....

Occupation.....

Are you a tenant?(please)

Are you a home-owner?.....(tick)

Cost: Pensioners)
Unemployed) \$2
Students)

Workers \$6

Organisations \$15

This covers purchase of shares and
a service fee.

I enclose \$.....

I declare that I am over 18 years
of age.

Signature.....

Witness.....

Date.....

Cut along dotted line and return to:

Tenants' Union of N.S.W. Co-op. Ltd.,
118 Regent Street,
REDFERN. N.S.W. 2016.