

NSW

**DECEMBER 1988** 

No.35

Association.	
	NOTICE TO QUIT
LANDLORD: Department o	f Housing
TENANT: Statewide networ	k of tenancy services funded from interest on rental bonds.
PREMISES: 20 Tenants Advi HIRS.	ice and Housing Referral Services, Tenants' Union of N.S.W., Shelter,
ANNUAL COST: \$2.4 millio	on (\$2.40 for each tenant in N.S.W.)
LEASE: Dated 1986	
	required by the Landlord to quit and deliver up possession of the end of 31st March, 1989 after the date of service of this Notice to Quit, of service.
At that time you are required the condition and state of rep	d to deliver up possession of the services promptly and peacefully in pair as agreed.
Dated this Second day	of December, 1988

## TENANT NEWS

#### December, 1988

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The Tenant's Union of New South Wales represents tenants against unfair treatment by property owners and real estate agents.

We help tenants to work together for decent, affordable and secure housing by:

- \*Resourcing tenants advice services
- \*Lobbying Government on tenancy issues
- \*Publicising tenants' problems and rights

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

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

Join the Tenants Union and help fight for tenants; rights in NSW.



/ssn - 1030-1054

## **TENANT SERVICES AXED**

On Friday 2nd December the Minister for Housing, Mr. Joe Schipp announced that funding for the Tenants' Union and 20 locally based Tenants' Advice and Housing Referral Services would cease on 31st March, 1989.

Most of the local services have been operating since 1986, and have been funded with interest money from tenants' bonds lodged with the Rental Bond Board. The services use only a fraction of this interest money, with the entire statewide network of services costing \$2.4 million per year. This averages out at a cost of \$2.40 per tenant per year. Of course, this is money which NSW tenants have already paid through the bond system.

There is little doubt the services have been amazingly successful during their relatively short period of operation. The offices are conveniently located, many in shop fronts, and they stretch as far afield as Lismore, Bathurst, Albury and Lismore to name just a few. They offer a comprehensive service to tenants, assisting with legal problems, finding accommodation, preparing cases for the Tribunal, and are also working closely with local government and community agencies to develop local solutions to the housing crisis.

The problem may well be that we have been too successful. We make no apologies for our strong stand on matters such as the need for decent tenancy legislation that protects tenants, for our opposition to the sale of public housing properties and building sites. and for our opposition to the Raine Report into homelessness. We've also been strong advocates for boarding house residents, who must be one of the most disadvantaged and ignored sections of the community. During the past year we've fought long and hard to stop boarding house closures and conversions to tourist accommodation. We've put pressure on government, and insisted they respond to the housing needs of the entire community not just those lucky enough to be able to buy a home of their own in Sydney. Doing and saying all this is a sure way of upsetting some people, including Government Ministers! And it seems this is just what has happened.

So the official response has been to refuse any further funding of our services. The Minister claims the Department of Housing can do it better and cheaper. Understandably, we disagree with the Minister.

It is absolutely preposterous to imagine that a government department, no matter how well intentioned, could offer a similar type of service to the one we offer. This is best shown through an example. Last Sunday morning, the Kings Cross police were approached by a 78 year old pensioner who had been forcibly and illegally evicted during the pouring rain. Both he and all his possessions were turfed out onto the street. He lived in a boarding house, and is considered to be a protected tenant. The police contacted a worker from one of our services, who went up to the boarding house, and attempted to get the man back into his room. When this attempt failed, she arranged for him to stay in a motel around the corner for the rest of the weekend, and on Monday morning began legal proceedings in the Supreme Court to force the man to be reinstated in his room. On Monday morning a group of about 200 building workers, church officials and tenant workers gathered at the boarding house to highlight the situation, demand the government do something about it, and offer support to the remaining tenants. On Tuesday morning, the Supreme Court ordered the man be reinstated in his room.

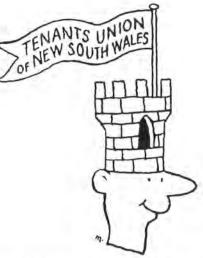
Government is not able to respond to situations such as the one outlined above. For a start, there will be no more out of hours service. No more weekend and evening access for people in emergencies. The service the government is planning to offer is an expanded version of their existing Tenancy Information Service. The service provides advice to both landlords and tenants, and is extremely careful not to be seen to move from the middle ground on these matters. They offer a casework service exclusively, that is they do not service tenants groups, nor do they have comprehensive community education programs, or respond to local housing issues. And most importantly, they are currently a centralised office, with workers based in central Sydney. They claim the service will be "regionalised", however it is doubtful country areas will continue to be serviced as comprehensively as they are at present. Therefore, we certainly don't think the Department of Housing can do it better.

Nor do we believe they can do it cheaper. For just \$2.40 per tenant per year we have a high quality service which is available in about 25 locations in this state (some services have 2 offices). This does not cost one cent of taxpayers money. It is tenants money being used to provide services for tenants. What can be fairer than that? If the Minister really is intent on increasing his service to the standard of ours, it will cost a fortune in bureaucratic red tape - and they've told us they are on about small government. It seems pretty ridiculous replacing a perfectly good, well known community based tenancy service, with a government based service which will need to be substantially expanded to even begin to meet the demand.

As an indication of the level of community support for the independent tenancy services, a number of prominent groups have publicly called upon the Minister to restore funding to the services. These have included the NSW Labor Council, the Ethnic Communities Council of NSW, Centacare, the Sydney City Mission, Anglican Careforce, the Uniting Church, NSW Council of Social Services, community legal centres, and numerous other community groups.

Support from individual tenant members is vital. If you have a spare ten minutes, please write to the Minister for Housing or the Premier protesting about the cuts to services. We have also received quite a lot of media coverage, and are always looking for tenants to speak with journalists about the rental situation. If you are able to assist with this please call Michelle Strickland or Tracy Goulding at our office. As we will be facing a major loss of funds during the forthcoming year, we are also looking at ideas for fundraising. If you have any ideas please tell us, and of course all donations will be gratefully accepted! If you are able to make a donation please fill in and return with the form below.

In the meantime, the management and staff of the Tenants' Union trust you have had a happy and relaxing Christmas and New Year.



I wish to	make a donation to the Tenants' Union of
	the following amount -
\$100	
\$ 50	
\$30	
\$20	
\$10	
\$5	
Other	Specify
Offici	speeny
Name -	
I valine	
Address	
Auticss -	
	P/Code
1000	
Are you a	member?
Please retu	urn to Tenants' Union of NSW, 68 Betting-
ton Street.	Millers Point. NSW. 2000.



## SAVE CROWN STREET PUBLIC HOUSING

#### The Crown Street Hospital Site.

Since 1985 the planning of a public housing development on the old Crown Street Womens Hospital site has been underway. The proposed development is an exciting mixture of terrace and residential flat housing. The development plan that has been approved by Sydney City Council provides for 152 units, comprising 51 pensioner units, 38 three bedroom units, 54 one bedroom units, 4 two bedroom units and 5 four bedroom units.

The development is a sensitive mix of new terrace housing along with the rehabilitation and retention of three historic buildings on the site. It also provides two community facilities for single people, one for aged people, a child care facility and a youth activity centre or multi purpose community facility.

#### IT IS ESTIMATED THAT THE DEVELOP-MENT WILL HOUSE AROUND 300 PEOPLE

#### COMMUNITY INVOLVEMENT IN THE PLAN-NING PROCESS.

The plans were developed through an extensive process of community consultation, involving meetings and input from local residents, public tenant groups, community centres, childcare groups, community transport groups and local organisations.

The consultation process was vital in improving and modifying the plans to suit the site and the needs of the local community.

## THE NEED FOR MORE PUBLIC HOUSING IN THE INNER CITY.

Sydney is in the midst of its worst housing crisis since the Depression. This crisis has seen house prices soar and rents go beyond the reach of low and middle income earners. In Surry Hills the average price for a 3 bedroom home is \$230,000 with rents for 3 bedroom properties being \$270 per week. At the same time the public housing waiting list is 85,000 statewide and 2,296 for the inner city area alone!

Clearly public housing is the only affordable option for low and middle income earners who wish to live in the city.

Surry Hills has always been an area where working class people have lived. The Crown Street public housing development would enable this tradition to continue and help alleviate the tragedy of housing related poverty.

#### WHAT THE LIBERALS WANT TO DO

Despite the demonstrated need for more public housing in Surry Hills and the hard work of many residents planning the development, the Greiner government want to sell the site to the highest bidder.

The proposal to sell Crown Street is:

#### **Economically irrational:**

The planned development is a very cost effective one providing 152 units at a cost of \$130,000 per dwelling. This compares favourably with prices of \$145,000 for 2 bedroom units in Surry Hills and \$230,000 for 3 bedroom houses. Even when compared with lower prices in outer areas it is still much cheaper than the average new house price in Sydney of \$169,000.

#### Cruel

The proposed sale ignores the desperate need for more public housing in Surry Hills. If allowed to go ahead it will condemn the 2296 households on the waiting list to an even longer wait. Many people already wait up to 8 years for public housing.

#### Socially irresponsible:

The proposed sale also disregards the efforts of the Surry Hills community in planning the development.. The money spent on the consultation process will be completely wasted if the sale goes ahead and if private purchase follows, the desires of the community may be ignored.

#### Short sighted and poorly planned:

Public housing provision in the inner city is a cost effective way of providing much needed low cost accommodation because an infrastructure of services already exists. In new estates there is a need to provide sewerage, roads, transport, shopping centres, health and welfare services, and schools. Public housing construction in the inner city saves government and taxpayers money in other areas. retained for public housing. I urge you to immediatley halt the proposed sale and look forward to a reply to the issues I have raised.

Yours sincerely,

SAMPLE LETTER TO MR. GREINER. FEEL FREE TO COPY.

The Hon. Nick Greiner Premier of NSW 8th Floor State Office Block Phillip St SYDNEY NSW 2000

Dear Mr. Greiner,

I write to express my concern at your government's proposed sale of the public housing site in Crown St., Surry Hills.

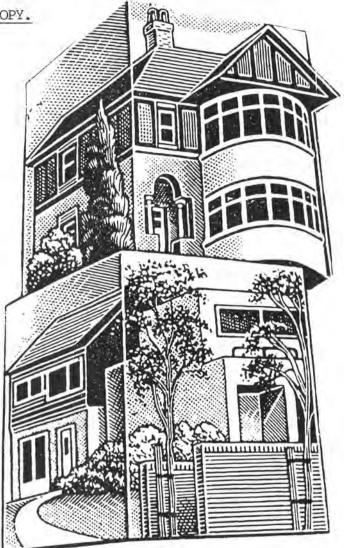
I understand that the Department of Housing has Council approval for a public housing development of 152 units, including 51 pensioner units, 54 single units and 47 family units. The development would also retain the historic hospital buildings and provide aged and single persons facilities, a child care facility and a youth activity centre.

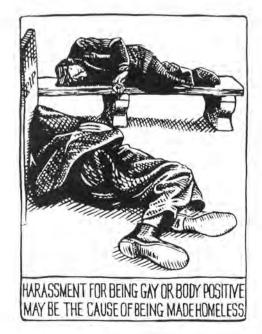
You would be aware that the public housing waiting list is now 86,000 housholds statewide and 2,296 in the inner city, where people wait for up to 8 years. Surely your government has a responsibility to provide housing in areas where people want to live.

A long and comprehensive consultation process, begun in 1985 has resulted in a development that is acceptable to the local community. If the sale goes ahead what guarantees will the community have that the site is not used for an unacceptable and environmentally damaging development?

The proposed development would also be very costeffective at only \$130,000 a unit. Two bedroom units in Surry Hills are now selling at \$145,000, while three bedroom houses fetch \$230,000. An an infrastructure of amenities and services already exists this development would save the government money.

I am convinced that Crown St should not be sold but





## AIDS AND HOUSING

Aids, or Human Immune Virus (HIV), has been with us for most of the eighties. It is a disease which has no cure at present and is the source of much misunderstanding and fear. Treatment consists of a variety of drugs, many of which are in the experimental stage, counselling and simply caring for those who are affected along with their friends and partners.

HIV seems to have originated in Africa, amongst the heterosexual population, and spread throughout other counties, including China, where the first person has just been diagnosed as having HIV. In Australia the disease has been concentrated until recently in the gay male population, but is now increasing rapidly through Intraveneous drug use, and through closetted bisexual and gay married men, who are secretive about their extramarital affairs. The drug using population is a primary source of infection, through shared syringes and unsafe sexual practices. The only way of catching HIV is through direct blood or semen contact it cannot be caught through sharing food utensils, or kissing, or toilet seats.

Like all other Sexually Transmitted Diseases, the virus does not live outside the body, and so is not as contagious as say, Measles. The difference is that some 80% of people who have been diagnosed as being HIV positive in Australia have died within 5 years of diagnosis, which makes it a disease to be taken seriously, and reinforces the need for safe sexual practices and no sharing of syringes.

So what is the linkup with housing, you may well ask? The linkup is that all people need safe, secure and affordable housing, and HIV positive people are vulnerable to discrimination. They often cannot afford high rents, especially if on Sickness Benefits, and are treated with suspicion and outright hostility. It is difficult enough to find decent housing in Sydney if you are employed, young, childless, Anglo Saxon and male, but if you are unemployed, or worse, on Sickness Benefits, a roof over your head could become just a dream The only organisation which attempts to house HIV people in Sydney at the moment is the Bobby Goldsmith Foundation, which has 7 beds available FOR HIV people. These are always full at any one time. Compared with the 1,000 diagnosed people in Sydney, the scale of the problem becomes clearer.

HIV people need housing. They need housing which is safe and affordable. The last thing HIV people need is to worry about where to live, or issues of discrimination.

The department of Housing has no policy for HIV people, and given that the disease is expected to hit 1 in 5 of the Intraveneous drug using population within 5-10 years, to say nothing of their offspring or partners, we have a huge potential pool of homeless people in need .HIV people are being catered as best as the various agencies concerned can manage, but they have limited funding, and like all government funded bodies, are vulnerable to changes in government policy and concern.

HIV people do ring the Tenants' Union with problems of discrimination and harassment, and are referred onto agencies such as ACON and the Anti-Discrimination Board, who can negotiate with the offending party. We need rational, co-ordinated housing policies, which involve both government and community based agencies.

Now is the time to think through all the needs of HIV people, to make ourselves aware of all of the support systems necessary, and to start talking about, and take responsibility for, the defeating of HIV. As a tenants group we need to be quite certain that the housing needs of all our members are taken into consideration, and that discrimination in the private tenancy area becomes a relic of the bad old days.

## TRIBUNAL SCRAPBOOK

If you think your problems are bad, spare a thought for the poor tenant involved in the following case at the Residential Tenancies Tribunal. This is an edited version of the summary of proceedings and the order which was made.

"The Tribunal is required to hear and determine two applications. The first application seeks a declaration that the current rent of \$160.00 per week is excessive having regard to a reduction or withdrawal of services of facilities. The second application seeks a declaration that a rent increase seeking to increase the rent from \$160.00 per week to \$175.00 per week is excessive.

The applicant gave evidence on oath. The applicant said that the subject premises is a free-standing fibro house. She said that the house is in very poor condition. She said that fibro panels have cracks in them and that cracks and holes have been taped with masking tape. She said there are no external gutters and that two of the bedroom ceilings have holes in them. She said that the wall is collapsing between bedrooms 1 and 2. She said that mould is growing profusely because there is no adequate ventilation and because water penetrates through the walls because of the cracks and because there is no proper drainage system as there are no external gutters. She said that water pours in down the back of the bathroom. She said that the hallway from the dining room to the bathroom is not lined. She said that she had to jam the wall with newspapers to try and stop the draught from entering. She said that there is no electricity connected to parts of the residence including the two rooms on the front verandah and in the second bathroom.

The applicant said that the roof is in poor condition. She said that no attempts have been made to repair the roof and that the roof leaks badly. The applicant said that when she commenced occupation of the premises in December, 1987, there was a slow leak from the roof. She said that the situation has deteriorated considerably and that water now pours into the premises. She said that since she has moved in and through the continuing deterioration, the ceilings in bedrooms No. 2 and 3 are beginning to sag and she is fearful that they will collapse. The applicant said that there is bad water penetration now in bedrooms 2 and 3. She said that there is also a leak in the hallway. She said that when it rains she needs buckets to collect the water. She says that she has to move the children out of the two bedrooms and in with her during rain. She said that the period that she is not able to use the bedrooms following rain depends on the volume and extent of the rain, but the period has ranged from a period of 3 days up to a period of two weeks. She said that she has to wait until the areas dry out before they can be used again as bedrooms.

The applicant said that the sewer had blocked up about a month ago and this affected both toilets. She said that the owner had sent out a plumber who she believed to be a relative. She said that the plumber said that if the problem re-occurred to clear it by using a piece of conduit and a plunger. The applicant said that since the blockage the toilets don't work to their full capacity.

In relation to the electrical wiring, the applicant said that she had discussions with the owners at the time the lease was entered into. She said that the owners had proposed to connect the two power boards which apparently had been installed when the premises were being used as two flats. She said that she had indicated her concerns about that from advice she had received, and indicated that she believed that that would not be safe as the wiring was not adequate for that purpose. The applicant said that the owner then said that they would provide power leads to allow her to use power in some rooms that she could not at this stage use power in. The applicant said that she had discussed the matter with the Prospect County Council. She said that the Council had indicated to her that if they were to make a full inspection, they would have to condemn the property. She said that she did not want this to happen as there is nowhere else you could go to live. The applicant said that the stove in the kitchen is reaching a stage where it is hard to cook on. She said that it is very slow and the power bills are

#### going up.

The applicant said that the premises consisted of three bedrooms. She said that it was not true to assert, as the landlord has asserted, that the property is a four to five bedroom house. She said that the two additional rooms cannot be used as bedrooms or for any other purpose of habitation. She said this is because there is no elecrticity and because of the dampness and mould.

The applicant said in summary that the property does not compare with other premises of the same type in the area. She said that the premises are very run down. She said they have a serious problem with dampness and mould. She said that the house leaks severely and is draughty. She said that the house internally is in a very poor and run-down condition. She said that there is a lack of amenities and facilities in the house and that the house is not of the general standard for the area. (...)

The Tribunal makes the following orders:

The Tribunal determines that an increase from \$160.00 per week to \$175.00 per week in respect of the subject premises is excessive having regard to the general market levels of rent for comparable premises in the locality or a similar locality and having regard to the condition and state of repair of the subject premises.

The Tribunal determines that the rent of \$160.00 per week is excessive having regard to a reduction or withdrawal of services or facilities by the landlord, predominantly through the failure by the landlord to carry out repairs necessary to prevent substantial water penetration into the subject premises and having regard to the general market level of rent for comparable premises in the locality and similar locality and having regard to the condition and state of repair of the subject premises.

It is ordered that the rent not exceed the sum of \$140.00 per week for a period of six months as from the 8 August, 1988 being the date on which application was made to the Tribunal.

The Tribunal orders that the landlord within 14 days adjusts the rent in accordance with the determination now made. Such adjustment may be made either by the landlord giving credit to the applicant against future rent payments equivalent to the amount of any other payment of rent which has now resulted as a consequence of the Tribunal's order and that written notice be given to the tenant within 14 days indicating the amount of credit given and the date to which the rent now stands paid or by refunding to the tenant within 14 days the amount of any other payment of rent which had occurred as a consequence of the order now made by the Tribunal."

## let's migrate to Sweden

We were visited in November by Bo Persson and Marianne Lymer from the Gottenburg Office of the Swedish Tenants' Union who were, unsurprisingly, shocked and appalled by the primitive tenancy system in Australia.

In Sweden, a nation of eight million persons, the Tenants' Union has 1,000 workers - 30 alone in the provincal capital of Gottenburg. The Union receives NO government funding and exists only on the \$8 per month membership fees. They provide basic advice but will only negotiate and advocate on behalf of members.

Negotiation is a very important service as landlords make an annual submission for rent increases to the Tenants' Union who negotiate on behalf of their members on a region by region basis.

Yes! it's all true ! However Bo and Marianne did say that the biggest single issue that effects tenants is.....

TRYING TO GET REPAIRS DONE ! !

So - perhaps living in Sweden isn't all bliss.

# **RAINE UNREINED**

#### A few thoughts on the Report of the Homelessness Inquiry.

Just when we thought that all the silliness for the year had been exhausted, that little children would no longer parade upon the streets in Target versions of convict uniforms, and that the last of the truly inane had gone to sleep for the next 200 years, we are forced to witness farce on a truly monumental scale.

I speak, of course, of the report of the Inquiry into Homelessness and Affordable Accommodation in the Inner City. Not that the report doesn't have its warm and runny moments, no indeed. The "take in a boarder campaign" is one of the most touching schemes heard from a Ministerial inquiry for quite some time, and I am sure thousands of Sydneysiders will do just that, eliminating homelessness in one heartening stroke. The rest of the report? Silly, silly, silly. To say nothing of ill thought out, if thought processes can be attributed to such a document. It trivialised the extent of homelessness, and it appeared to be full of self interest for the Real Estate lobby, though this may well be a cynical viewpoint.

#### The major points of the report were to

decontrol Protected tenants, because they cost innocent investors money; defund community based Tenants Advice services; to bring in a 5 to 10 year tax holiday for investors; and to do away with height and other building restrictions for rental properties. Other recommendations were to increase the depreciation allowance from 2.5% to 8% for the next 5 years on all buildings, to remove SEPP10 provisions, which aim to retain low cost accommodation in local government areas and to remove Section 94 of the Land and Environment Act, which levies developers for a contribution towards the cost of such trivial extras in an

area such as sewerage, or roads, or community facilities.

Of particular note was the suggestion that boarders and lodgers remain outside the scope of Residential Tenancies legislation.

It was suggested that boarders and lodgers contract individually with their landlords, who will guarantee "pride in the cleanliness of the linen", as well as stopping any visitors to boarders, especially those who wish to cook! Now I'm sure that it was merely coincidence that one of the members of the inquiry was a head lessee of a boarding house, and this person did, to be sure, abstain from comment on this issue. So we are presented with the "personal comment" from Max Raine on this issue. The report, in fact, is full of "personal comments", which is a groundbreaking feature of this official document, and one which leaves great scope for future reports, as they need no longer be bound by the assumption that they are well considered, objective, or indeed, the opinion of all who took part.

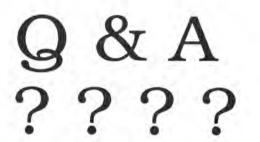
If these were better times we could just laugh at this arrant piece of nonsense. Not so, however, the horrible reality is that the report may be taken seriously by our political masters. The focus of the report is to defund and to deregulate. In other words, to remove all strings from the progress of developers, and to remove any group which may seek to work with tenants. This would include the Tenants Union, all Tenants Advice and Housing Referral Services, Shelter and the Housing Information and Referral Service. They are serious in their intent.

Deadly and serious.

None of the 143 submissions to the inquiry has been summarised. Most dealt with issues such as the need to expand the public housing sector, and to continue community based organisations which not only give advice in crisis, but who offer follow-up services. The submissions also addressed issues such as discrimination in the private rental market, and the provision of coverage under the law for boarders and lodgers and caravan park residents. Both the recommendations and the wealth of expertise they represent have been ignored. Instead we are offered a shoddy, amateurish document reeking of self interest, which Alas, well may

#### be government policy.

If the Minister for Housing had hoped for a well considered, professional and factual report he should throw Max Raine's 40 torturous pages in the rubbish bin. In future, PLEASE, Mr. Schipp, use people who are at least literate, and you can have a document which won't haunt you for the rest of your political career with its inanity. Yes indeed.



QUESTION: I am only halfway through a six month lease, but my ;landlord has told me she is putting the rent up at the end of the month. Can she do this?

ANSWER: Your rent cannot be varied until your lease expires, unless your lease specifically allows for a rent increase during the term of the lease

QUESTION: The agent has given me two weeks notice of a rent increase. Is this sufficient?

ANSWER: No. A tenant must be given sixty days notice of rent increase.

QUESTION: Do I have to be notified in writing of a rent increase?

**ANSWER:** Yes. It is breaking the law to refuse to give a tenant written notice

Stamp Duty payable on leases was abolished in September, 1987. This is not really NEW information but unfortunately there are still tenants who are being asked for stamp duty costs when entering into a new lease

## When times are hard it's time to get INVOLVED

The Tenants' Union needs committed active Board Members to help continue to fight for TENANTS' RIGHTS

IF you're worried about the part that tenants have few rights and you want to do something about it, then come along to the next Tenants' Union Board Meeting and see what you can do.

Board meetings are held on the 4th Monday of each month and is open to all Members.

COME ALONG ! JOIN THE FIGHT.

For more information about going on the Board of the Tenants' Union ring **27-3813** 

#### TUNE IN

The Tenants Union has received IYSH funds to produce radio announcements in community languages. The announcements will go to air on Radio 2EA, and will be produced in Tagalog, Lao, Korean, Cantonese, Mandarin and Turkish.

For more information, contact Michelle at the Tenants' Union.

#### WE ARE NOT ALONE:

This advertisment appeared in the Sydney Morning Herald on the 23rd. of November, 1988, as part of a campaign push for the immediate introduction of the unamended 1987 Residential Tenancies Act. Thanks to all those Unions, Community Organisations and individuals who supported this statement of concern.

#### STATEMENT OF CONCERN

WE, THE UNDERSIGNED

#### WISH TO VOICE OUR CONCERN AT PROPOSED CHANGES TO RESIDENTIAL TENANCIES ACT, 1987.

THE AMENDMENTS WILL RESTRICT THE JURISDICTION OF THE RESIDENTIAL TENANCIES TRIBUNAL, GIVE LANDLORDS GREATER POWER TO DESTROY OR REMOVE TENANTS' BELONGINGS, RE-DUCE THE PERIOD OF NOTICE FOR TENANTS IN RENT ARREARS AND ALLOW FOR FASTER EVICTIONS.

TENANTS IN NSW PAY HIGH RENTS, HAVE LITTLE SECURITY OF TENURE, AND ARE DISCRIMINATED AGAINGST IF THEY HAVE CHILDREN, OR ARE ABORIGINAL, MIGRANTS, OR SINGLE

PARENTS.

THIS IS CLEARLY NOT GOOD ENOUGH. WE CALL UPON THE NSW GOVERNMENT TO IMMEDIATELY INTRODUCE THE RESIDENTIAL TENANCIES ACT 1987

#### UNAMENDED.

THE ACCOMMODATION RIGHTS SERVICE ALDERMAN DON SYME, LIVERPOOL CITY COUNCIL AUSTRALIAN RAILWAYS UNION AUSTRALIAN TIMBER WORKERS' UNION AUSTRALASIAN COAL AND SHALE EMPLOYEES FEDERA-TION BLACKTOWN/BAULKHAM HILLS TENANCY ADVICE & HOUSING REFERRAL BUILDING WORKERS' INDUSTRIAL UNION OF AUSTRALIA CAMPBELLTOWN LEGAL CENTRE CANTERBURY BANKSTOWN MIGRANT RESOURCE CENTRE CAREFORCE CENTRAL COAST TENANTS' ADVICE AND HOUSING **REFERRAL SERVICE** CENTRAL WEST TENANTS' ADVICE SERVICE CAMPAIGN ACTION FOR RENTAL REFORM COUNCIL OF SOCIAL SERVICE OF NSW EASTERN SUBURBS TENANCY AND HOUSING REFERRAL SERVICE ENVIRONMENTAL DEFENDER'S OFFICE FAIRFIELD/LIVERPOOL TENANTS ADVICE & HOUSING REFERRAL SERVICE HOUSING INFORMATION & REFERRAL SERVICE HUNTER TENANTS' ADVICE & HOUSING REFERRAL SERVICE ILLAWARRA COALITION FOR A JUST SOCIETY ILLAWARRA TENANCY ADVICE AND HOUSING REFERRAL

INNER CITY LEGAL CENTRE INNER SYDNEY TENANT ADVICE & REFERRAL SERVICE **IRANIAN WELFARE ASSOCIATION** LIVERPOOL NEIGHBOURHOOD LAW CENTRE MARRICKVILLE LEGAL CENTRE MENTAL HEALTH CO-ORDINATING COUNCIL NATIONAL SHELTER NSW TEACHERS FEDERATION NEWTOWN NEIGHBOURHOOD CENTRE NORTHERN RIVERS TAHRS NORTHERN SUBURBS TENANT ADVICE & HOUSING **REFERRAL SERVICE** PARRAMATTA, AUBURN, HOLROYD TENANTS ADVICE AND REFERRAL SERVICE PUBLIC INTEREST ADVOCACY CENTRE **REDFERN LEGAL CENTRE RIVERINA TENANTS ADVICE & HOUSING REFERRAL** SERVICE **RYDE-EPPING TENANTS ADVICE & HOUSING REFERRAL** SERVICE SOUTH EASTERN TENANTS ADVICE & HOUSING REFER-RAL SERVICE SOUTH SYDNEY COMMUNITY AID **TENANTS' RESOURCE & ADVICE CENTRE** TENANTS' UNION OF NSW WATERSIDE WORKERS FEDERATION OF AUSTRALIA, SYDNEY BRANCH WOMEN'S LEGAL RESOURCES CENTRE

### THE FUTURE OF BONDI LODGE

## FOR THE RESIDENTS HOMELESSNESS THE STREETS

## FOR THE OWNER \$ 3 M I L L I O N PROFIT!!!

Like thousands of other boarding house residents in Sydney, 95 people living at Bondi Lodge currently face an uncertain future.

Bondi Lodge is under threat of sale and conversion to tourist accommodation. Tenants have been threatened with eviction, face huge rent increases and are slowly being moved to other sub-standard boarding houses managed by the same proprietor.

Bondi Lodge is being sold in conjunction with three other boarding houses currently accommodating another 800 people. If sold, what will be the fate of these 400 people - HOMELESSNESS

Bondi Lodge residents have no rights to prevent evictions or rent increases. This disgraceful lack of protection continues, whilst at this very moment the Minister for Housing, Mr. Joe Schipp is introducing new tenancy laws to the parliament which will still offer no protection to these people, and in fact will seriously disadvantage all tenants in N.S.W.

Despite repeated requests for Government action to save Bondi Lodge and its residents, the Minister has refused to act. The imminent homelessness of the Bondi Lodge residents is a disgrace. The lack of action on the part of government is a disgrace. Join with us in the fight to save Bondi Lodge.

Write, phone or telegram the Premier, Mr. Greiner urging him to take action to purchase Bondi Lodge and save the housing future of its residents.

Mr. Nick Greiner 8th Floor State OLffice Block Phillip St SYDNEY, N.S.W. 2000



### **RED SKIES IN THE MORNING:-**

## **TENANTS WARNING**

Tenants have waited with increasing impatience for ten long years for tenancy law reform. Just when we thought law reform was imminent, along came the election. Our new masters have decided the Act is "unfair" to landlords, and are pushing to redress this "bias" with a series of 44 amendments.

The amendments were recently approved by Cabinet, and Housing Minister Joe Schipp will table them in Parliament during November. The general thrust of the amendments is to reduce the limited gains tenants achieved in the Residential Tenancies Act, 1987.

The Residential Tenancies Tribunal will no longer have the ability to mediate in disputes. Rather, tenant and landlord relations will need to have deteriorated to the point where one party is claiming a breach of the agreement before being able to apply to the Tribunal for resolution. This clearly undermines the intent of the legislation, which is to establish a speedy and efficient means of conciliation in such matters.

Another amendment of concern is that of access. Proposed changes to Section 24 of the Act remove the necessity for written notice to be provided by the landlord or their agent to conduct inspections or undertake emergency repairs. In addition, third persons such as tradespeople were required to show the tenant a written authority or identification from the agent or landlord, but this is also to be dropped. This simply is not good enough. The abolition of written authority allows for free access to rental accomodation, which is of particular concern to women and the elderly. The rationale for the abolition of written notice is that it will hinder the speedy carrying out of repairs. The experience of groups working in the area of tenancy is that convincing the landlord to carry out repairs is a persistent complaint of tenants, and the thought of tenants obstructing. repairs is absurd.

Following on from the above, the ability of the tenant to affect urgent repairs will be changed under the new legislation. Urgent repairs may be carried out by a person nominated by the landlord, if this is authorised in the tenancy agreement. The reduction in the amount of money the tenant can authorise to be spent on urgent repairs has been reduced from \$800 to \$500. This is too low for emergency repairs to major structures, e.g. roof work or plumbing.

Provisions relating to abandoned goods are also to be undermined through changes to the regulations in the Act. The amendment in this area allows the landlord to either follow the process outlined in the Act, or elect to follow the procedure outlined in the regulations. The procedure outlined in the regulations can only be described as an outrageous attack on the rights of tenants. It allows the landlord, where they have formed a belief on reasonable grounds, to enter the premises just 2 days after the termination of the tenancy (i.e. two days after the notice to quit expires), and destroy perishable foodstuffs, and the tenants' belongings if they are deemed to be worth less than the estimated cost of removal and storage. This action can be undertaken without reference to the Tribunal, and the worth of the tenants' belongings is to be determined by the landlord or agent. Because the landlord or agent is not required to demonstrate their grounds to the Tribunal, tenants will be vulnerable to landlords who have made a couple of phone calls and knocked on the door once or twice, and then claimed the property appeared to have been abandoned. By doing this, the proper eviction process is circumvented. To add insult to injury, Section 79 (4), specifically denies the tenant any right to compensation where the landlord has followed this procedure, and destroyed or disposed of their belongings.

Given that the rental market in Sydney is extremely tight; discrimination against children is legal; and racial discrimination is rampant, the amendment which allows for a seven day notice-to-quit once the tenant is fourteen days in rent arrears is unsatisfactory. One of the most common breaches by tenants is non-payment of rent. During the recent six week Social Security strike the rate of evictions in Sydney jumped alarmingly. People on fixed incomes affected by the strike found that, through no fault of their own, they were in rent arrears. Try telling this sad story to the average real estate agent and see what kind of sympathetic treatment you get!

The above list is not exhaustive of the amendments proposed. It gives much of the flavour of the Act, which is to dramatically increase the powers of landlords and their agents, provide legal excuses for harassment of tenants, and lessen the avenues open for tenants to redress problems. Of equal concern are the areas not covered by the Act, such as discrimination against children, the vulnerability of boarders and lodgers (who are not covered by the legislation), the lack of protection for tenants against excessive rents, and perhaps most importantly, the whole area of security of tenure for tenants.

Changes to the Residential Tenancies Act, 1987, are within the broader framework of increasing incentives to the powerful private sector, and decreasing rights of the individual in our society. To further erode the precious few gains tenants have achieved is to deny the imbalance of power between landlords and tenants. After all, the landlord is the person with the commodity, and the tenant has only their rent to offer in return. We need fairer tenancy laws, not more draconian sticks to beat about the heads the least powerful in our society. To condone the above changes is to condone the moral bankruptcy of the economic rationalists. If a society is judged by the treatment offered to its least powerful, we all must stand indicted, and we truly deserve the government we have.

#### Lin Broadfield,

Organiser, Tenants Union of NSW. October, 1988.





## WHAT'S NEWS WITH TENANCY LAW REFORM

Many of you are probably wondering what has been happening with tenancy law reform of late. Quite simply, there has been a lot of activity, however the result is we are exactly where we started twelve years ago.

As many readers would be aware, the new Minister for Housing, Mr. Joe Schipp has refused to commence the Residential Tenancies Act, 1987, which passed through Parliament nearly two years ago. Mr Scipp announced his intention to review this piece of legislation shortly after the election. The outcome of the review was a proposal to make 44 amendments to the legislation. These amendments were finalised a couple of months ago, and were put to Parliament during late November.

The amendments were passed through the Legislative Assembly, despite opposition from some Independents like Clover Moore, and also from the Labor Party.

However, things were a little different in the Legislative Council, where the Labor Party continued to oppose Mr Schipp's amendments with the support of the Australian Democrats. After much debate, many of Mr Schipp's amendments were rejected by the Legislative Council (Upper House), and some 16 amendments were initiated in the Upper House before debate and voting on the Bill finished. The aim of the amendments initiated in the Upper House was to withdraw the most objectionable of Mr. Schipp's amendments, and to strengthen certain parts of the legislation which were seen to be inadequate from a tenants' perspective.

The whole question of law reform is now up in the air. The final version approved by the Upper House must now be sent back to the Legislative Assembly for their consideration for a second time. Mr Schipp is known to be most unhappy about the changes approved in the Upper House, which makes predicting an outcome very difficult. Essentially Mr Schipp is not keen to compromise on any of his points, which are seen as largely disadvantaging tenants by many housing and tenancy group He is therefore faced with a dilemma, as the Labor Party and the Australian Democrats will not support his Bill unless the worst aspects of his amendments are dropped. So who knows where we go from here?

Tenancy law reform will continue to be an issue during 1989. It seems difficult to understand why Mr Schipp is being so unreasonable over these matters he has stated on a number of occasions that if he can't get all his amendments through Parliament then all tenants can continue to live under the 1899 legislation for the foreseeable future.

This attitute is, of course, completely unacceptable to tenants. We've been fighting long and hard for too long to just lie down and cop it sweet. Mr Schipp is just going to have to realise that he can't pander to the needs and desires of landlords, and completely ignore the issues which concern tenants.

We tenants can be a vocal group when we put our minds to it. We must not forget that even the most insignificant of actions, like writing a letter, is an effective way of geeting our views heard. If you're upset about our views being ignored by the government, write to Mr Schipp or Mr Greiner or your local paper and tell them about it.



# WOMEN'S HOUSING

I'd like to talk briefly about the Women's Housing Company, where I work and am technically a landlord, womens housing options and some of the difficulties that women encounter in trying to find accommodation. I'm going to focus on single women and I've chosen to ignore home ownership, as not that many women win the million dollar lottery.

In an ideal world, (not todays), we might be taking for granted the equality of access to housing for all and celebrating the fact that there is no Homelessness!! Instead, we are all here, many again, hoping for a dramatic change in the rules that determine if and how people are housed. I think it's important that people are aware of the situation that presently exists in regard to women's access to housing - their security, affordability and rights, because the situation is not likely to remain as it is, and if those of you who voted Liberal think it's going to improve - WRONG!!

Firstly, some history to The Women's Housing Company and its role in providing a housing option for women. It was funded in 1982, under the Federally based SAAP program, to establish halfway housing for single women without dependent children. When C.T.S. was developed, a year later, (Community Tenancy Scheme), we were approached to house single women on a long term basis and received NSW Government funds as well. (These funds came from the Federal Government - The Mortgage and Rent Relief Scheme - that was to assist low income earners with their rent or mortgage.) At the last count the Company housed over 70 women, many are original tenants. As a Community Tenancy Scheme, we recognise that disadvantaged groups have reduced access to public and private housing and that tenants need to have some control over their own housing, not welfare housing. Therefore we regard ourselves as viable and effective providers of accommodation to the community with different aims than those of the public and private housing sectors. Interestingly, 36.3% of tenants housed by CTS are singles compared to 21.6% in public housing.

However, there is a sense of instability now about both

sources of funds. C.T.S. has received only 6 months funding and has been told of an extensive, compulsory review. There are 64 Community Tenancy Schemes statewide, housing over 7,400 people - a large percentage of whom comprise women headed households. The Womens Housing Programme - a medium term (Up to one year, but much longer due to scarcity of long term housing) scheme whose funds are due in March believe, with good reason, that they will not exist in their present format beyond that time. The Women's Housing Unit within the Department of Housing has also been effectively "restructured" read "abolished". Add to this erosion of morale and organizations the proposed amendments to the Residential Tenancies Act, some of which have extreme implications for low income earners - women and the picture you get, is that, along with the disadvantages and discrimination women are already suffering in terms of housing, the situation will get no better, in fact much worse.

Probably the most accessible of housing tenures for women due to the economic disadvantages they experience, would be public housing. Women are ten times as likely as men to be on pensions or benefits and they represent 70% of the lowest income earning category. But they do represent 8% of the highest. Patterns of marriage, divorce and the ageing of the population have led to a massive increase in both female single person and female single parent households. 87% of single parent families are headed by women and over half of these are considered poor. The report from the NSW Department of Housing to the Minister's Conference in 1986 which gives us these statistics also stated that 2/ 3rds of all public housing applications in NSW were from women and they made up the bulk of crisis housing applications. On the current waiting list of over 70,000 we must assume that over 50,000 are women. If you've been on the waiting list for 5 years - hope you're still around to move house - perhaps within another 5.

For single women, the Singles policy introduced in 1984 (until then the Department did not house

people on the grounds that they were single) promised much. The Wran Government (Labor) recognised "there was a desperate shortage of suitable accommodation for single people of low incomes which was accentuated by the rapid disappearance of boarding house stock. Those hardest hit are young people and single women in their 30's and 40's - as a society we have a responsibility to help those who are unable to find reasonable shelter." Nowadays singles' apartments (either share, bedsits or one bedroom apartments) are available to those who earn under \$370.00 gross per week all over Sydney. The department says the waiting time could be anything from 1 week! to 8 years, depending on preferred location. Sit down for a long wait if you like Waverley. One of our tenants was recently housed by the Department - she was very ill, a state ward and had been on the list since 1984. Good Luck.

While waiting for public housing and being unable to get into a Community Tenancy Scheme, all of which are full, women try the least secure and most expensive form of housing available - The Private Rental Market. The odds are against women if they are "from a non-English speaking background, Aboriginal, single, unemployed, poor, Psychiatrically affected, young, old, students, Lesbian, physically or developmentally disabled. Added to these are the less visibly disadvantaged which include, lack of assertion due to survival of the various forms of abuse perpetrated on women today, deinstitutionalisation through coming directly from a youth refuge, detox place or prison, and lack of or misinformation about tenant rights. Imagine the task of women with children? Particularly since the Anti-Discrimination Act does not cover discrimination against people on the grounds that they have children. Consider the legitimised discrimination that landlords deal in when they choose "the best tenant" for their owner.

As a Community Tenancy Scheme renting from Real Estate Agents, we find ourselves discriminated against on the basis of being a Government Funded and so presumably a welfare oriented organization, that must therefore house people of a substandard nature in substandard accommodation - this is what we are often shown and believe me, I wouldn't let my dog stay one night in some of the places Agents have presented to us. As the Anglo worker I always have a battle to rent anything decent and our Aboriginal workers no longer try.

Womens' security, both in terms of length of tenure and protection from harassment and danger look to be further eroded if some of the amendments to the Residential Tenancies Act, 1987, go ahead. Those changes that relate to the landlord obtaining access if a belief on reasonable grounds is formed that the tenant is breaking the lease, causing a nuisance or interfering with the peace, comfort or privacy of a neighbour are disturbing. No written consent needed by a landlord for his agent or himself to enter a property is a big worry. The right of refusal to assign rights or sublet by the landlord suggests that a landlord can decide who can live on the premises without giving any reasons and can continue to discriminate. The decrease in the prescribed rent allowance ensures that coupled with exhorbitant rents, women will no longer be able to afford decent housing. These are just a few of the proposed amendments and possible consequences if the Act is proclaimed

The Women's Housing Company has housed many women driven out of the private rental market. One tenant living in the Eastern Suburbs, recently widowed, from a non-English speaking background, was selling off her lifes furnishings in order to be able to pay the rent from week to week. She had little knowledge of her rights, no lease and when we approached her landlord to take over the lease, he suggested she move as he wasn't prepared to get involved with the Government. We house women who, until recently, have lived in boarding houses for decades.

One woman who lived in a North Shore Boarding House, recently sold as a prime piece of real estate development, has found housing with us, though miles from her known area.

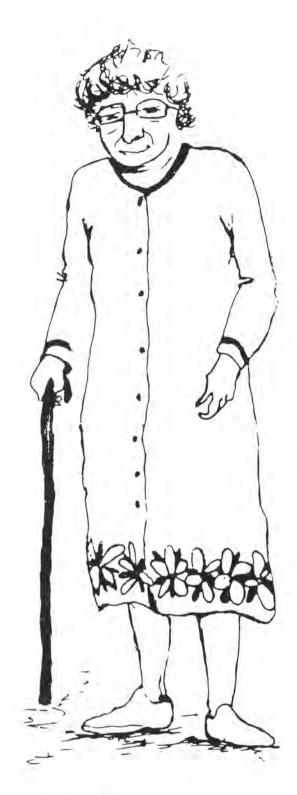
Another woman was kicked out by her landlady when she went away for three months, despite the rent being up to date, and she is also many miles from the area she knows well. We house a group of 3 under 18 year olds who cannot live at home, don't need a refuge; who go to school and manage well by themselves, they've been doing so for over a year. The Private Rental Market has a different criteria for housing people and its not one based on need. We believe women's housing is a right not a privilege. Despite the many reasons that already exist to explain why so many people are without safe, stable and affordable accommodation the present State Government seems committed to adding to them. Despite the fact that the Community Housing Sector consistently offers a variety of solutions to address the lack of housing in this city, the present State Government seems committed to ignoring them. Despite the fact trhat women and womens' organisations have increased the housing options available for women headed households in the past decade, women remain economically disadvantaged, beaten and homeless and the present State Government committed to keeping them that way.

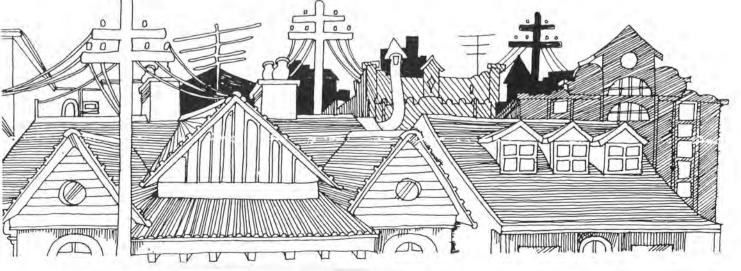
I'd like to end on a positive note. In terms of what's happening for women in housing there's **not much**. Except to say that it's great we are all here today and that we won't stop fighting. Good thing it's a nice day.

Thank you. A good source of information and one I have freely used in the New South Wales Women's Housing Strategy by Julie Nyland. Copies are available from the Women's Co-ordination Unit and from Shelter, N.S.W.

Helen Swan Womens' Housing Company 8.10.88

This speech was given by Helen on International Tenants' Day, and has been fully reprinted. The issues addressed in the speech remain as top priorities, and the failure of the present government to address them stands as an indictment to their intractibility.





## MIGRANT COMMUNITY EDUCATION PROJECT UPDATE

The Tenants' Union is developing a resource kit for community and housing workers to use to inform non-English speaking tenants, particularly newly arrived migrants, about housing systems in Australia and their rights and obligations as tenants.

Giving talks to groups of tenants is a more effective and efficient form of intervention than one-off casework. We often find ourselves in case-work situations telling people that there is little we can do, they have few rights, it's a pity they didn't complete the Record of Inspection more thoroughly at the beginning of the tenancy etc... With groups of tenants it is possible to give information about what agents are looking for in the Application for Tenancy, how to complete these forms more favourably, which clauses to check in leases, what to look for when inspecting houses, to get itemized receipts etc..

In spite of the valuable preventative nature of community education programmes, there have been very few teaching resources developed. Almost nothing has been translated into the community languages spoken by the most recently arrived migrant groups, who have the least knowledge of housing issues and are experiencing the most serious problems in securing rental accommodation.

The Migrant Community Education Kit will include:

18

 \* Appropriate content for various levels of understanding of the English language and Australian society

- A range of techniques for presentation of information eg. one-off sessions, series of group meetings, talks, exercises, etc..
- \* A series of short videos which illustrate the most common problems experienced by NESB tenants. These will be available in 8 languages (Spanish, Vietnamese, Lao, Khmer, Chinese, Arabic, Turkish and Tagalog
- Translated information sheets for session participants on basic tenancy rights, obligations and assistance.
- Advice to workers on organising community education programmes with tenants of non-English speaking background
- Sources of future assistance to tenants of non-English speaking background.

At this stage, most of the background materials have been written. The English language version of the video is currently in production. Additional funding is being sought for the translation costs of videos, and "hand-outs". We hope to launch the kit by June, 1989.

For further information about this project, contact Debby Michels at the Tenants' Union (02) 27-3813.





#### And now for the really serious stuff....

Ever wondered how to find a new home when you get a Notice to Quit, or explain to your children about the private rental market??? The answer is simple and comes courtesy of the Australian Womens' Weekly. **GINGERBREAD HOUSE** 2 packets gingerbread cake mix toothpicks 1 quantity Vienna cream. (see below) small assorted sweets (as pictured) licorice 1 icecream wafer 2 chocolate biscuit sticks chocolate-coated sultanas coconut

#### green food colouring

Make up one cake mix as directed on packet, pour into greased 23cm x 12cm (in x 5in) loaf tin, bake in moderate oven for 50 minutes or until cooked when tested. Make up second cake mix as directed on packet, pour half the mixture into greased 25cm x 8cm (10in x 3in) bar cake tin, bake in a moderate oven 30 minutes or until cooked when tested. Pour remaining cake mixture into greased patty tins to make extra patty cakes for future use, bake in a moderate oven for 10 to 15 minutes, or until cooked.

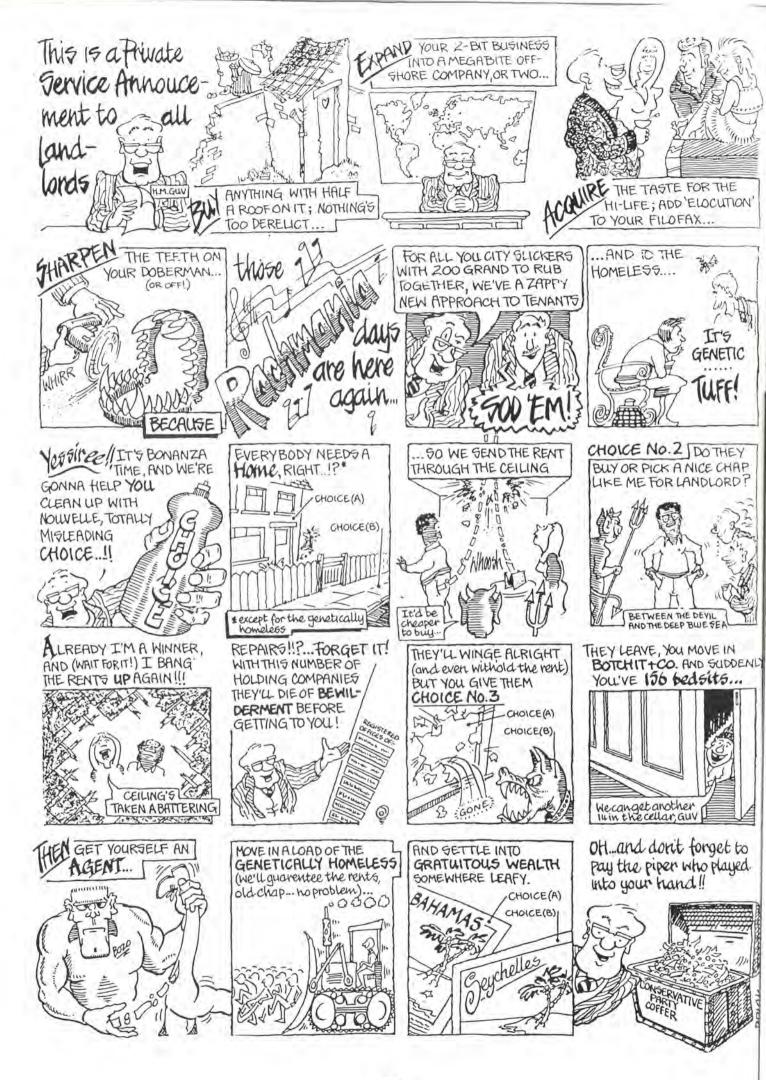
Turn onto wire racks to cool. Cut bar cake in half horizontally, join together at top with toothpicks, place on top of loaf cake to form roof, as shown. Spread chocolate Vienna Cream evenly and smoothly all over cake. Overlap sweets on roof to represent tiles, press licorice log along top of roof tiles. Use wafer for door and sweet for door knob, secure with small stick. Use large sweets for windows and halved jubes for frames. Secure small sweets and leaves with small sticks to chocolate biscuit sticks to represent flower beds. Use chocolate sultanas for path. Tint coconut with a few drops food colouring, sprinkle over board to represent grass.

#### VIENNA CREAM.

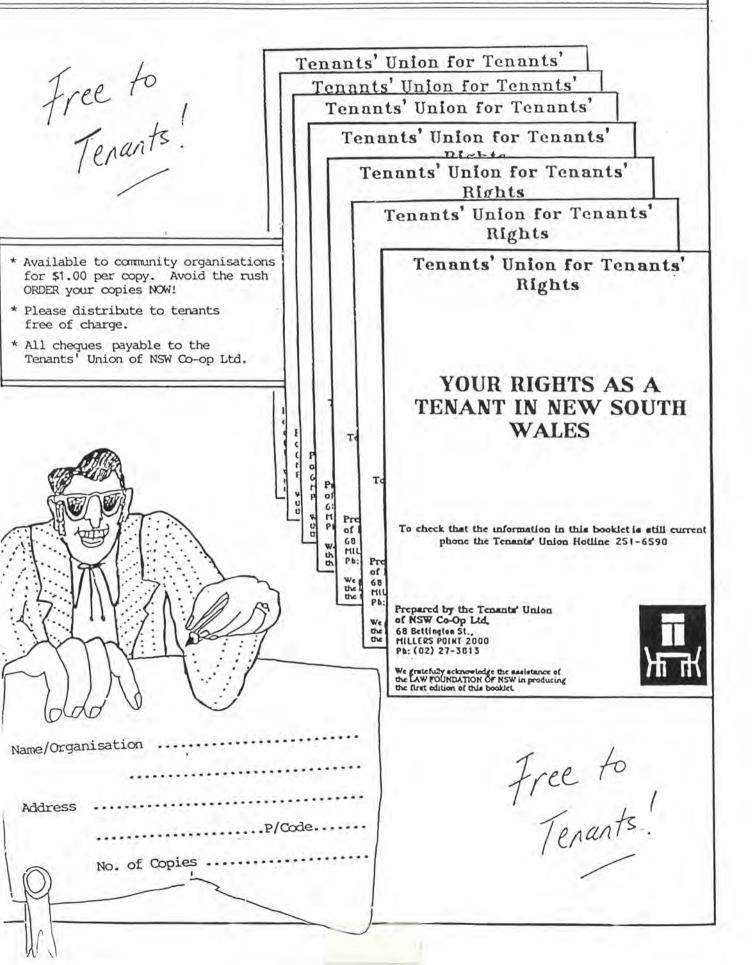
#### 125g (4oz) butter 1 1/2 cups icing sugar

#### 2 tablespoons milk

Have butter and milk at room temperature, place butter in small bowl of electric mixer, beat until butter is as white as possible, gradually add about half the sifted icing sugar, beating constantly, add milk gradually, then gradually beat in the remaining icing sugar. Mixture should be smooth and easy to spread with a spatula.



## TENANTS' UNION OF NSW CO-OP LTD 68 Bettington Street, Millers Point. 2000



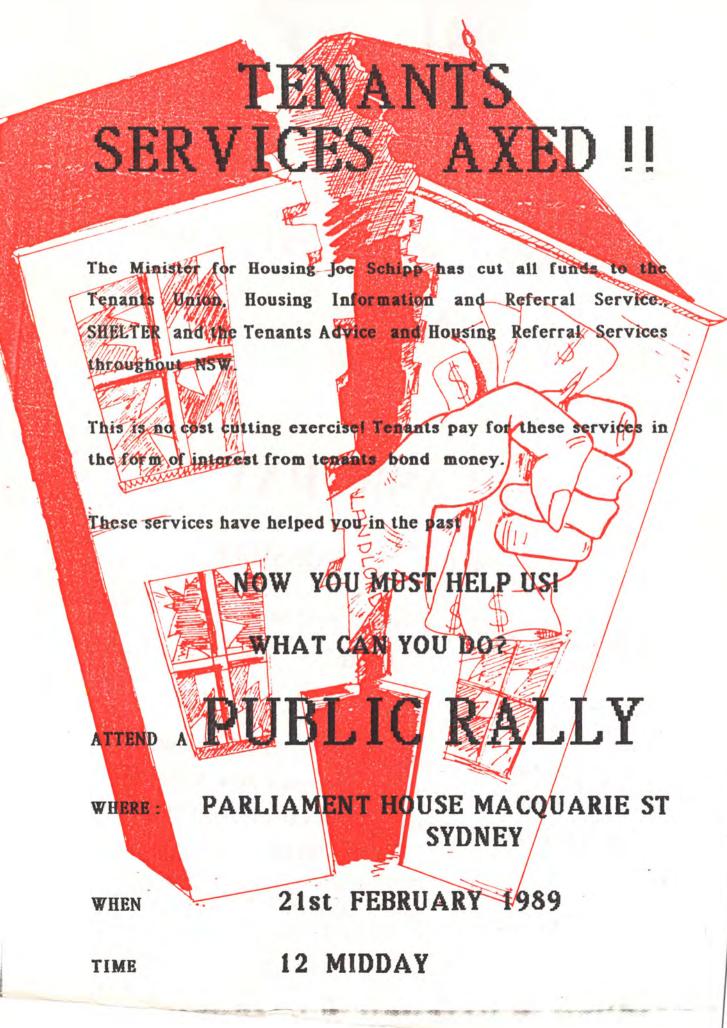
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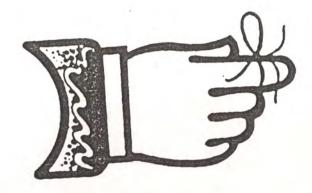


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DUE TO MAJOR FUNDING CUTS BY THE NSW LIBERAL GOVERNMENT, WE NEED YOUR MONEY NOW MORE THAN EVER BEFORE, TO FIGHT THIS DEVASTATING EROSION OF TENANTS RIGHTS