

TENANT NEWS No. 36.

3322 February 1989.

TENANTS UNION OF NSW
CO-OP LTD
68 Bettington St.
Millers Point 2000
(02) 27-8012

AXED!

HEY JOE, WHERE YOU
GOING WITH THAT
AXE IN YOUR HAND?



21 TENANTS ADVICE AND HOUSING REFERRAL SERVICES ACROSS NSW **YOUR MONEY.**

* INTEREST ON RENTAL BONDS

IT COSTS \$2.40 PER TENANT PER

YEAR TO RUN THESE SERVICES

WRITE OR TELEPHONE THE PREMIER,
MINISTER FOR HOUSING OR YOUR
LOCAL MEMBER OF PARLIAMENT TO
SAY THAT TENANTS MONEY SHOULD
PROVIDE TENANTS' SERVICES

I WANT TO MAKE SURE TENANTS
KNOW EXACTLY WHAT THEIR RIGHTS
ARE UNDER MY MINISTRY.....

JOE SCHIPP : MINISTER FOR HOUSING



TENANT NEWS

February 1989

CONTENTS

Introduction	1
200 City Evictions	2
When Enough is Enough	3
Comparable Service	4
Our Turn to Help	5
Migrant Community Education Project Update	6
What the Minister Said	8
What you should know about Rent Assistance	13
Homeless "Choose to Live on Streets"	14
Tenants Blacklisted	15
Tenants Q & A	16
The Minister Speaks Again	17

The Tenants Union of NSW 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 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 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.



TENANTS NEWS is produced by the
Tenants' Union of NSW,
68 Bettington St.,
MILLERS POINT NSW 2000
Ph: 27-3813

ISSN - 1030 - 1054

INTRODUCTION

Welcome to the 36th Tenants' News. This newsletter is published by the Tenants' Union of NSW, at a time of turmoil in community based services in NSW. The Tenants' Union, Shelter, and 21 Tenants' Advice services have been defunded, Community Tenancy Schemes are funded only until the end of June, as are services specific to youth and women.

The Tenants' Union has been in existence in NSW for 13 years. For the first 10 years we operated as an unfunded service, which worked directly on issues such as legislation and security of tenure. The battles were often fought on a local level, and were only possible through the direct involvement of interested tenants contributing their valuable time and energy. For the past 3 years we have been funded via the Department of Housing. Funding has enabled us to extend the range of services available, such as the Tenants' Hotline, and to lobby more effectively for rights for tenants in NSW. All has now changed.

The Tenants' Union will continue to function, but will be forced to offer a reduced service. We will have less staff. The Tenants' Hotline will be maintained by other groups, such as Neighbourhood Centres. We intend to continue our functions of monitoring legislation and lobbying in the political arena, and will continue to highlight the need for safe, secure housing for all.

The (public) rationale for our defunding is that the Department of Housing believes it can offer a comparable service through the Department. We simply do not believe this, their proposed services will not cover the same geographical areas that are presently served by our services, they will not advocate on tenants' behalf, nor act as a mediating service, and the service proposed will act on behalf of tenants, landlords and homeowners.

Let's look at the service they propose. As the peak body for private tenants in NSW we helped set up 21 regional Tenants' Advice and Housing Referral Services. The services provide advice and advocate on behalf of private tenants only, in co-operation with other community based services in that area. The government's scheme which ad-

dresses itself to 3 distinct, and often opposing groups cannot focus its attention on any one group with efficiency. We believe that tenants, the most disadvantaged group in the housing market, will be seen as the "poor relation", and receive less help than the other groups. The new service will not act on behalf of tenants, which is a major focus of tenant workers' workload. If the mediation component is removed, we fear that tenants will be greatly disadvantaged- that no-one will be empowered to act on their behalf, and that the process of eviction will be made that much easier. The most vulnerable tenants will be single parents, migrants, the disabled, the elderly, and Aboriginal people.

The hidden agenda for our defunding is that we were simply too effective. We lobbied too well in Parliament against amendments to the Residential Act which the present government has tried to push through. We made lots of noise in the media about the conditions in which many tenants live. We objected to the forcible removal of the elderly and low income earners from boarding houses in order to make way for the development of sites for the rich and for tourists. We questioned laws that make it legal for landlords to deny housing to children, and to boot protected tenants from their homes so that developers can grow fat on the resale of their homes. We refuted the obvious bias in Max Raine's attempt to write up his version of homelessness. We, in short, have tried to raise the level of debate on housing.

Now is the time to get involved, and this we cannot stress too much. We need you, our members and potential members.. We need you to play an active part in your union. We need you on our Board of Directors, as helpers in campaigns, as convenors of locally based support groups, and anything else you can suggest which will work for private tenants in this state.

We hope that the articles in this newsletter are timely, thought provoking, and relevant to your concerns. We welcome articles or letters, and will certainly include them. We thank you for your support in the past, and look forward to your support in the future.

2000 INNER CITY EVICTIONS

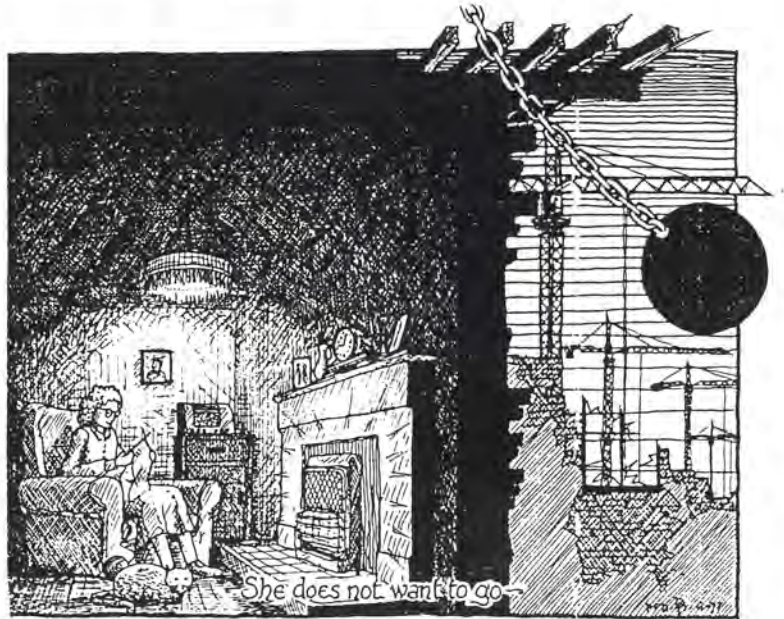
A tenant from a boarding house in MacDonald St., Potts Point, appeared in court recently and represented the 2000th eviction in Kings Cross by ruthless landlords chasing the tourist dollar.

Over the last 18 months, dozens of investors have moved into the traditionally low-income private rental market in Kings Cross and bought out many of the older boarding houses and hostels. With scant regard for the tenants many of whom have lived in the Cross for decades, the new landlords have thrown tenants on the streets and proceeded to redevelop their accommodation for tourists.

Ms. Diane Kent and Mr Ray Cassidy bought the boarding house in Macdonald St., Potts Point, in October 1988. They claim the building will not be redeveloped or converted. Yet it was purchased for \$1.25 million, and since then the landlords have done what they can to intimidate the tenants and force them on the streets. Some people have already been evicted while only appeals to the Supreme Court have prevented the evictions of others. There have been four illegal lockouts of protected tenants; one tenant returned from holidays to find his possessions removed and a tourist tenant in his place; six protected tenants have had their rents doubled illegally and their bank account accessed; and one tenant was allegedly assaulted.

In response to this, the Builders Workers Industrial Union has offered its full support to the tenants in negotiating with the landlord and in considering placing a black ban on the building, and thus helping to ensure that the limited rights of the tenants are adhered to.

The government has so far shown absolutely no concern for the problems faced by low income tenants in this situation and for MacDonald St in particular. Their attitude to the housing crisis in this city is exemplified by their refusal to increase tenants rights in the law and their acceptance of real estate agent Max Raine's recommendation to close tenants' advice services.



Attention Members

*Want to become more
involved in the
'Tenants' Union?'*

HERE'S YOUR CHANCE. !!

Nominate for a position on the Board of Directors at the Annual General Meeting. Board meetings are held on the 4th Monday of each Month at 6.00p.m.

Board members decide on priorities for the organisation, decide on policy matters, consider ideas for projects, and generally help keep the organisation running. If you are interested contact the Secretary Gary Moore (266-8776) or at the office Margaret Cobb (27-3813).

WHEN ENOUGH IS ENOUGH.

The November issue of the Property Owners' Association Newsletter, which boasts Max Rainer as one of its luminaries, contains two pieces on the Rental Bond Board financing insurance for rental properties. One of the pieces is headed "When the Bond is not Enough." Catchy title, really.

The rationale for the Rental Bond Board being responsible for landlord's insurance costs is that some landlords suffer financially when tenants are in rent arrears, or if damage done to rental properties, whether malicious or not, exceeds the amount recoverable on bonds lodged with the Rental Bond Board.

The Tenants Union has several problems with this line of argument. In keeping with reasoned debate we did contact the relevant authorities to substantiate our arguments, such as the Annual Report of the Rental Bond Board, the Australian Taxation Office, and the Insurance Advisory Service. A combination of the three sources of information does tend to knock a few holes in the Property Owners' Association argument.

Landlords receive a "Landlord package" deal from reputable insurance agencies when they insure rental properties. They are fully insured for damage, whether malicious or not, and for loss of rent caused by say, fire, when a property needs to be untenanted in order to carry out repairs. The cost of insurance would appear to be a necessary part of running any business, and is, in fact, fully tax deductible. Regardless of the cost then of insuring a property, the landlord is assured of the return of that cost through the taxation system.

What then of loss of income through rent in arrears, or "moonlight flits"? The cost to the landlord again is minimal. Most landlords already have at least four weeks rent up their sleeve, paid as rental bond money. The incidence of tenants leaving in rent arrears is hard to determine, but one indicator is the percentage of bond money paid in total to landlords.



Rental Bond Board figures put the percentage of wholly returned bonds at 19% of the bonds lodged with the rental bond board. This means that 81% of bonds lodged do not involve major disputes.

From the above we can see that landlords can get their money owed via insurance, by bonds, by the taxation system, and , if need be, through the legal system **The naked greed behind a proposal to make tenants pay landlords insurance cannot be justified on either economic or moral grounds.** Landlords do get their fair return on their property, not to mention exemption from Land Tax for five years for new rental developments, lower interest rates, the re-introduction of negative gearing and the depreciation allowance. What more do they want? It would be satisfying to be able to dismiss this lust after not only the cake but the whole shop as well, as another example of the unfulfilled fantasies of the filthy rich. Not so. We believe that a proposal for the funding of landlords insurance costs will be presented to the Rental Bond Board as a serious option.

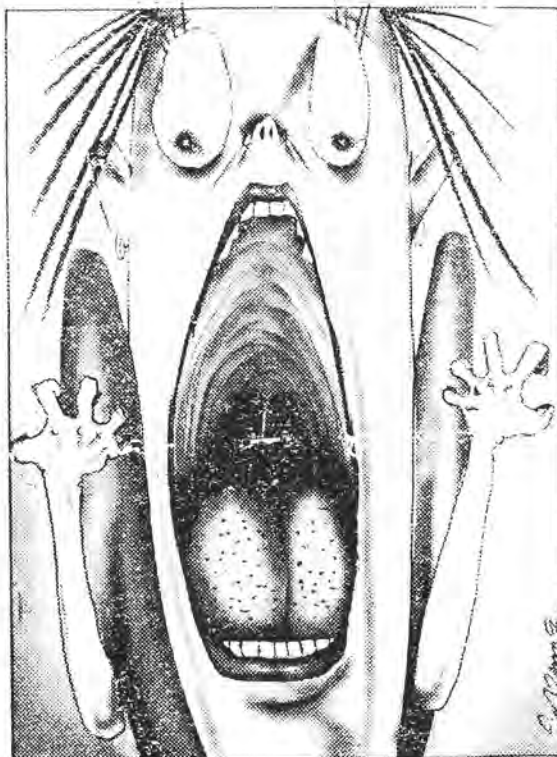
The hidden agenda behind the above is that the Property Owners' Association believe that they have an unfettered right to any money held by the Rental Bond Board, and that they see this money only as a potential fund for landlords. We seem to have it wrong when we think that the money is partly to protect tenants' money from unscrupulous landlords. The newsletter points out that "controversial" uses are made of some of the funds (that's us folks), so therefore their proposal is O.K. Come on, girls and boys. Tenant services were funded to help tenants. however, much of the interest money earned on rental bonds already goes to fund home owners. **Why on earth should tenants also pay for landlords who are too mean, (or stupid) to pay their own insurance costs?**

So stay tuned folks, and we will tell you the next odorous episode of greed, avarice and more greed in the life of the modern day landlord.

COMPARABLE SERVICE INDEED.

A Department of Housing tenant called Department of Housing Tenancy Services 229-0011 on Monday 6th February 1989 at 11am and the phone was dead so tenant tried (008)45-1301 and was informed by recording that this service is not available to local (Sydney) calls and to refer to telephone book for correct number. Tried another number for information and that number was also dead.

Again rang DOH on 220-0011 to get answered once again by a recording saying all advisors are busy .Attached once more to the recording of music and ,(once music stopped), a voice explained that the Sydney Syd. Orchestra gave the rendition and was again subjected to a further recital of flute music until 11.13 when the tenant was told this service is for private tenants!



OUR TURN TO HELP THOSE WHO HAVE HELPED US

Dear fellow members,

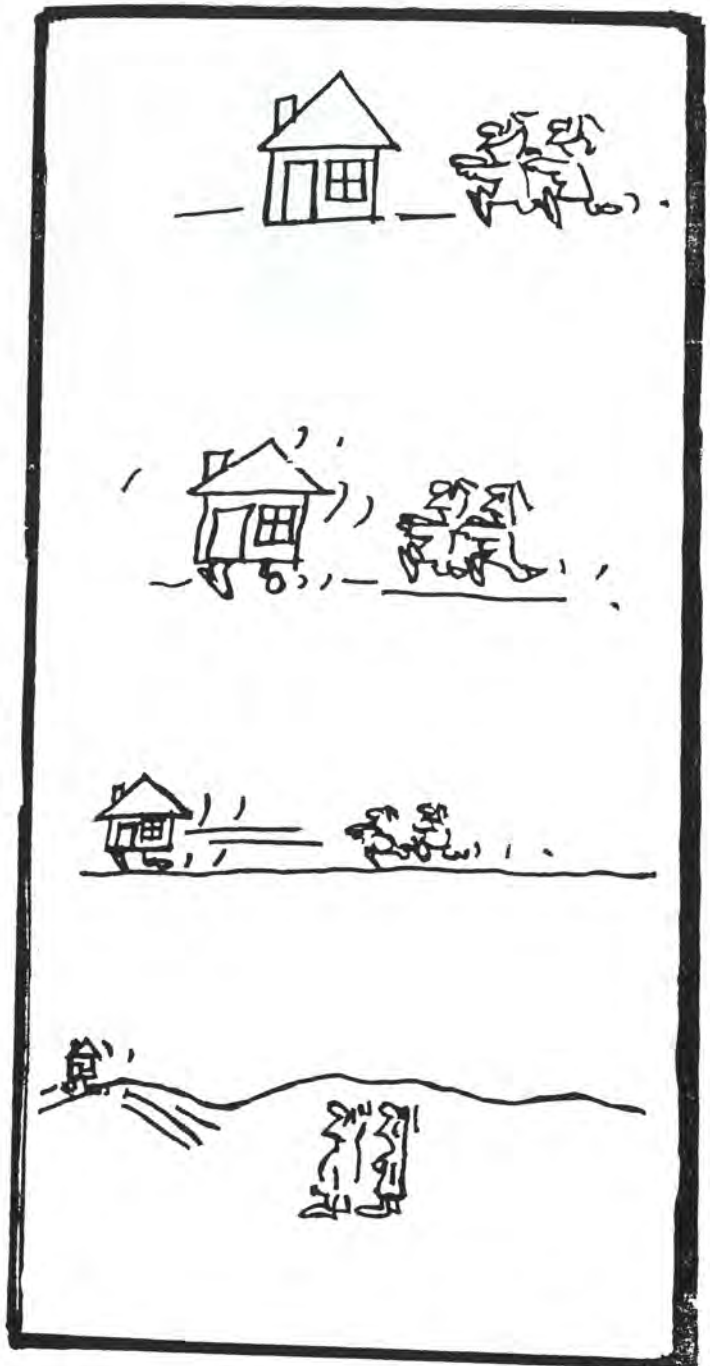
How many of you are aware that by the end of 1988, the TENANTS' UNION, ALONG WITH THE VARIOUS LOCAL TENANTS ADVISORY OFFICES, will most likely be NON EXISTENT. The State Minister for housing, no doubt under pressure from groups with a vested interest in curbing the assistance that we have had access to, has apparently decided to amalgamate those who have been helping us into the NSW Department of Housing bureaucracy - (ABSORB AND STIFFLE, SO TO SPEAK).

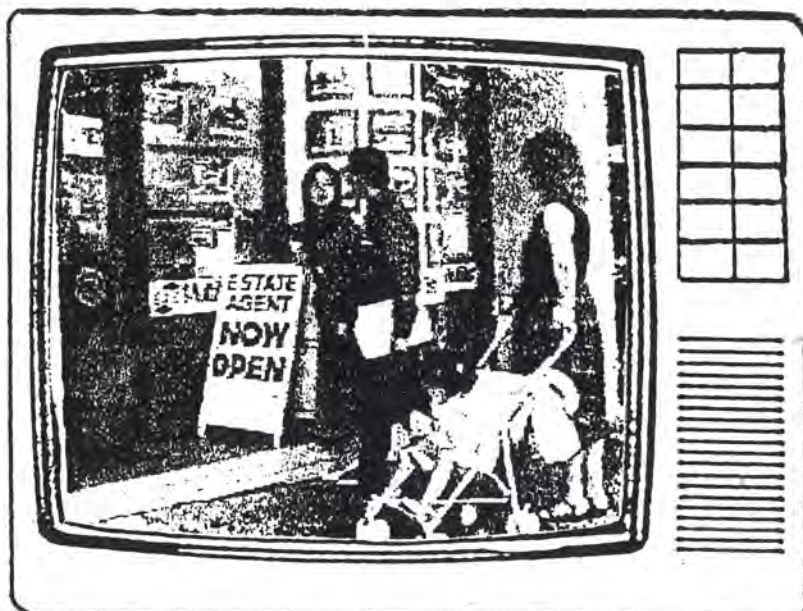
Those of us who became members of the Tenants' Union did so for one very good reason. We had, and most still do, need of their help. WELL, it looks like it may be our turn to give back a little of that help, do as I have done, write to your local state member, and even more important write to Mr. Carr, leader of the opposition, because it is the opposition who are always willing to listen, and to act. They have much more to gain than the government.

If the government gets away with this, we will have no one to turn to for help or advice, so it is now up to us.

Anyone who would like to contact me can obtain my address and phone number from the Tenants Union office.

Signed George Gibson.





MIGRANT COMMUNITY EDUCATION PROJECT UPDATE

If tenants have information about their rights and obligations as tenants before they rent, they are much less likely to become a victim of an unscrupulous landlord or agent. For this reason, the Tenants Union has a high priority on producing materials which will help tenants avoid the pitfalls of the private rental market, the most notable example is our booklet, *Your Rights As A Tenant In N.S.W.*

Our most recent effort is the Migrant Community Education Kit which is currently being produced. This has been designed with the needs of non-English speaking tenants in mind. The kit will include written materials as well as a series of short videos which illustrate some of the most common problems experienced by tenants.

Below is a brief outline of the video segments

Part One

Audience: New arrivals with little knowledge of housing systems in Australia.

HOUSING OPTIONS

Synopsis: Provides a brief overview of home ownership, public and community housing which leads into the Private Rental Market

THE PRIVATE RENTAL MARKET

Synopsis: Provides definitions of basic terminology (eg. landlord, tenant, lease, agent, licensee) and an overview of low cost rental option

BEFORE YOU GO LOOKING

Synopsis: Basic issues to consider before looking for a place to rent, especially the costs involved and sources of financial assistance.

FINDING A PLACE TO RENT

Synopsis: Follows 2 prospective tenants through the various steps involved in finding a place to rent - from where to look to signing a lease.

PART 2. WHAT ARE YOUR RIGHTS?

Audience: Directed at new arrivals who intend to rent privately, but suitable for anyone who is already renting or intends to rent.

Synopsis: 8 short dramatised situations which illustrate some of the most common problems experienced by tenants. Intended to promote discussion about the rights and responsibilities of tenants and landlords/agents.

IF YOU ARE UNFAIRLY DENIED A PLACE TO RENT

Synopsis: Covert racial discrimination which the agent justifies by discrimination against tenants with children

WHEN YOU PAY THE BOND

Synopsis: The agent tries to take advantage of the tenant. Explains what the bond is, which forms you should sign, and when.

IF YOU ARE NOT GIVEN AN INSPECTION REPORT

Synopsis: How to protect yourself against exploitation. How to claim your bond back in case of a dispute with the landlord.

IF THE LANDLORD WANTS TO ENTER YOUR HOME

Synopsis: The landlord arrives unannounced and forces his way into the flat.

IF SOMETHING NEEDS TO BE REPAIRED

Synopsis: The tenant is denied reasonable repairs because of lack of understanding of the "Special Conditions" section of the lease.

IF YOU ARE GIVEN A NOTICE TO QUIT.

Synopsis: The tenant is given a Notice To Quit because his brother's family is staying with him.

IF YOU ARE NOT GIVEN RENT RECEIPTS

Synopsis: The tenants are served with a Notice To Quit because the landlord claims they are in rent arrears

IF YOUR RENT IS INCREASED

Synopsis: The tenant receives a notice of the second rent increase in six months. Does she have to pay it?

We intend to translate these videos into several languages but first we want to get your opinions about the suitability of the English versions which are now nearing completion. Anyone who is interested in viewing the videos to give us feedback - or has a group of tenants they would like to show them to should contact Debby Michels at the Tenants Union (02) 27-3813.

We are also desperate for additional funds to cover translation costs - any ideas? In addition, we need men and women who can read and speak fluently in Arabic, Chinese, Khmer, Lao, Spanish, Tagalog, Turkish, and Vietnamese who will volunteer to read the translations for the video dubs into other languages.



WHAT THE MINISTER SAID

The Reverend Gordon Moyes, who hosts a Sunday evening radio program, spoke with Housing Minister Joe Schipp on Sunday 4th December, 1987. The interview focused on the Ministerial Inquiry into Homelessness headed by Max Raine, public housing waiting lists and the closure of tenants' advisory services. Below is an edited version of what proved to be, at times, a fiery discussion.

Moyes: Thank you for coming onto the program. We want to look at this issue, and in particular raise some of the questions that have been raised about the Ministerial report.

First of all Mr. Schipp has your report given to you been praised by any of the professional agencies working among the homeless?

Schipp: Well unfortunately there's been a knee-jerk reaction more or less from some, I'm not saying the lot, that play the man rather than the actual issues, that have been developed, and I think that's a sad indictment on the people who have commented. Many, by the way, have commented prior to having read the report, obviously because of the remarks that are being made. I was listening to a gentleman the other day from one of the agencies who was talking about some reference in the report to sending everyone out West, and there's nothing in the report that even alludes to any of that situation. So I don't know where they're getting their information from, it seems as though there was almost a built-up resistance or opposition to the report before it was even released.

Moyes: Are you saying that your Department has failed to adequately communicate its information?

Schipp: No. I'm not. I'm saying that people seemed to be, eh, because I had asked Mr. Raine to Chair the committee, that there was opposition to him, therefore whatever the report said was going to have opposition to it, but all I want and hope is that people will not settle down and decide and look at it because we have the report open for responses, and I would add that during the course of compiling this report the committee took submissions from 143 different groups and individuals. They made 35 personal inspections and they also took evidence verbally from 30 different submissions. So I think they went about their task in a fairly short-space of time in a very diligent and responsible way.

Moyes: Well can I come back to the original question which you haven't answered yet. Has any professional agency working with homeless people actually praised the report?

Schipp: Well, I've had no responses from anyone directly. There's a bit of activity in the media, so I can't answer your question one way or the other. Until we start getting some responses we won't know. Will we?

Moyes: There were some well placed people who indicated that you had set up a committee of landlords on behalf of landlords.

Schipp: Yes, well I would say, that's what I'm saying, that's the most disappointing part of it. If the Department of Housing, as the provider of property, accommodation, isn't able to look at this question from the side of things of how does it provide that accommodation in a very difficult market, then I don't know, I must have the wrong appraisal of where

the problem lies, you know.

Moyes: Did you approach any people to be on that committee who have got any training whatever in Sociology, in social welfare or working among the homeless?

Schipp: But we were not looking at it from that point of view.

Moyes: Ah, So what point of view were you looking at, Joe?

Schipp: Now just listen, hold on a minute, and just have a look at this question. There are several government administrations involved in the provision of homeless facilities and back-up support, now if I wasn't genuinely trying to find some solutions. Why would I have called the Inquiry in the first place?

Moyes: Well, there have been people that have indicated you called that Inquiry in order, for example, to get rid of funding for advisory services for tenants.

Schipp: Well, if that's the way they want to think about it then I'm sorry for them.

Moyes: Well, that was one of the main conclusions in the report, as I've read it. And Joe, you know as well as I do that a Minister never sets up an Inquiry unless he knows beforehand what that Inquiry is going to produce.

Schipp: Well, I wonder what sort of Minister is doing that, I'm saying to you I did not do it that way, I did not give any writing instructions, there was no hidden agenda, and if people don't want to take it for what it is, on the level, above-board, then we're not getting anywhere fast. I just feel sorry for the people who are making the commentary that you suggest they're making. I won't accept it, to be quite honest, because it was never done that way, there was no hidden agenda and I won't stand by and let

people accuse me of that incorrectly.

Moyes: Well, would you like to explain the background of the members of the committee so that the public can hear who they were.

Schipp: I chose Mr. Raine without knowing the gentleman at all. I was at a meeting of landlords, if you might call them that, property owners, and he was giving them a dressing down on their obligations on assisting the low income people in low cost accommodation, and he did that I thought, very professionally. He did it in a way that I thought he had the feel of the thing. So then I phoned him and asked him could he come and have a talk to me. I found his background was that he had a long experience in the provision of low cost accommodation. I've known Mrs Shirley Ball for a long time, she's lived all her life in boarding houses.

Moyes: Perhaps before we go on to Shirley, could we just say that Mr. Raine is in the field of property development and real estate sales.

Schipp: So What?

Moyes: I'm just making that point.

Schipp: Yell, Well, So what though?

Moyes: Because that's where he would be coming from.

Schipp: But he knows the Sydney property market, he knows where we should be looking to provide this sort of accommodation. I mean I will not accept criticism of the man, he put his heart and.....

Moyes: Mr. Schipp, you've made two points already. One you didn't know him when you wanted him on the committee, and the second thing if you won't

accept any criticism. Now - as a Minister - that doesn't seem to be a very open-minded attitude.

Schipp: Well, I'm not going to accept this raw-boned, knee-jerk reaction that just seems to be the only, the first blind point as far as this Report is concerned. I didn't come on your program to get into a discussion or argument over Max Raine. We want to talk about the Report.

Moyes: Alright, let's talk about Shirley Ball, would you explain to our listeners her background and her interests.

Schipp: A life long involvement in boarding houses.

Moyes: In what capacity, as a boarder?

Schipp: She grew up in boarding houses, with her mother running boarding houses, and also, look you don't have to be a boarder to know what a.....

Moyes: What's her professional role though?



Schipp: She owns, or is a landlady of a boarding house down at Millers Point, and has been for a long, long time.

Moyes: O.K, So one man sells them and the other one runs them.

Schipp: I'm sorry for your attitude, really I did not expect this from a person of your calibre, and if you want to carry on that way I don't want to carry on this conversation.

Moyes: What about Mr. Wilton?

Schipp: He's from the Department of Housing, he's had a long involvement in the inner city housing situation.

Moyes: O.K. So now you've got together a group of people who are going to look at one of the most serious sociological issues facing the community today, even on your own figures which many people would dispute, of 3,000 homeless people in the inner city you've now got 3 people who are going to look at it from a point of view of property provision, is that correct?

Schipp: I'm sorry for your attitude.

Moyes: No, is that correct?

Schipp: I'm sorry for your attitude.

Moyes: Are you going to look at it from the provision of property?

Schipp: The Department of Housing is a property provider.

Moyes: O.K. Now in total the Departments of Housing throughout Australia provide accommodation for about 3% of the population. Is that correct?

Schipp: We provide accommodation for approximately 6% of the population of NSW.

Moyes: O.K. I'm taking it on a national average.

Schipp: We're had a record spending program this year, over and above, despite cut-backs from Canberra. \$50 million above last years, we have a record inner-city spending of \$225 million which is 40% of the states construction program, and I'm not going to let anybody, and I mean anybody, tell me we are not trying to do the best job in a very difficult climate in a market that has gone through the roof as we all know, and that hurts the Department of Housing just as much as it hurts the private seeker of accommodation.

Moyes: Let's come back to some positive solutions in a moment. How many people would be on your department's waiting lists at the moment?

Schipp: 86,000 applicants.

Moyes: How many of those each year find accommodation?

Schipp: We'll be providing housing assistance for 62,000 people this year. I suppose if you looked at the....

Moyes: You misunderstand me, Mr. Schipp

Schipp: No. I didn't.

Moyes: Yes you did. How many of those 86,000 - who are waiting will go into actual housing this year?

Schipp: You would get about a 10-12% turnover of the stock, so you've got about 11,000 - 12,000 vacancies per annum, and on top of that we'll be building in the order of 4,000 units of accommodation this year. So therefore we're talking something like 15,000, plus other mechanisms of helping people we're now looking to try and assist people on the waiting list who are probably a bit better off than some others, into buying their own homes, so we might be able to

pick up another 3 - 4,000 there. We're creating additional vacancies by offering loans to people who are already in accommodation, and I would suggest that we would take it out to around about 18 - 20,000 of those people, and that will be a record effort by any government forever.

Moyes: I would say, quite openly, that is the highest amount of people that ever would have been housed, in this State.

Schipp: That'll be right, too.

Moyes: Now, does that mean, however, that the people on the waiting list could expect, even those coming on to the waiting list at this stage, will wait no longer than four years.

Schipp: No it doesn't, because in the inner-city area it's going to be darned hard to accommodate people at the cost. You can build buildings in Sydney that are costing in excess of a quarter of a million dollars per unit of accommodation.

Moyes: Well, there must be a better way of doing, isn't there?

Schipp: Well, we're looking at better ways. We've already got feelers out for about 40 properties to provide boarding house and independent living accommodation which will we'll be head-leasing, which is part of the recommendations of the Homelessness Inquiry, head-leasing to voluntary organisations we've got the rehabilitation of properties in a number of inner city locations that have been lying idle now for a number of years.

Moyes: Let me come back to that Mr. Schipp, because I want to suggest a way we can do that even quicker. We've got a number of people who want to ask you questions (...) Let's ask Nell.

Nell: My property was sold \$25,000 cheaper because I was a protected tenant, and a woman bought it last Thursday week and she came in and bashed me up and threw everything I owned down the backyard. Now is that allowed?

Schipp: Unfortunately the Residential Tenancies legislation which will improve things for tenants has been blocked so far in the Upper House in the State Parliament by our opposition trying to make other amendments, so at the moment you would have civil action against the person for doing that, because nobody in this life has a right to bash anyone up.

Moyes: Trouble is a 71 yr old lady is not likely to do that.

Schipp: Well, she ought to ring the Department of Housing or someone, we could give her a hand if she wanted help that way - we can't tolerate that sort of behaviour.

Moyes: But when that sort of thing is happening, does it make sense to close down tenants' advisory services?

Schipp: We're establishing an advisory service within the Department of Housing, and at the moment we believe we can give a better spread of service, and do the job impartially, and there will be no discrimination. I'll guarantee now that the service we provide will be every bit as good, if not better, than the ones that we're closing down.

Moyes: Now, the problem is that you're saying that you're going to provide in future a better service. The problem this old lady has, frankly she prefers a bird in the hand to one in the bush.

Schipp: Oh well, we are funding the existing services through until the end of March, so they have an ongoing....

Moyes: Will you have, then, the Department's Services established before the 1st of April.

Schipp: Yes, we will. That's the reason for the phasing out and to give people a chance to wind out of their agreements on salaries and lease-hold agreements.

Moyes: What I'd like to do is have you in the studio just prior to April to talk about that new tenants' advocacy and what you're doing there which will commence on the 1st of April.

Mr. Schipp's understanding of tenancy legislation is obviously very limited. The Residential Tenancies legislation which was recently blocked in the Upper House does not affect protected Tenancies. In fact, Max Raine's Report has recommended protected tenancies be abolished, and Joe Schipp is currently conducting a review of these arrangements.

N.B. The Tenants' Union will be contacting Rev. Moyes and reminding him of the invitation offered to Mr. Schipp to appear on the program in April.



WHAT YOU SHOULD KNOW ABOUT RENT ASSISTANCE THROUGH DSS

A number of changes have been announced to the arrangements relating to Rent Assistance payments. The changes will be phased in over a two year period, up to June 1990.

The maximum rates of Rent Assistance will be increased according to the following time table:

June 1989 -

Pensioners and beneficiaries with dependent children, as well as Family Allowance Supplement recipients, will be eligible for maximum Rent Assistance at \$20 per week. It is presently \$15 per week.

December 1989 -

All single beneficiaries and married beneficiaries without dependent children will be eligible for maximum Rent Assistance of \$15 per week. It is presently \$10 per week. Beneficiaries will still have to be in continuous receipt of benefit for a period of 26 weeks before any Rent Assistance is payable.

The \$15 per week rate will be equivalent to that presently applying to pensioners.

June 1990 -

All pensioners and beneficiaries without dependent children will be eligible to receive a maximum rate of \$20 per week. This is an increase of \$5 per week from pre-existing levels. Beneficiaries will still have to be on benefit for a continuous 26 week period to be eligible for any Rent Assistance.

- Pensioners, beneficiaries and F.A.S. recipients with one or two dependent children will be eligible to receive a maximum rate of \$25 per week. This is a further \$5 increase from the June 1989 increase.

- Pensioners, beneficiaries and F.A.S. recipients with three or more dependent children will be eligible to receive a maximum rate of \$30 per week. This is a further \$10 increase from the June 1989 increase.

The increased payments are welcome given the paucity of increases in the past few years. However, with spiralling rent increases, for many people the changes may be too little, too late.

The changed structures are a vast improvement, which remove pre-existing anomalies. The equal treatment of pensioners and beneficiaries without dependent children (apart from the 26 week period) is a logical and progressive move, as is the increased assistance for families with dependent children.

There are, however, two regressive measures announced in this scheme. The first is that as from June 1989 the threshold level of rent will increase from \$15 per week to \$20 per week. The threshold level is the minimum amount of rent that must be paid before any Rent Assistance can be paid. For every \$1 of rent or board and lodging paid in excess of the threshold, 50c Rent Assistance will be paid, up to the relevant maximum. Increasing the threshold will mean that single pensioners and beneficiaries paying rent of less than \$50 per week, may well suffer a reduction in rent assistance payments and will not benefit from the later increases in maximum rates unless their rent or board increases. These people are usually those without any rights of tenure who struggle to keep off the streets.

The second regressive step is that from June 1989, people who apply for Rent Assistance after this date and pay board and lodging will have their rent assessed as two-thirds of the board and lodging they pay. The reason for this is that other services are offered by way of board and lodging (e.g., breakfast, laundry etc.). In our view, this new rule is unfair since in many cases little or anything of real value is provided beyond the basic accommodation.

Reprinted from:

Welfare Rights Centre Newsletter, Vol. 6, No. 3, October, 1988.

HOMELESS 'CHOOSE TO LIVE ON STREETS'

WASHINGTON, Friday: In an interview broadcast last night, President Reagan dismissed the idea that his Administration bears any responsibility for the homelessness problem. There were "always going to be people" who chose to live on the streets, he said.

"They make it their own choice for staying out there", Mr. Reagan said in a farewell interview with David Brinkley of ABC News.

He added: "There are shelters in virtually every city, and shelters here, and those people still prefer out there on the grates or the lawn to going into one of those shelters".

As he has in the past, the President said that "a large proportion" of the homeless population is "mentally impaired" and consists of people dismissed from institutions as a result of lawsuits brought by such groups as the American Civil Liberties Union.

Once released, the President continued, these former mental patients "walked away from those institutions. They wanted freedom, but they walked out to where there was nothing for them".

Mr. Reagan, who frequently insists that his policies have caused few economic hardships, repeated a suggestion he has made before that jobless workers are unemployed by choice.

As evidence for his argument, he said there were "hundreds of ads" in every Sunday issue of *The Washington Post* offering employment. "That means there are employers looking for people to go to work", he said.

Reprinted from
The New York Times
SMH 24.12.88

Editor's note:
Has Mr. Reagan been speaking to
Max Raine?



TENANTS BLACKLISTED

Over recent months, tenants' groups in Victoria and South Australia have reported the existence of extensive lists available to landlords and real estate agents which essentially tells them not to rent to certain people.

In NSW, prospective tenants have their credit history and details checked with the Credit Reference Association (CRA). For an annual fee Real Estate Agents can ring this centralised body and receive an immediate assessment of a tenant's financial situation.

It appears landlords in South Australia have established an even more sinister dossier on tenants. The South Australian Landlords Association Newsletter has been circulating a list containing the full names, ages, medibank card numbers, licence numbers, sexuality, racial origins, physical traits, and alleged shortcomings (including whether or not they are cross dressers), of some Adelaide tenants. In many cases no reasons are given as to why names are included on the list.

The list describes one tenant as "short, fat and slovenly" and another as "Greek appearance, black hair worn long at the back, protruding forehead, very pale skin, almost white".

INVASION OF PRIVACY

The collection and distribution of such information without the consent of the tenants is completely reprehensible. Many of the comments included in the South Australian list are clearly racist, and there is no certainty that the information is correct. Such lists also represent a threat to the privacy of individual tenants.

Any tenants in NSW who believe they have been placed on such a list should contact the Tenants' Union immediately. The Victorian Tenants' Union is aware of a blacklisting of some Melbourne tenants, and we fear similar lists will be started in NSW. A recent study by the Victorian Tenants' Union revealed that people need to show more forms of I.D. and reveal more personal information when applying to rent a house than when applying

for a Passport.

We urge anyone who believes they have been blacklisted to contact the Tenants' Union im-



The Tenants' Union has T-shirts available in 5 colour combinations to suit all complexions. The T-shirts costs:

- \$ 8 for pensioners, unemployed etc
- \$10 for part-time workers
- \$15 for workers

TENANTS Q & A

Question: My landlord is refusing to refund all of my bond money. He claims the carpets must be steamcleaned, even though they are in the same condition as when I moved in. What can I do?

Answer: The usual procedure for bond refunds, in instances where there is **no dispute** between the landlord and the tenant, both parties can complete the same form, called 'Claim for Refund of Bond Money', and the tenant can obtain an immediate refund upon presenting this signed form to the Rental Bond Board office.

However, if your landlord is intending to make a claim on your rental bond money which you believe is unfair, you should lodge a separate 'Claim for Refund of Bond Money' form. You can get a 'Claim for Refund of Bond Money' form from any branch of the State Bank, and should fill in all details, including amount to be refunded, forwarding address, sign it and send it to the Rental Bond Board as soon as possible. The Rental Bond Board will then contact your landlord and advise them of your claim. The landlord will have 14 days to dispute your claim with the Rental Bond Board. If there is a dispute, the Rental Bond Board will hand the matter over to the Consumer Claims Tribunal for resolution.

Question: How much does it cost to lodge a 'Claim for Refund of Bond Money' form?

Answer: If both the landlord and tenant sign the same form, there is no fee.

If there is a dispute, it is to the tenants advantage to be the first one to lodge a claim form. This is because there is a \$10 fee which is paid by the party which disagrees with the claim, (i.e. the landlord pays the fee if the tenant claims first).

Question: I have just moved into a shared house and have paid \$250 bond. Can my name be added to the bond form?

Answer: Yes, the Rental Bond Board has a form called 'Change of Shared Tenancy Agreement', which should be used where one or more of the original tenants stay in the house. The landlord must agree to the change-over in the household.

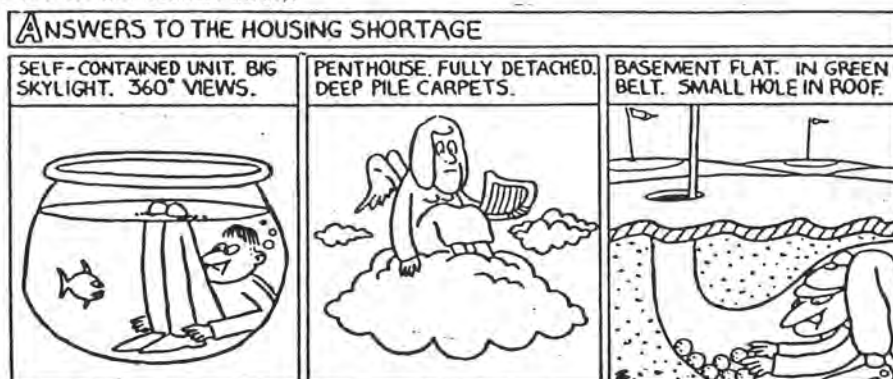
?? Need Tenancy Advice ??
call
the

TENANTS' HOTLINE

251 6590

Monday - Friday
9.30 am - 5.00 pm

A service of the
Tenants' Union of NSW



THE MINISTER SPEAKS... AGAIN

Despite his reluctance to speak publicly on just about any matter concerning his portfolio, Housing Minister Joe Schipp spoke to Journalist Dick Emery from Radio 2CO in Albury following his decision to axe funding to independent tenancy services. The interview was recorded on Wednesday 7th December, just days after the announcement.

What follows is a transcript of the interview with the Minister, followed by a reply from Katherine Upcher a representative of the Riverina Tenants' Advice and Housing Referral Service which is based in Albury.

The Minister's comments make interesting reading!

Emery: Housing Welfare workers throughout NSW are in the middle of a forty-eight hour strike to protest at a government move to axe independent tenancy advice services. It all comes about because the Housing Minister, Joe Schipp announced last week that he was going to withdraw \$2.4 million in funding, already allocated in the State Budget.

Let's find out exactly why as we talk to the Minister for Housing in NSW, Mr. Joe Schipp.

"Good Morning Mr. Schipp, exactly why are the welfare workers on strike?

Schipp: Well I've announced that we're phasing out the program called HITS, Information Tenancy Service, on the grounds that we are building our own Service, on the service already available within the Department of Housing which I took over when we had an amalgamated department taking over the functions from Consumer Affairs back in March. They are annoyed I guess from that point of view, but nevertheless we've had a full review of the situation and believe we can do it more professionally, more ef-

fectively through the department.

Emery: 200 jobs, that's a fair old slab of jobs.

Schipp: That's an exaggerated figure, it's nowhere near 200. All the figures seem to have been bloated since this thing became public. The figure I have is more in the order of 50 people throughout the State and that would include some part-timers.

Emery: You say the department is going to duplicate those services or is already duplicating those services within the department and.....

Schipp: Well we've had the review done and there were different options - one was to keep a half and half and you do get overlap - there's no matter how much you try and streamline it. We have made the decision that we can more effectively use the funds that are provided for the service about \$2.4 million dollars in a way that, through the department, because it, as I say, it's already got a service throughout the State, we've got interlinks with computers and telephones, we've got people with languages back in head office and we've going to put them in appropriate places in the service and we just believe we can provide the service more efficiently.

Emery: Will the expansion mean jobs being created for country areas?

Schipp: Oh, Yes, we've designated I think it's eight or ten country locations at this stage that will have full time people. Also it will be worked through the Department's regular staff anyway and they'll be trained in matters to do with tenancy, ah!, we've got a program worked out for doing that so the spread will be much better than currently being provided, and that's part of the report

that I got in, that there was some big gaps in the current service.

Emery: What were the gaps that were identified? What were the particular areas?

Schipp: Oh, well, ah, I haven't just got that detail at my fingertips, but there are a concentration of services in the centre of Sydney for example and other parts of the outer metropolitan area are not being covered, there are country locations not being covered, um, it's just a matter of them not being spread as widely as they can be, it's, it's, we are building the service in a better way than it was in the past and as I say I had the choice, in actual fact the final recommendation was to disband the present service and build another one anyway whether it was inside the department or outside mainly because of the way the service had been operating and it was felt it could be done in a better way even if it was done independently so the options really boiled down to disbanding that service in any case.

Emery: The Riverina Tenancy Advice and Housing Referral Service would perhaps say that having that sort of service within the department wouldn't provide independent advice to welfare housing tenants.

Schipp: Yes, Well they are saying that, that's one of their arguments, the fact of the matter is that there's a service provided to say consumers from the Department of Consumer Affairs and I haven't heard any allegations of that. We already provide a very successfully, highly acclaimed housing advisory service for home buyers and there's nobody saying that's biased in any way, and our objective will be in the training that there will not be bias, and that's one of the areas that we are addressing. We want an impartial service, rather than having one that is 'biased' as it perhaps currently is.

The other thing that ought to be drawn to attention in this discussion is the fact that these services actually worked against the legislation that we were trying to put into the Parliament, which would help tenants, to try and bring in some rights and obligations of tenants and landlords which is badly needed, given that we are now working from an old 1899 Act. Now they went out of their way to defeat an Act which had ninety, well on the, deputy leader of the opposition in the Upper House estimation ninety-seven percent of her Bill was being re-enacted, to put into place, and yet these services went out of their way to defeat it. I can't understand if they're so caring about the tenants how they can come at that sort of action having been through a consultative process with my staff for months, having reached a compromise with some qualification, admittedly, but nevertheless they in the end sought the Labor Party and the Democrats to beat the Bill, now I just can't understand how they can then run around claiming they're got the interest of tenants at heart.

Emery: Would that have been another reason for disbanding them anyway?

Schipp: Oh, Partly, because right through the report it was saying that they had a role to play in the new legislation, well, the new legislation just hasn't occurred, and it looks like it might not occur. So, therefore, they don't have that function. In the review of their operations it was felt that would have been a very vital part central to the provision of the service. Now we haven't got that Act to work from, so, um, obviously it's just one more reason for revamping the service in the way we have done it.

Emery: Mr. Schipp, the \$2.4 million that it costs to run the present service, do you envisage any expansion or reduction in that amount of money for the new service?

Schipp: Well, I think we can save about half that, on the basis of what I've been advised at the moment and we're gearing towards paying tenants' interest on their bond money, this does come from the Rental Bond Board and the services are claiming that that isn't money, or government money, but nevertheless it's money that's being used and I.....

Emery: How much money is involved with the interest on tenants' bonds?

Schipp: Ah! Well, it'll be quite considerable, that's why we have to work through that. That'll take about the next twelve months to get things under control to allow us to start doing that, but it depends on the amount of interest we pay and the mechanism and that hasn't yet been finalised but it'll run into, I suppose, \$7-10 million per year, in that order anyway to pay the interest. I just think it's fair to tenants if they've lodged a bond not to lose the value of that money while they're in a tenancy. There are a number of things to go through yet I just hope the whole thing can be kept as calm as it has been and we'll work our way through it.

Emery: Mr. Schipp, thank you very much for your time this morning.

That was the government's point of view, of course. Let's find out exactly what the housing welfare workers think of what Mr. Schipp said.

On the line is a representative from the Riverina Tenancy Advice and Housing Referral Service, Katherine

Upcher.

Ms. Upcher, you've just heard Mr. Schipp. Your reaction?

Upcher: I'm rather overwhelmed actually, I have objections to just about everything that he said. I think that he has missed the mark entirely in terms of the funding

issues, the restructuring of the Department of Housing and their being able to service the community in the way that we have.

Emery: Now, the job situation, it was reported in the paper that there were 200 jobs. Mr. Schipp said perhaps closer to 50 or 60. What's the true situation?

Upcher: I think the report in the paper was saying the strike is not just by tenancy workers in NSW, there are other people who have joined the Strike. There's the Women's Housing Program and the Community Tenancy Scheme workers who are under threat of being cut as well. So all in all there would be probably 200 positions that will go, within the tenancy services sector there would be 50 or 60.

Emery: Mr. Schipp indicated that the \$2.4 million, that it costs to run the present service could be about halved. What are your fears for people who use your Service on half the money?

Upcher: Well, I don't believe it can be done more cheaply than we have been doing it. I think we've been a very comprehensive, cost-effective service. I think to be able to operate at a community-based level we've been able to do a range of activities that I'm sure the Department in all its bureaucratic sense will not be able to do at all. I think that if they are talking about halving the resources then that means they are halving the number of people, which means that they will not nearly cover the area we have been covering.

Emery: How many people do you see in a year - the service as a whole through NSW?

Upcher: Throughout NSW, 50,000 - 60,000. That was last year's figure, and no doubt this year it would be even higher, given there are increasing difficulties for people in the private rental market and Mr. Schipp made some comment about the new

legislation, and the fact that we were involved in blocking that in the Upper House. I might like to say that, in fact, that new legislation had an awful lot of amendments to which we were opposed, and we were very keen to see new legislation go through, but not with amendments that were going to make things even more difficult for tenants.

Emery: Yet, if that legislation was to get through in its unamended form it would have been perfectly satisfactory to you, wouldn't it?

Upcher: Unamended, Yes, if we'd gone back to the Residential Tenancies Act, 1987, as put together by the Labor Party I think we would have supported it wholeheartedly.

Emery: Mr. Schipp indicated that perhaps that opposition to the Bill, albeit amended was another nail in the coffin for you.

Upcher: I think Mr. Schipp has made some assumptions about our role in that, I think he's missing the fact that a lot of that is political process, the Labor Party and the Democrats chose to block that in the Upper House. I think that they have a social conscience, and I suspect the Liberal Party do not.

Emery: Katherine, it appears that after March there will be no more money, the existing service will no longer exist, and the government will take up the role. What do you think is going to happen in April, May, June, next year?

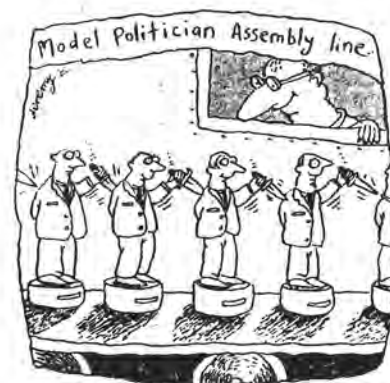
Upcher: Well, I think there is going to be a lot of confusion. I think that tenants, certainly in our region, who have been using the Service for the last 3 years, and there are increasing numbers of people who are aware of our Service because we don't just do casework, we do a lot of community education as well, and we have good liaison with Department of Housing

offers in the region. I think there's going to be a lot of confusion for people about where to go. Enquiries will not be adequately answered. I don't believe Department of Housing Staff will have the resources to do the sorts of things we've been doing. The legislation is so bad that what we've been doing is introducing tactics to people to deal with certain situations that arise, because there is nothing in the law. I don't believe that information will be given by someone in the Department.

Emery: Sounds like things are going to be fairly sticky middle of next year.

Upcher: I think so. I think that the closure of these services throughout NSW has been an effort on the part of the government to stave off any sort of criticism, and I think the criticism has been constructive. I think when the Labor Party were in power they welcomed having a community housing sector that did give them feed-back, that did give them information. I think that what the Liberal Government is trying to do is to keep the masses quiet.

Emery: Katherine, I think we'd better leave it there, having had both sides. Thank you very much for your time this morning.



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

*Free to
Tenants!*

- * Available to community organisations for \$1.00 per copy. Avoid the rush ORDER your copies NOW!
- * Please distribute to tenants free of charge.
- * All cheques payable to the Tenants' Union of NSW Co-op Ltd.



Name/Organisation

Address

.....P/Code.....

No. of Copies



Tenants' Union for Tenants'

Tenants' Union for Tenants'

Tenants' Union for Tenants'

Tenants' Union for Tenants'

Rights

Tenants' Union for Tenants'

Rights

Tenants' Union for Tenants'

Rights

**Tenants' Union for Tenants'
Rights**

YOUR RIGHTS AS A TENANT IN NEW SOUTH WALES

To check that the information in this booklet is still current
phone the Tenants' Hotline 251-6590

Prepared by the Tenants' Union
of NSW Co-Op Ltd,
68 Bettington St.,
MILLERS POINT 2000
Ph: (02) 27-3813

We gratefully acknowledge the assistance of
the LAW FOUNDATION OF NSW in producing
the first edition of this booklet.



*Free to
Tenants!*

TENANTS' UNION MEMBERSHIP (Application/Renewal Form)

Name _____

Address _____
Postcode _____

Telephone (h) _____ (wk) _____

First language _____

Ethnic Background _____

Occupation _____ Union _____

Please tick

* Is this a: New Membership? _____ Membership Renewal? _____

* Are you a: tenant? _____ squatter? _____ home owner? _____
other? (specify) _____

* Can you assist the Tenants' Union in any way? Yes _____ No _____
Details _____

Fees

Membership fees apply from January 1 to December 31 each year. New members joining after June 31 may pay half fees.

* Unwaged / pensioners / unemployed / student..... \$2.00
(1 share + \$1 annual service fee)

* Waged workers..... \$6.00
(1 share + \$5 annual service fee)

* Organisations..... \$20.00
(5 shares + 15 annual service fee)

* Donations..... \$ _____

I enclose..... \$ _____

This covers purchase of shares and service fees.

I declare that I am over 18 years of age.

Signature _____

Witness _____

Date _____

Return to:

Tenants' Union of NSW Co-op Ltd.,
68 Bettington Street, MILLERS POINT, NSW 2000

OFFICE USE ONLY

Service

Donation

Shares

Non-member trust

Account

Receipt No. _____

Membership No. _____

TENANTS' HOTLINE
For advice and assistance
Phone: _____
Mon-Fri 9.30 - 5.00pm.



POSTAGE PAID
IN AUSTRALIA
IN AUSTRALIA
POSTAGE PAID

TENANT NEWS

TENANTS' UNION OF NSW CO-OP LTD,
68 BETTINGTON ST
MILLERS POINT NSW 2000

REGISTERED BY AUSTRALIA POST
PUBLICATION NUMBER NBH-2043