

*tenant***NEWS**

NO. 41 FEBRUARY 1991

SUMMER EDITION



housing justice
not
welfare housing

The Tenants Union of NSW represents tenants against unfair treatment by property owners and real estate agents.

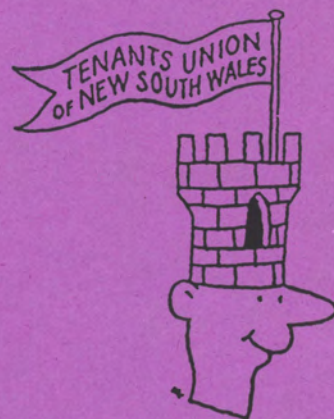
We help tenants to work together for decent affordable and secure housing by:

- * 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.



TENANT NEWS is produced by the
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of Victoria.

NEW YEARS HONOURS LIST

TENANTS OF THE YEAR AWARDS

Each year the Tenants Union of NSW announces its Tenants of the Year awards.

These recognise the hard work done by particular tenants to gain rights for themselves and other tenants.

For 1990, the receivers are:

Jenny Holdcroft and Emma Khoury (co-tenants)

Michiko Yoshida.

The awards will be presented at the AGM of the Tenants Union on March 25. All are welcome. Details this issue.

Jenny and Emma won a landmark case in the Tribunal. This set a precedent for the level of security tenants can expect their landlord to install.

In their case it included deadlocks and windowlocks. An important step forward.

Their case is reported in detail in a separate article in this Tenant News.

Jenny and Emma showed particular tenacity in pursuing a long case which they had been told they could not win.

Michiko Yoshida also fought a long case. It is exceptional because she was very worried about going to the Tribunal, but did so mainly to benefit future tenants.

This landlord has a history of not giving bond money back to non-English speaking tenants.



When Michiko ended this tenancy agreement, her husband was working in Japan while she looked after their two children.

She has difficulties speaking English.

They had lodged \$2,280 in bond. She signed a form which she did not fully understand, giving the bond to the landlord. This happens all too often to migrant tenants.

Later, Michiko accepted \$580 to withdraw a claim for the bond because she felt she had no choice and didn't want to make trouble.

The landlord said it was a Japanese custom not to return the bond.

However, she found out that the landlord's next tenant and two previous tenants all had or were having similar problems. They were all of Non English Speaking Background.

Michiko then decided to pursue the matter in the Tribunal so that the landlord would be exposed and hopefully stopped. She refused another offer of \$600 to drop the matter.

She won her case and got an order awarding her most of her outstanding bond money.

To date the landlord has not paid up and it may go to the local court to enforce the order.

Congratulations to these three.



Sorry to mention it, but...

1991 MEMBERSHIP FEES ARE NOW DUE.

To renew, fill in the form on the back page of this issue and send in with your fee. Thanks very much.

Or membership forms can be posted on request. Just phone 247 3813.

PLEASE NOTE: In future, TENANT NEWS will no longer be sent to members if they are not financial.

CARAVAN PARK RESIDENTS "TEMPORARY" - HOUSING DEPARTMENT

Christine Bird

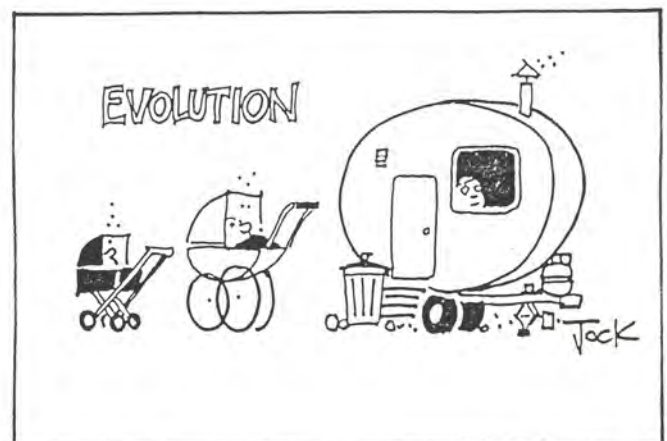
Though tenancy law recognises the permanent status of many caravan park residents, the Department of Housing does not.

This fact recently came to light after social workers referred park residents to charities for financial assistance.

They had been unable to get assistance for their clients under the Rental Bond Assistance Scheme, which is operated by the Department of Housing, because the Department viewed caravan residents as in "temporary" accommodation and they were therefore outside the guidelines of the scheme.

The scheme helps out with the cost of bonds and rent assistance.

When contacted for clarification, officials confirmed the policy but said that in some circumstances, caravan park residents could get assistance.



At it's Sydney office, applicants had to prove that all other avenues had been exhausted, including boarding houses.

At Hurstville, they could get no more than a week's rent assistance - no bond - if they provide proof of income or had a letter of referral from their Department of Social Security branch. (Social Security social workers have found that even then its not forthcoming.)

At the city office it was stated that this policy "may change", at Hurstville that it would not.

Obviously the Department of Housing chooses not to come to terms with the fact that many people are unable to afford or to get even basic accommodation.

For under 18's , their income is so grossly inadequate that boarding houses are out of the question and they even have to share caravans.

For pensioners and beneficiaries, the situation could best be summed up as follows:

The law says you can be a permanent resident of a caravan park, but the Department of Housing disagrees.

If Social Security payments leave you unable to save for bonds, the Department of Housing has a scheme especially to assist you - except if you choose the type of accommodation you can actually afford.



BOOK LAUNCH:

HELEN WELLINGS TO LAUNCH TENANTS RIGHTS MANUAL

A book launch is being held for the new Tenants Rights Manual.

The main speaker will be Helen Wellings of the ABC's 'Investigators'. Helen also wrote the preface to the Manual.

This will take place on Wednesday, February 27, 11 a.m. at the Tenants Union, 68 Bettington Street Millers Point. Everyone is welcome.

It is a great opportunity for people to mix with the celebrities and a who's who in NSW housing. The media will also be invited and are likely to attend.

The new manual has been publicly endorsed by notables including Jack Munday, Noreen Hewett (Australian Pensioners Federation) and the Rev. Harry Herbert (Uniting Church).

So people are invited to come along, celebrate the book's release and enjoy the occasion. Light refreshments will be provided.

This new book looks like being very successful. It was written for us by Phillipa Bellemore and funded by the Law Foundation.

By any measures, it has been put together extremely well.

The book was co-published by the Tenants Union and Puto press. 2000 copies have been printed and it will be distributed through good book stores. A steal at \$19.95.

It is also available directly from the Tenants Union. See the advertisement in this issue for details.



RENT 'TALK-UP' UPDATE

Last year you may recall that the Real Estate Institute (REI) tried to talk up rents in the media, but was caught out by the Tenants Union.

The REI claimed that rents were increasing and 'About to Soar'.

Figures are out for the June Quarter in question and guess what?

The Department of Housing reports that '... metropolitan area median rents for newly let accommodation remained unchanged for all bedroom types during the quarter.'

In other words, Sydney's rents stayed the same. Well howsabout that? The REI's information appears to have been a touch inaccurate. An honest mistake, of course.

DEPARTMENT OF HOUSING MAKES \$101 MILLION PROFIT

Sydney is experiencing a housing crisis. Thats no secret.

There is record homelessness and substandard housing because of a housing shortage, high rents and the current recession.

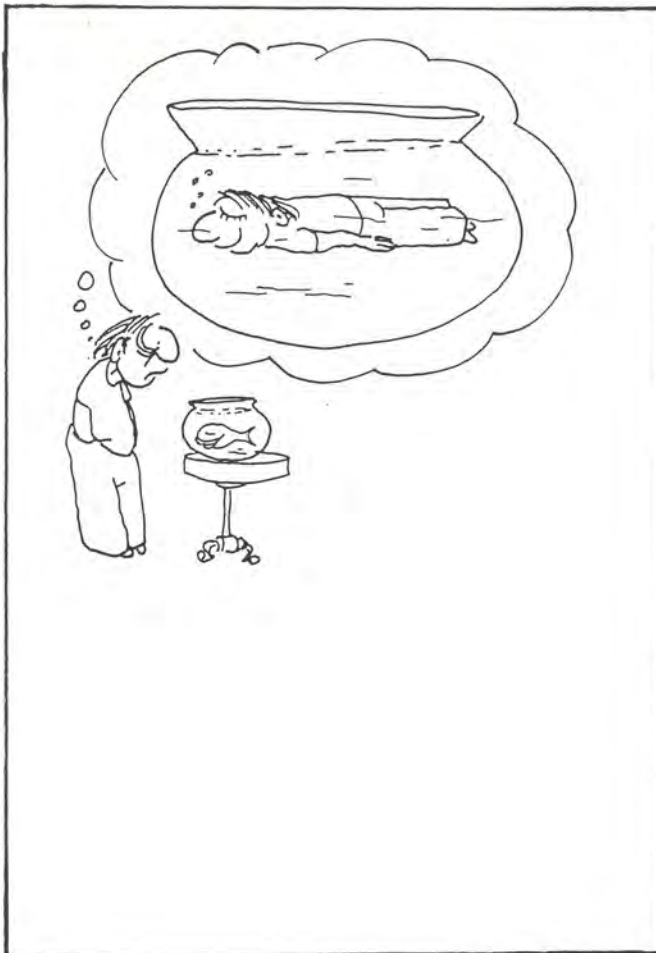
The NSW Government's answer has been to squeeze a profit out of it's Public Housing by selling off assets and not building enough public housing.

Perhaps Mr Schipp (NSW Housing Minister) hasn't yet realised that a Government is meant to spend public money on public housing when there is a housing crisis.

Not sell off our housing and leave people on the streets.

NSW Inc.: Managing worse by ignoring people.





BOARDERS AND LODGERS LATEST: SEPARATE ACT?

The Tenancy Commissioner has submitted a report to the Minister for housing, on Boarders and Lodgers.

The Tenants Union understands the Commissioner has recommended that Boarders and Lodgers be covered under a separate Act. That is, not under the Residential Tenancies Act.

It is also understood that the recommended protection for Boarders and Lodgers under this Act would be very weak.

For example, Boarding House owners would still be able to carry out their own evictions.

Meanwhile, the report of the Chelmsford Inquiry has very publicly and severely criticised many boarding house operators.

This was all over the newspapers in December and highlighted some very unethical behaviour.

One would hope that this damaging evidence will prompt the Minister, Mr Schipp, to pass some fairly strong laws to control boarding houses. Lets hope.



ANNUAL GENERAL MEETING

The Annual General Meeting of the Tenants Union of NSW will be held on Monday 25 March at 6 pm. All members are welcome.

It will be held at the office of the Tenants Union at 68 Bettington Street, Millers Point.

The Tenants of the year awards will be presented at the AGM.

Also, annual reports will be presented and elections will be held for Board members.

Nominations for the Board are invited.

They must be in writing and delivered before the AGM. To be accepted, members must be nominated and seconded by other members.

There will be light refreshments provided and drinks at the Palisades Hotel afterwards.

GUIDE TO PROTECTED TENANTS

An updated second edition of 'A Guide to Protected Tenants' has been produced by the Combined Pensioners Association.

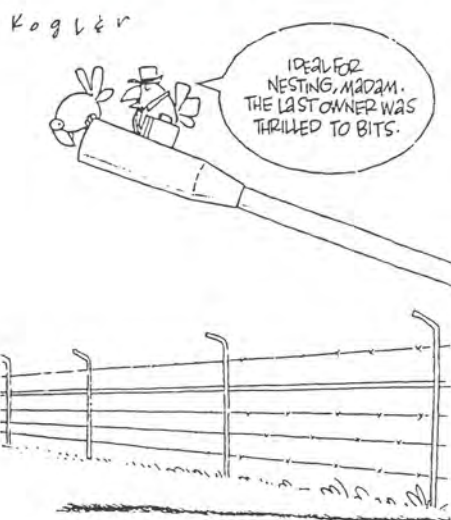
This was revised and edited by Colin Jones. Copies are available from the CPA, on 281 1811.



Tenants are easily exploited by unscrupulous estate agents and landlords. So

BE PREPARED !!!

TENANCY ADVICE WORKSHOPS



Organised by the Tenants Union
With LCSA, Ethnic Communities Council, YAA

Neighbourhood Centre Workers: 19 April

Supported Accommodation: 3 May

NESB Workers: 17 May

General: 31 May

At the State Library, Macquarie Street, Sydney

Covers repairs, evictions, ending agreements, bond money, privacy, rent increases,
Residential Tenancies Tribunal, tenancy agreements, standard forms, costs and
charges, and much more.

Cost for community organisations: \$50

Further information: 02 247 3813

BOOKING FORM

Name _____ Organisation _____
Address _____
Postcode _____
Phone _____ Workshop Date _____
Cheque enclosed for _____

Please make payable to Tenants Union of NSW
Post to Tenants Union, 68 Bettington Street Millers Point 2000.

SURVEY OF TENANCY TRIBUNAL

Sue Creek

Background

The need to reform NSW's archaic tenancy laws has been widely accepted for many years, but the process of introducing reform has been a long and difficult one.

In 1984, the then Labor Government passed the Residential Tenancies Act 1987, but for a variety of reasons the legislation was not actually introduced before they lost office.

The incoming Liberal/National Government made a number of amendments despite widespread community opposition, before the Act was finally introduced on 30th October 1989.

With the commencement of the Act, the Residential Tenancies Tribunal gained expanded jurisdiction to hear most residential tenancy matters including bonds, termination of tenancies, repairs and compensation payments.

The Survey

Despite the changes, many bodies advising tenants have become aware of difficulties tenants face in enforcing their rights.



Johny Rotten
dresses for
the Tribunal

Some of these stem from the shortcomings in the legislation itself, but others appeared to relate to the operation of the Tribunal.

Because of these concerns, the Tenancy Legal Working Party * decided to conduct a survey of the Tribunal.

The survey aimed to examine who was using the Tribunal, what matters were being heard, how these matters were dealt with and the outcome for the parties involved.

The survey was conducted at the Sydney hearing rooms of the Tribunal between 21 May and 1 June, 1990. A total of 207 cases were surveyed.

The observers were drawn from workers and volunteers from Community Legal Centres, tenants' advice services and community organisations. The survey co-ordinators are most grateful for the participation of these people.

A wealth of information was collected during the survey - major findings are outlined below.

Major Findings

1. Most applicants to the Tribunal are landlords:

67.5% of cases came from landlords

26.5% of cases came from tenants

The Tribunal is overwhelmingly used by landlords.

The Tribunal's own figures are even more dramatic: for the period November 1989 to June 1990, landlords made 76.7% of applications and tenants made only 23%.

Why is there such a big difference? In the experience of tenancy advisers, there are several reasons.



They include the fact that many tenants simply do not know about the Tribunal, or how they can use it, or tenants are afraid to go to the Tribunal because they are unfamiliar with formal legal processes.

In addition, there are not enough advice and advocacy services for tenants and in any case tenants are not normally allowed to have someone else represent them at hearings.

Moreover, tenants are often afraid of being evicted if they go to the Tribunal or if they seek to enforce their rights.

2. Most landlord applications were for the eviction of tenants.

Of applications by landlords:

58.7% were for termination of tenancy

28.9% were claiming rental bond

5.8% were for compensation in addition to rental bonds

63.6% of terminations were sought for unpaid rent.

The survey shows a high level of rental defaulting by tenants. However, high rental prices mean low income tenants face greater strain in meeting rents.

It is clear that a broad range of strategies need to be developed to address this issue.

So far as residential tenancies legislation is concerned, the definition of "excessive rent" should be amended to include factors like affordability.

In addition, it is virtually impossible under the present legislation for tenants to win a claim that a rent increase is excessive.

This also suggests that the Tribunal should be encouraged to give tenants every chance to remedy the breach rather than proceeding quickly to eviction.

3. Most tenant applications were for the return of bond money.

Of applications by tenants:

63% were for recovery of rental bond

8.5% were for repairs

4.3% were for termination of tenancy

At first glance it looks like the biggest problem tenants face is return of bond money. But this is not necessarily so.

However, there are two reasons why tenants do go to the Tribunal over bond matters.

Many tenants experience unjustified claims against their bond by the landlord. They take action to recover their bond because:

- * after they have moved out, they cannot be evicted for trying to enforce their rights through the Tribunal, and

- * the first many tenants hear of the Tribunal is when they are sent a notice that the landlord has claimed their bond, and if they want to dispute this, they must go to the Tribunal.

Unfortunately, for all the reasons outlined previously, most problems which tenants have with their landlords generally do not get to the Tribunal.

4. Landlords get much more representation at hearings than tenants:

76.5% of landlords are represented at hearings

Things to collect before a hearing





67.5% of landlords are represented by real estate agents

7.5% of tenants are represented at hearings

5. Landlords or their representatives are more likely to attend hearings than tenants:

87.7% of hearings were attended by the landlord or their representatives

53.4% of hearings were attended by the tenant

The Residential Tenancies Act 1987 permits real estate agents to represent landlords, but has no similar rights for tenants.

Tenants may be represented only if they can prove it is necessary or that they will be unfairly disadvantaged.

At this point the Act favours the use of the Tribunal by landlords because:

* Landlords get the advantage of skilled advocacy. Repeated appearances in the Tribunal mean that real estate agents develop experience and expertise in using the Act and in the Tribunal's procedures.

* Landlords get much easier physical access to the Tribunal, since agents can attend instead. Real estate agents perform this function as part of their duties as property managers.

Often respondents (usually tenants) get very short notice of hearings, making it difficult to prepare their case properly.

This adds to the problems tenants experience of lack of information, being intimidated by the need to present their own case, and of arranging childcare, transport and time off work.

All of these things contribute to the failure of tenants to attend hearings.

There is a clear need for a funded independent lay advocacy service for tenants.

6. Tenants are receiving very short notice of termination of their tenancy:

7 days is the average time given to tenants to vacate when they are not present at the hearing.

14 days is the average time given to tenants to vacate when they attend the hearing.

Tenants attend just over one quarter of all termination hearings. This means that in the large majority of cases tenants get little time to vacate.

Often it is hard for tenants to obtain and move to new housing in the short time available.

7. The Tribunal gives compensation orders during the hearing of other matters. Often these orders have not been formally applied for.

53% of compensation orders and 40% of bond orders were obtained during hearings about other matters.

In many cases landlords get orders for compensation during a hearing for termination of tenancy. Often the application form did not include any request for compensation.

Unless all issues to be determined have been recorded on the application form the respondent will be unaware of all of the issues which may be determined at the hearing.

Tenants attend only 28% of termination hearings. The knowledge that additional matters like compensation may be raised at the hearing is likely to affect their decision whether or not to attend and the adequacy of their preparation for the hearing.



Getting Ready for the Hearing.



This finding raises serious questions about the adequacy of the notice of hearing respondents get.

All notices should include specific details of issues to be resolved. They should also allow enough time for the respondent to get advice and arrange to be present.

Conclusion

While the introduction of the Residential Tenancies Act 1987 has clarified some of the rights of landlords and tenants, tenants remain disadvantaged when it comes to enforcing these rights.

In so far as the disadvantage of tenants is a result of their inequality in bargaining power in the landlord and tenant relationship, more vigilant enforcement of the provisions of the Act against retaliatory eviction would be of assistance

However, many of the disadvantages faced by tenants are the result of inadequate provision of information to tenants, lack of access to representation at hearings and inadequate notice of the matters for determination and the date of the hearing.

The provision of funds for the establishment of an independent lay advocacy service for tenants would be a large step towards addressing these needs.

This survey was conducted by the Tenancy Legal Working Party.

If you would like copies of the unabridged Survey Report, contact the Tenants' Union.

* Ed: The Tenancy Legal Working Party is a joint sub-committee of the NSW Combined Legal Centres and the Tenants' Union of NSW.

THE TENANCY WALTZ

(Tune: 'The Tennessee Waltz')

Paul Mortimer

I been rentin' with my partner
Doin the Tenancy Waltz
In a slum fallin' down round our
ears
I been workin' all day
Just to give half my pay
To a scumbag as rich as de Beers.

I remember the day
The roof blew away
Rain started up then - of course
But the landlord's a gent
He just increased the rent
Its the beautiful Tenancy Waltz.

The Housing Department
Found an apartment
(We been on the list now for
years)
Its just a brick box
Out in the back blocks
No work there, no friends - only
tears

I'm sorry to say
It was no place to stay
Cause to stay would have led to -
divorce
Now we live in a tent
Cause we spent every cent
On the beautiful Tenancy Waltz.

Oh, the beautiful Tenancy Waltz.



LOCKS CASE: \$3,000 COMPENSATION

Sue Bowrey

Some Conservatorium of Music students leased a Redfern house with turn-latched windows (one broken), no deadlocks or bars and no secure locking gate into the backyard.

After four months of seeking repairs, and offering to share the costs of bars, only the broken window had been fixed and one deadlock (back door) had been installed.

The tenants sought advice from various sources. No one suggested installing deadlocks as an emergency repair.

The tenants unsuccessfully sought insurance but security was inadequate.

They were robbed of \$8000 worth of mostly musical equipment, entry being made through the front window and goods removed through the front door.

The tenants are particularly concerned that the Department of Housing's Tenancy Service did not suggest locks as an emergency repair, and told them there was nothing they could do.

The tenants sought to terminate their tenancy agreement and get their bond back.

The real estate agent offered to terminate the agreement only and told the students they had "no chance" of getting compensation at the Residential Tenancies Tribunal.

The students sought termination of agreement, bond and \$5000 compensation from the RTT.

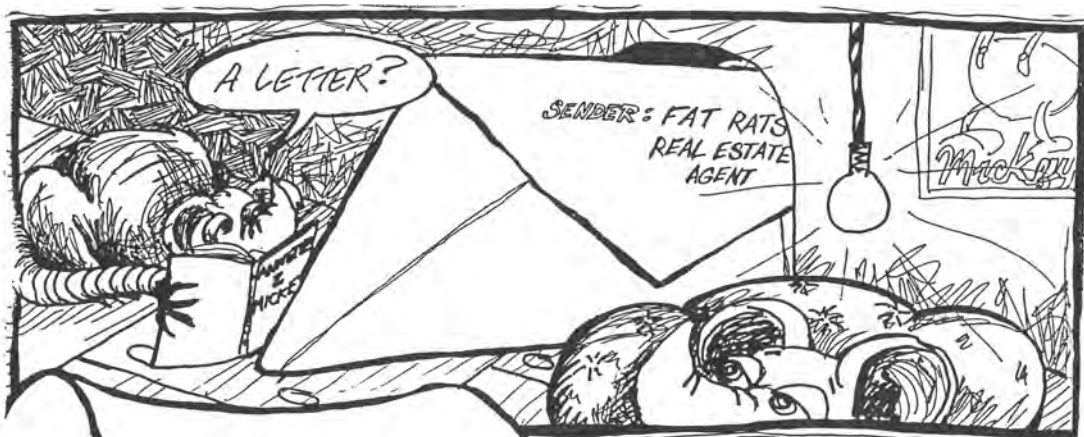
They had to go on tour with the Conservatorium Orchestra on the day of the hearing so sought an adjournment a few days before.

Registry staff informed them there was nothing they could do except turn up on the day.

The students went home, sought further advice from a welfare worker and faxed the Registrar of the RTT. The hearing was adjourned.

At the hearing Tribunal member Mr Broderick indicated that all orders sought would be made to some extent but reserved judgment.

A month later the tenants received the decision after making numerous inquiries.



Their agreement was terminated, bond returned and \$3000 compensation ordered.

The claim for compensation was reduced by \$2000 for contributory negligence in not getting deadlocks as an emergency repair then seeking reimbursement from the landlord.

Mr Broderick described the landlord as "largely a victim along with the tenants" because the agent had wrongly informed him that the tenants did not wish to proceed with planned repairs.

He said "deadlocks are now an essential prerequisite for reasonable security... security to windows would be the basic key-lock."

The landlord was given liberty to make written submissions about time to pay, did so, and was given permission to pay the \$3000 at \$100/month over 30 months.

Mr Broderick had described the stolen instruments as the students' "Tools of trade".

The tenants are bitter about the outcome as they were not given the opportunity to explain that they had sought advice before the robbery but no one had suggested getting deadlocks as an urgent repair.

One commented in retrospect "The biggest problem was nobody knew anything. Everywhere we went which according to the government could offer advice, didn't know their facts.

"The whole thing was just horrifying and stuffed up our whole study for the year."

It is relevant that these were educated and motivated people. If they could not find out their rights in this situation, who could?

The tenancy advice services available to the public were clearly not adequate to deal properly with this case.

The students wanted to acknowledge the help of Brenda at South Sydney Community Aid (Regent St), because she was the only person who they felt had encouraged them to continue to seek repairs and an eventual remedy.

Editor's Postscript:

It is understood that the Estate Agent who handled this case, and cost the landlord a lot of money, is no longer employed by that Agency. The landlord is a lawyer.





WELCOME TO A NEW WORKER

Nich Warren

Thanks to a small increase in funding from the Legal Aid Commission, the Tenants' Union now has an administrative worker part-time to assist in our work.

Our new worker is Megan Brooks. Megan has a decade's experience working in the community sector, has previously pursued an interest in housing issues.

She has recently returned to Sydney from Alice Springs where she has been working with AIDS sufferers.

Apart from working with us, Megan has returned to complete tertiary studies in Sociology at UNSW.

The Tenants' Union is very pleased to attract a worker with the skills and experience that Megan offers and we look forward to her assistance in pursuing the Union's goals.

DOUBLE TROUBLE AMID THE RUBBLE

Harvey Volke

WESTS (The Western Sydney Tenancy Services) - the only full time community-based tenant's advice service left in the state outside the T.U. itself - is in the process of doubling it's staff from two to four.

It's doing this in two ways.

First, it has attracted a two-year grant from the Department of Planning under the Western Sydney Area Assistance Scheme for a migrant tenancy worker.

And second, the two workers, shell-shocked from the entire caseload for an expanding western Sydney, are retreating to a four-day week each for a spot of weekend R and R, in the interests of putting on another four-day a week worker.

Two further days were available within the present budget provided by the Uniting Church's Board for Social Responsibility.

The changes will address two particular issues:

First, a recent survey by a student social worker on final placement at WESTS, Ms Jane Cipants, filled in the details on what we knew to be the case:

Low income tenants have problems, and low income migrant tenants have even more problems; and migrant workers are going bananas trying to deal with tenancy problems.

In line with Jane's recommendations, the new worker will undertake a regular program of providing tenancy advice training specifically geared to the needs of migrant agencies and communities.

S/he will seek to establish tenant's advice as an on-going and properly equipped function of as many migrant agencies as are interested and as can be encouraged.

A further function of that will be to ensure that appropriate materials are translated , and that a back-up service is provided for agencies.

Second, the extra four-day week worker will be expected to act primarily as a case worker, thus extending case work availability beyond the two days to which the present workers unsuccessfully try to restrict it.

That will both expand case work and at the same time free up staff for a greater committment to training, policy work, lobbying and advocacy.

It's still a long way even from the precarious hold established by the 20 tenant's advice services formerly funded by the Department of Housing.

But however illusionary it may be, it also allows us the luxury of feeling that we're on the way back.

News Update: The new Migrant Tenancy Worker at WESTS is Stamatia Stamatellis, previously of South Sydney Women's Centre.



RENT CONTROL OVERSEAS ROUND-UP.

Christine Bird

HONG KONG.

STATUTORY CONTROLS ON RENTS AND SECURITY OF TENURE DATE BACK TO 1921.

UNDER THE LANDLORDS AND TENANTS ORDINANCE, THESE CONTROLS APPLY ONLY TO DOMESTIC PREMISES IN THE PRIVATE SECTOR UNLESS OTHERWISE EXEMPTED.

TENANTS ARE AFFORDED RENT INCREASE CONTROL AND SECURITY OF TENURE.

UNLESS A TENANT VOLUNTARILY VACATES THE PREMISES, LANDLORDS MUST APPLY ON CERTAIN SPECIFIC GROUNDS AND OBTAIN A LANDS TRIBUNAL ORDER TO RECOVER POSSESSION.

THERE ARE HEAVY PENALTIES FOR HARASSING A PROTECTED TENANT, AND ADVISORY AND MEDIATORY SERVICES.

HOWEVER THERE IS A COMMITTEE OF REVIEW WHOSE OBJECTIVE IS TO PHASE RENT CONTROL OUT. PUBLIC HOUSING RENTS ARE SET AT 15% OF THE MEDIAN INCOME.

BELGIUM.

SOCIAL HOUSING CAN ONLY INCREASE EVERY SECOND YEAR ACCORDING TO THE COSTS. PRIVATE HOUSING RENT CAN INCREASE ANNUALLY ACCORDING TO THE DEVELOPMENT OF THE LIVING COST.

DENMARK.

THERE IS RENT CONTROL. ABOUT 700,000 FLATS HAVE RENT CONTROL; 100,000 DO NOT.

FEDERAL REPUBLIC OF GERMANY.

THERE IS NO CONTROL ON THE FREE SECTOR. HOWEVER, THE MEITSPIEGEL SYSTEM (ORGANISATIONS OF TENANTS VERSUS LANDLORDS) HAS NEGOTIATED A SYSTEM OF TABLES OF RENTAL VALUES.

IF THE RENT ONE PAYS EXCEEDS THIS TABLE BY 20-50%, ONE CAN GO TO COURT FOR A RENT REDUCTION.

THERE IS STRICT CONTROL OF PUBLIC HOUSING, WHERE ACTUAL COSTS DETERMINE THE RENTS. THIS INCLUDES LOAN REPAYMENT COSTS AND MAINTENANCE.

THE IMPLICATIONS OF GERMAN UNIFICATION ARE NOT YET CLEAR.

FRANCE.

A LAW WITH A KIND OF RENT CONTROL HAS JUST BEEN INTRODUCED. IT GIVES TENANTS ASSOCIATIONS THE POSSIBILITY TO NEGOTIATE ON A LOCAL LEVEL.

HOWEVER IT INVOLVES ONLY NEGOTIATIONS BETWEEN TENANTS AND LANDLORDS, NOT BETWEEN TENANTS AND LOCAL AUTHORITIES.

FINLAND.

THERE HAS BEEN RENT CONTROL IN THE PRIVATE SECTOR FOR FIFTEEN YEARS. PRIVATE LANDLORDS AND CERTAIN POLITICAL GROUPS ARE TRYING TO GET RID OF IT.

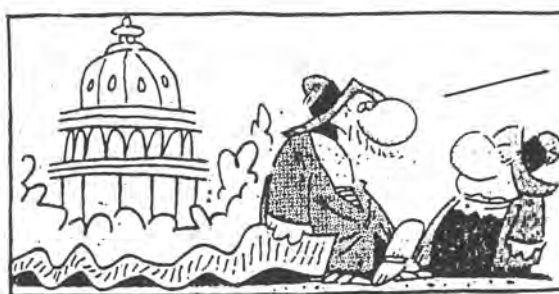
NOW THE SOCIALIST CONSERVATIVE GOVERNMENT IS PRESENTING PARLIAMENT WITH A LAW WHICH WILL GIVE GOVERNMENT THE POSSIBILITY TO MANIPULATE THE RENT CONTROL SITUATION.

IRELAND.

PRIVATE RENTS CAN BE CHALLENGED UNDER THE FAIR RENTS TRIBUNAL BY EITHER TENANT OR LANDLORD.

Frank and Ernest

by Bob Thaves



I GAVE THEM THE PETITION SIGNED BY THE 10,000 HOMELESS PEOPLE, BUT THEY SAID IT'S INVALID WITHOUT THEIR ADDRESSES.

THAVES 5-31

THE NETHERLANDS.

THERE IS A MAXIMUM RENT IN BOTH PUBLIC AND PRIVATE HOUSING.

SWEDEN.

THERE IS NO SPECIFIC RENT CONTROL. HOWEVER, THE LAW ALLOWS NEGOTIATION OVER RENT LEVELS AND A LIMIT FOR PRIVATE RENTS WHICH IS BASED ON UTILITY VALUE.

POLAND.

ALL STATE HOUSING IS RENT CONTROLLED, WITH RENTS HELD AT NO MORE THAN 2-3% OF HOUSEHOLD INCOME. THE RENTS DERIVED COVER LESS THAN ONE THIRD OF OPERATING COSTS - THE STATE SUBSIDISES THE REMAINDER.

CO-OPERATIVE HOUSING IS ALSO HEAVILY SUBSIDISED. RENTS ARE TIED TO INITIAL COSTS AND CURRENT OPERATING COSTS, RATHER THAN REFLECTING THE MARKET VALUE.

SOVIET UNION .

THE SOVIET UNION HAS A SYSTEM OF RENT CONTROL. UNDER A LAW ENACTED LAST YEAR, SOVIET CITIZENS ARE ABLE TO BUY THEIR OWN STATE-OWNED APARTMENTS.

HOWEVER, FEW OF THEM HAVE BEEN WILLING TO FORSAKE THE CHEAP CONTROLLED-RENT SYSTEM FOR THE RESPONSIBILITIES OF OWNERSHIP.

STOP PRESS:

HOUSING INDUSTRY ASSOCIATION CALLS FOR 50% INCREASE IN PUBLIC HOUSING

The Housing Industry has called for a Federal package to save the housing industry, including:

- * A 50% increase in the construction of public housing over the next 2 years from 10,000 to 15,000 units.
- * Cuts to home loan rates.
- * Additional assistance for first home buyers.
- * Increased depreciation for new rental housing.

This was reported in the Sydney Morning Herald on 1 February 1991.



'Residential Tenancies Act - What it Means for Landlords and Tenants'

**- Now available
in 16 languages**



Call any Department of Housing office if you would like a free copy of this booklet in English, Arabic, Chinese, Croatian, Greek, Farsi, Italian, Khmer, Korean, Lao, Macedonian, Polish, Portugese, Serbian, Spanish, Turkish or Vietnamese.

Other free publications produced by the Department of Housing Tenancy service include:

- Caravan Parks: Information for residents and owners
- The Residential Tenancies Update, a newsletter for organisations interested in recent Tribunal decisions
- 2 multilingual posters advertising the new law and availability of multilingual information booklets.

Contact the Tenancy Service on (02) 2290011 or 008 451301 for any of these publications. Or write in to GPO Box 4102, Sydney.

INTERESTING TRIBUNAL DECISIONS IN DEPARTMENT NEWSLETTER

The Department of Housing's tenancy service puts out a monthly newsletter called 'Residential Tenancies Update'.

This includes a section on interesting Tribunal decisions.

These are very useful because they show how the Tribunal is interpreting the law and setting precedents.

Any group that wants to receive this newsletter should ring the Department's Tenancy Service on 229 6112 and ask to be put on the mailing list.

Unfortunately, the Department does not send it to individuals. This can be simply remedied by getting your local library to have it sent to them.

PHILLIPA BELLEMORE

TENANTS' RIGHTS MANUAL

A PRACTICAL GUIDE TO RENTING IN NSW



PLUTO PRESS AUSTRALIA IN ASSOCIATION WITH THE TENANTS' UNION OF NSW

'... no rented home should be without the manual.'

Helen Wellings

Presenter, ABC's 'The Investigators'.

Who Can It Help?

- Private tenants, public tenants, and people who live in caravan parks. These are the people covered by the tenancy laws, and who can be helped by this Manual.
- It will be extremely useful to community and welfare workers, and others who advise tenants who have problems when renting.

What Is In It?

What to do if there are problems with:

- Repairs
- Evictions or ending the agreement
- Bond money
- Privacy
- Rent increases
- The Residential Tenancies Tribunal
- Tenancy agreements
- Standard forms
- Costs and charges

ORDER FORM

Yes please, I would like to order the Tenants Rights Manual.

Cost per Manual: \$19.95.
(Plus \$2 for postage/handling.
Total cost if posted is \$21.95)

Name / Organisation: _____

Address: _____

Postcode _____

Phone Number: _____

Number of Copies: _____

Please find enclosed cheque/ money order
for \$ _____

Make cheques payable to the Tenants Union at:
The Tenants Union of NSW
68 Bettington Street, Millers Point 2000.
Phone: 02 247 3813

The Manual will be posted out to you without delay,
and with a receipt.



YES I want to join the Tenants' Union of NSW

Name _____

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Please tick

☐ New membership ☐ Renewal

Are you a: ☐ Tenant ☐ Home Owner

☐ Other (specify) _____

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Membership runs from 1 January to 31 December. New members can pay half fees after 30 June. New membership fee includes cost of share(s).

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Organisations (by income)		
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\$30,000 \$50,000	<input type="checkbox"/> 75	<input type="checkbox"/> 70
\$50,000 \$100,00	<input type="checkbox"/> 85	<input type="checkbox"/> 80
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