



tenant news

N.S.W.

No. 5

JULY 1978

Workshop on Tenants' Rights

The Tenants' Union is holding regular workshops on Tenants' Rights. The next one will be held between 1p.m. and 5p.m. on Sunday, 23rd July at St. Luke's Community Centre, 118 Regent St., Redfern. These workshops will be held regularly at this time and place, every odd calendar month. All welcome.

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Service Fee Due. Your Annual Subscription (Service Fee) for 1978 is due if a ☒ appears in the box at the foot of the front page.

Service fees are: \$1 for students, pensioners and Social Welfare recipients;

\$3 for people who are working;

\$5 for organisations.

The Board has power to waive this service fee if members indicate hardship.

Please complete the enclosed slip of paper and return it to the Secretary of the Tenants' Union.



Registered for posting as a publication Category B
Newsletter of the Tenants' Union of N.S.W. Co-op.
Ltd., 118 Regent Street, Redfern 2016.
Phone 699-4073, 699-2260 Wednesdays 5.30p.m. to 9p.m.

SEMINAR ON LANDLORD AND TENANT

The seminar at the Seymour Centre was well attended by some hundreds of people - unfortunately eighty per cent landlords.

Problems discussed included tenants' matters such as searching for accommodation, moving expenses, the lease, repairs, rent increases, invasion of privacy, threat of eviction, terminating the lease, lock-outs, bond disputes and the problems of the tenant living in rent controlled premises.

Landlords stressed controlled tenancies, eviction procedures, repairs of damage by tenants, defaulting tenants, etc.

Also discussed was a method of assessing rents, the legal side, the multiplicity of tribunals involved in landlord and tenant matters, delays in the law, independent advice and/or arbitration in settling landlord and tenant disputes.

I was only able to attend the Sunday session and found the most striking characteristic throughout the day was the evident hard-done-by feeling of the landlords. They seemed to feel that because they owned the properties they should have the tenants dance to their tune all the time.

The Tenants' Union, throughout its talk, and throughout the day stressed, however, that the landlord/tenant relationship is a business contract, involving many millions of dollars changing hands annually. Therefore, the tenant as the consumer should have certain and definite rights, clearly defined and supported by law. Security of tenure is a fine example of an area which must be clearly defined. Speakers from the audience made the point that the rented premises becomes a home, roots are put down in a suburb. A tenant must not

have to depend on the good-will of a landlord for security of tenure. The law must spell out the tenants' rights; after all they are the paying customers.

The special problems of minority groups, including migrants, single-parent families, pensioners and Aborigines were discussed. Mr. Ernie Magney from the Aboriginal Legal Service spoke on behalf of our black population and illustrated with case histories, just how difficult a time Aborigines are having on the rental market.

The Minister for Consumer Affairs, Mr. Einfeld appeared to be sympathetic to tenants' problems, and the seminar proved a worthwhile venture, with the tenants of N.S.W. at last given the chance to air their many grievances. Only time will tell if any real benefits have been derived.

Helen Campbell

TENANTS DEMAND JUSTICE AT LANDLORD AND TENANT SEMINAR

Mr. Robert Mowbray, Secretary of the Tenants' Union of New South Wales, when commenting on the Seminar on Landlord and Tenant held on 4th/5th February at the Seymour Centre, Sydney, reiterated calls by many tenants for reform.

He said 'The main reforms are the setting up of an effective disputes board with broad powers to hear and determine all landlord/tenant disputes; the need for a statutory lease; an obligation on the landlord to effect repairs; appeals against excessive rents'. He added that this does not imply rent control.

Mr. Mowbray stated "The most important thing tenants want is security of tenure. Hence tenants must have a statutory right to renew their lease. Tenants must be protected against retaliatory

evictions where they seek to enforce their rights; laws banning discrimination should be given more teeth; the privacy of tenants must be protected against unwarranted intrusion by landlords and real estate agents.'

Mr. Mowbray dismissed as scaremongery claims by landlord representatives that a fair position for tenants would lead to reduction of investment in housing.

Mr. Mowbray said that the landlord as an investor is interested in a secure adequate return on his investment. This would not be hindered by the types of reforms called for by the Tenants' Union.

Mr. Mowbray added that high interest rates were the most damaging factor as far as landlords' interests are concerned.

He concluded 'The Tenants' Union believes that the impetus for change created by the Minister for Consumer Affairs must not stop at this Seminar on Landlord and Tenant. It would like to see the establishment of a community committee which would be involved in a consultative role in the process of redrafting the law.'

6 February, 1978.

C H A N G E I S S L O W

On 15th March, 1978 Mr. Einfeld advised the Tenants' Union that he is awaiting receipt of the transcript of the Seminar before giving any further deliberation to the question of changes in landlord/tenant law and the possibility of a Community Committee which would have a consultative role in the process of redrafting landlord/tenant legislation. The transcript of the Seminar is still unavailable.

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Summary of Talk entitled "Problems of the Tenant" given by Ms Helen Campbell of the Tenants' Union at the Seminar on the Landlord and Tenant Act held on February 5th and 6th, 1978.

* LACK OF AWARENESS OF TENANTS' RIGHTS:

This makes tenants susceptible to threats and harassment.

* SEARCHING FOR ACCOMMODATION:

- 1) Lack of residential accommodation at a time when there is an abundance of empty housing.
- 2) Discrimination against blacks, migrants, pensioners and families with children.
- 3) Screening by agents, usually in terms of references, results in poor quality accommodation at marginally reduced rents going to discriminated against groups.
- 4) Costs of accommodation usually exceed \$400 and this is a real barrier. Sometimes receipts aren't given.
- 5) There is no obligation on landlord or agents to have a place fit or reasonable for habitation. Inspection records are not obligatory and usually are not completed anyway.

* LEASES:

Tenants are usually asked to sign a lease without having had time to read it. The 1977 Real Estate Institute lease is being changed by agents, undermining any gains made by tenants. Often tenants never get a copy.

* REPAIRS:

- 1) There is no obligation on landlords to do repairs. The 1977 Real Estate Institute lease requires landlord to repair but if they don't the only option is to terminate the lease and this is not satisfactory.

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- 2) Council has limited powers to order repairs but usually needs to be pushed. Often tenants won't go to Council because of the risk of retaliatory action by the landlord or Real Estate Agent, either by a rent increase or eviction.
- 3) Agents don't pass on to owner complaints about repairs.
- 4) Where repairs are done they are often done by unlicensed tradespeople and shoddy.
- 5) Landlords do not feel they have to be punctual with respect to tradespeople turning up.
- 6) Where tenants do their own repairs they can face a rent increase because of improvements.

* RENT INCREASES:

Regular rent increases are leading to high rents demanded mainly because the market will allow it. In reality this is due to shortage of houses for renting.

Increases in Council and Water Rates, Land Tax and Insurance are very low, but except for rent controlled properties, rent increases don't have to be justified.

Back dating of rent increases without tenants agreeing is a common practice of some agents.

* INVASION OF PRIVACY:

Some landlords and Real Estate Agents believe that unlimited entry is their right. Tenants told not to change locks, or to give copy of keys to agent. Tenants are invaded at all hours, not knowing their rights. If tenants complain about trespass, then they face retaliatory action by agent or landlord.

* THREATS OF EVICTION:

Threats are used to trick tenants into leaving so that the landlord or Real Estate Agent can avoid the normal procedures. Threats are used to intimidate tenants into not complaining about repairs, etc.

Lockouts, although now illegal, have caused great hardship.

* TERMINATING:

The requirement that a tenant give a month's notice is too long and often means paying double rent for a period of time.

Tenants sometimes have to leave before the lease is up and prejudice losing a large part of their bond.

* BOND DISPUTES:

Inspection Records are ignored.

Agents and landlords are avoiding the Bond\legislation.

Long delays in hearing disputes before the Consumer Claims Tribunal negate benefits of new legislation.

Tenants should be represented on Rental Bond Board.

* RENT CONTROL PROPERTY:

Minimal repairs.

Devious methods to trick tenants into leaving.

Loopholes allowing speculators to evict and make large profits.

Fact that "wealthy tenant" status can't be reversed, causing incredible hardship.

* OTHER PROBLEMS:

Electricity and gas metres shared by a number of flats.

Status of deserted de facto wife and husband where other signed lease.

Strata Titling racket forcing up rents.

Status of boarders and lodgers.

Tenants in Aged People's Units signing leases with onerous clauses.

Unresponsive Council for Auctioneers and Agents who fail to police Real Estate Agents properly.

8 ANNUAL REPORT

1977 proved a year of mixed fortunes for the Tenants' Union.

Activities included the following:-

- * Distributed hundreds of leaflets and pamphlets on Tenants' Rights direct to tenants and through social welfare groups.
- * Distributed leaflets on tenancy issues through shopping centres on Saturday mornings.
- * Obtained periodic press coverage on 'broad issues concerning tenants.
- * Maintained a backup service for an expanding number of Tenants' Advice Services. (1977 saw the advent of the Redfern Legal Service which has provided a legal service to our groups.)
- * Provided a regular newsletter for members.
- * Compiled an alternative and comprehensive landlord/tenant policy for N.S.W.
- * Engaged in extensive lobbying regarding Bond Fund Legislation and the need for new Landlord/Tenant Legislation overall.
- * Gave talks on tenants' rights to Community Groups and Educational Institutions.
- * Delivered one of the main talks and participated very vocally at the Government Seminar on Landlord and Tenant.
- * Gave support to a group of Inner City residents seeking to establish a Housing Co-operative.
- * Advertised its activities through a number of networks including the Union Movement and Social Service Agencies.

All the above activities have been carried on by volunteers. The time volunteers can give is limited and often they are heavily committed elsewhere. It is the feeling of the Board that it is essential that we obtain funding for a full-time employee to follow

through many of the ideas being raised. However, two submissions for funding during 1977 to the Community Services Fund of Department of Youth and Community Services and the Ministry for Consumer Affairs were rejected. We are hopeful of some funding from the Rental Bond Board during 1978. Additional back-up may be provided through N.S.W. Shelter if it is successful in obtaining funding for a Housing Advisory Service from the Family Support Services Scheme of the Department of Youth and Community Services.

The Tenants' Union was probably very successful during 1977 in spreading the word that it exists as an organisation campaigning for the rights of tenants. This comment is reinforced by the role which the Tenants' Union played at the Government Seminar on Landlord and Tenant. Landlords and Real Estate Agents continually credited the Tenants' Union as a body acting as spokesperson for tenants' interests. However, to build a strong organisation, the Tenants' Union must draw more tenants into its activities. Overall membership is low and at 21st February, 1978 stood at 136. There is a need to re-emphasize one of the priorities established at the last Annual General Meeting, namely, mounting a drive to increase membership and build a mass organisation to compete with real estate and property lobbies.

Another disappointing aspect of our functioning during 1977 was the existence of only weak committees. As a result, much of the work was done by a small core of members. One method of ensuring a more active membership is through our committees being resurrected.

I believe that the Tenants' Advice Services supported by the Tenants' Union can be proud of the role they have played in assisting tenants with problems. Tenants at last have a sympathetic ear. However, there is still plenty of room for improvement. Although Tenants' Advice Services span Monday to Saturday the back-up service to the different services must be more thorough. There should be a con-

tinuous supply of tenants' rights leaflets, up-to-date resource material and regular workshops for volunteers. This will ensure the quality of our service. Also, regular statistics must be maintained and the experience of clients documented. Such documentation supports the changes in landlord-tenant legislation which we are promoting in our policy document. One new idea being explored at the present time is the possibility of establishing a 24 hour recorded telephone information service to tenants. This would provide concise information on the Rights of Tenants and list the various Tenants' Advice Services. Its telephone number could be advertised widely.

The Tenants' Union has seen some success in its campaign for total re-writing of landlord/tenant law with tenant involvement in the whole process. The Government has indicated through the Seminar on Landlord and Tenant that it plans to review Landlord and Tenant Legislation this year and the Tenants' Union must maintain a strong input into this process. We are presently seeking the establishment of an ongoing community committee which will act in a consultative role.

Let 1978 see justice for tenants. But it's up to us!

Robert Mowbray, Secretary
21st March, 1978

LOVE Me, Hate My Dog

Department: A journalist we know, married and quite respectable, has just spent two months looking for a house to rent in Sydney. After about 150 phone calls and 50 visits to estate agents, he and his wife have given up and taken a flat. The main obstacle, they said, was their two labradors, which they've been obliged to leave with friends in the country

Column 8,
"Sydney Morning
Herald"
28/2/78

TREASURER'S REPORT

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Statement of Income and Expenditure for the period
1.1.77 - 31.12.77

<u>Income</u>	\$	<u>Expenditure</u>	\$
Service Fees	48.00	Printing	120.54
Donations	55.70	Postage	7.74
Grant from N.S.W.		Publications	3.40
Shelter	40.00	Cost of Public	
Sale of Booklets	8.00	Meeting	51.75
A.B.C. Fee	30.00	Miscellaneous	5.50
Stall proceeds	15.00		
Miscellaneous	1.50		
TOTAL:	<u>\$198.20</u>	TOTAL:	<u>\$188.93</u>

Deficit brought
forward from
1976 \$14.50

Deficit of Expenditure over Income at
31.12.77 = \$5.23

Share Capital -		\$
1976	\$24.00	
1977	<u>131.00</u>	155.00

Monies in Trust -

Share Capital
awaiting
approval 15.00

Service Fees
awaiting
approval 3.00 18.00

Kate Holland

Know your Board

Following the Annual General Meeting of the Tenants' Union held on Tuesday, 12th March, 1978, the following people constitute the Board of Directors of the Tenants' Union for 1978:-

Directors - Bev Barnett, Charlie Begg, Terry Findlay, Pat Healy, Trish McDonnell, Monica MacRae, Beth Mitchell, Ray Raucher, Lesley Redwin.

Albernate Directors - Robert Mowbray, Ross Redwin, Mike Milston.

The following people are Office Bearers:-

Secretary - Terry Findlay
 Treasurer - Kate Holland
 Membership Secretary - Trish McDonnell
 Publicity Officer - Beth Mitchell
 Editor of Newsletter - Robert Mowbray

The following three committees have been set up.
 These are:-

- * Management, which covers the day-to-day running of the Tenants' Union;
- * Publicity, which includes recruiting new membership;
 and
- * Policy which is responsible for pressing for new laws and servicing the Tenants' Advice Services.

There are a number of people on each of these committees but they also require some new blood. If you are interested in becoming active on one of the committees of the Tenants' Union you should attend the Committee Meeting which covers your interest. Committees meet between 6 and 7.30p.m. on the third Tuesday of each month at St. Luke's Community Centre, 118 Regent Street, Redfern. You also might like to give our Secretary, Terry Findlay, a ring any Wednesday evening between 5.30 and 9.00p.m. on 699 4073.

It is now Illegal to Evict Tenants without a
Court Order

You may recall an article in the December "Tenant News" (No.3) where the Government had introduced a Bill to provide a fine for landlords who attempted to evict tenants without a court order. This was made law on 7th March, 1978. The relevant law is the Landlord and Tenant (Amendment) Act 1978. Section 2, 2AA Sub-section (5) of this Act states:

"A person, on his own behalf or on behalf of another person, shall not, except pursuant to a judgment or order of, or a warrant issued pursuant to a judgment, order or direction of, a court (including two or more justices of the peace sitting under Part IV), take possession of any land that is or includes a dwelling-house and that is the subject of a tenancy the tenant under which is a person other than the person taking possession.

Penalty: For an offence committed by an individual, \$500; for an offence committed by a body corporate, \$1,000."

If you have signed a lease entitled "Residential Lease" and showing 1977 Copyright of the Real Estate Institute of New South Wales, you will note that Clause 19(b) gives the landlord the right to re-enter under certain circumstances, that is lock you out. However, this is now illegal and such a clause in a lease is null and void. This is because Section 2, 2AA Sub-section (8) states:

"This section has effect notwithstanding anything contained in any other Act or in any contract, agreement or arrangement."

Note -

Remember, it is still legal to lock out licencees, for example boarders and lodgers.

Disbarred Sydney barrister, Peter Leopold Clyne, is back in business to evict pensioners from rent-controlled homes.

He believes he can make \$3 million from his venture.

And he describes pensioners and other people living in rent-controlled buildings as parasites.

Mr Clyne says his eviction actions are perfectly legal.

He says he will use the same loophole — known as ground (w) in the Landlord and Tenant Act — as he used successfully to evict tenants more than a decade ago.

"The only point I have to get through the skulls of property owners is that they can evict these tenants," he says.

Mr Clyne says he is quite happy to be described as a rogue and a pirate.

That's because he's always considered himself an outsider, someone who will test legal loopholes and weaknesses to the limit to get what he and his client want.



By
PETER
RATTENBURY

"Daily Mirror"
6/4/78, p1

Morality and finer feelings for people who may lose their homes don't enter into his scheme of things.

His particular targets are people living in apartments — many of them elderly folk — with rents controlled by the State Government.

But if Clyne goes ahead with his eviction plans he will find the law a much tougher prospect than in the 'sixties.

The Minister for Consumer Affairs, Mr Einfeld, given details of Mr Clyne's plans by the Mirror, said his department would be watching closely to see the former barrister observed the law, including a new provision designed to stop people advertising such an ejection service.

Plans by disbarred lawyer Peter Clyne to re-launch his eviction service were condemned as callous and heartless by the Tenants Union of NSW today.

A director of the union, Monica MacRae, has asked the Minister for Consumer Affairs, Mr Einfeld, to check the legality of an advertisement in which Mr Clyne offers his service to property owners.

The union complained to the Government as soon as the advertisement appeared.

Mr Einfeld has confirmed an investigation is under way.

Ms MacRae is also to take up with the Law Society Mr Clyne's use of the letters LL M (Master of Laws) after his name in the advertisement.

"This can be interpreted by people as meaning Mr Clyne is a practising solicitor when in fact he is disbarred," Ms MacRae said.

????????????????

"The Australian"
17/3/78 p12

AN URGENT MESSAGE TO LANDLORDS!

DO YOU STILL SUFFER FROM RENT-CONTROLLED TENANTS?

About 15,000 of these parasites are still waiting to be evicted, and by now it has become quite easy to evict them.

So the **PETER CLYNE EVICTION SERVICE** is once again open for business!

For details, and a schedule of fees, please contact:

Peter Clyne, LL.M.
Sabel Town House
23 Elizabeth Bay Rd
SYDNEY, NSW, 2021
Tel 239 6244

"Daily Mirror"
7/4/78 p5

TENANTS PROTEST

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THE MINISTER'S RESPONSE

Pensioners with placards joined a demonstration today to protest at plans by disbarred lawyer Peter Clyne to re-open his rent eviction service.

Mr Clyne says elderly people who pay small rents on old-style flats protected by rent control are "parasites" on landlords.

Two dozen people picketed outside the Sebel Town House, Kings Cross, where Mr Clyne lives.

A director of the Tenants' Union of NSW, Ms Monica MacRae, said the protest was to draw tenants' notice to the fact they have rights.

"If any tenant as a result of Mr Clyne's actions is confronted by a landlord with notice to quit we want them to contact us.

"We have access to barristers and solicitors expert in tenancy law who will provide advice free of charge."

Mr Clyne was reported to be away from the hotel during the demonstration.

The Tenants' Union wrote to Mr. Einfield prior to the Daily Mirror's series on Peter Clyne, to which the Minister replied: "At this stage I can only say that I am concerned at any intrusion into the rights of protected tenants and I am making a relevant examination of the situation."

"Daily Mirror"
11/4/78 p13



THE CONTINUING SAGA

**ANNOUNCING A NEW PETER CLYNE
SERVICE**

**BANKRUPTCY
IS A SOLUTION,
NOT A SPECTRE!**

Are you a victim of the 1974 disaster? In desperate financial trouble? Getting more and more deeply into the quicksand? Afraid to go to sleep because you can't face tomorrow? Hounded by creditors? Menaced by mortgagees? Totally out of your depth?

THE AUSTRALIAN BANKRUPTCY CLINIC can help to get you through this crisis with your dignity, your health, your peace of mind, your assets and your integrity intact!!!

For details and fees, please contact:

PETER CLYNE, LL.B., LL.M.,
AUSTRALIAN BANKRUPTCY CLINIC
SEBEL TOWN HOUSE,
23 ELIZABETH BAY ROAD
SYDNEY N.S.W. 2011
Phone 358 3244 Telex 2 006

\$40,000,000.

\$40,000,000.

**SWISS FINANCE
AVAILABLE**

I represent a consortium of Swiss merchant banks who wish to invest in Australia. Any sound commercial or rural propositions considered. Bank guarantees NOT essential.

**INTEREST 7% PA (Swiss Francs) or 10
10 1/2% PA (Australian Dollars, free of ex
change risk).**

Joint venture or participation proposals also considered.
For further details, please contact . . .

Dr Peter Clyne,
Hotel Sacher,
VIENNA, AUSTRIA,
Phone 52 55 75 (Vienna) Telex 25 20.

Sequel to a Sad Story
I got my Bond Money Back

You may recall the sad story of a nasty landlady in December's issue of "Tenant News" (No.3). This is what happened -

"I took my landlady to the Consumer Claims Tribunal for the non-return of our bond money. I arrived at No.1 Oxford Street, 2nd floor, with my friend a few minutes before the appointed time, as did my ex-landlady. We sat in the waiting room opposite each other and glared and spoke a few terse words to each other.

Then it was time for our hearing. Only the claimant and the claimed-against are allowed in at first so Mrs. X and I walked in, leaving our friends in the waiting room. The referee was a kindly, elderly man who I thought was very astute and who also had a definite conciliatory emphasis in his line of questioning. My landlady was lying quite often and occasionally contradicted herself, which the referee was quick to pick up and who challenged her about the validity of her statements. Most of the questioning was directed towards my landlady and I'm not sure why this was so. Possibly the referee has a policy of questioning the claimed-against first and the claimant second, so fortunately for me, I wasn't questioned much because my landlady had lost all credibility by this stage. Finally she wrote out a cheque for the amount of the bond in order to 'stop all this bother'. This was partly due to the constant attempts by the referee to get my landlady 'to see if we can't fix up all this business before it drags on and on', and 'is there any way we can get an amicable agreement between you two' and so on. It was also partly due to the fact that the referee's persistent questioning had made my landlady very uncomfortable as she was proven to be lying. She was also unprepared for the court case and had no answers to assertions I had made based on my file full of cheques, bank statements, statutory declarations,

photos, letters to and from my landlady etc.

All in all, I found the trial an informal affair, with a marked emphasis on negotiation and conciliation and it was over and done with in about 20-30 minutes."

HOUSING INFORMATION AND ADVISORY SERVICES WORKSHOP

Over the weekend 8th and 9th April, 1978 I attended, on behalf of the Tenants' Rights Project of South Sydney Community Aid Co-op. Ltd., a conference in Adelaide organised by Federal Department of Environment, Housing and Community Development on Housing Information and Advisory Services. I delivered a paper on the Problems and Needs associated with such a service and promoted a model which has been developed and used by the Tenants' Union and Shelter in N.S.W. This relies on front-line groups, organisations and individuals disseminating housing information with the backup of a resource group. This model is in contrast to the model which promotes a one-stop supermarket of Housing Information which has been developed by the Housing Commission in Victoria. The Tenants' Union and Shelter Model was accepted by a large number of participants at the Conference as the most viable one for getting out housing information.

R.Mowbray.

Important Advice to Tenants Living in Rent Controlled Premises -

1. Let no one on the premises. A landlord has restricted rights of entry on to rent-controlled property. He must give seven days' notice to inspect and has a right to enter only twice a year.
2. Don't sign anything without getting a legal opinion.
3. Don't tell anyone outside your immediate family your plans.

Is your landlord avoiding the Government's Bond Fund?

If your landlord or Real Estate Agent has sent your bond money to the Government's Rental Bond Board, then you would know because you would have received a slip of paper telling you your "Rental Bond Number." If you have not received this, then it is very likely that the landlord or Real Estate Agent is avoiding sending this money to the Government. You may want to pursue the matter. It is an offence and may bring a fine of up to \$500. There are two ways you may go about it.

1. You can obtain a form called "Form R818", entitled "Information on a Rental Bond" - complete this and send it to the Rental Bond Board. The Rental Bond Board will then contact the landlord or Real Estate Agent and ask why the money has not been sent in. If it is not satisfied with the response, it will write a letter to the person who holds the bond money, giving them seven days to forward it. Again, if there is no response it will send a second letter by Certified Mail giving seven days to forward it. (By this time 90% of bond money is sent in.) If there is still no response, the Rental Bond Board will commence prosecutions.
2. The tenant may themselves prosecute the landlord or Real Estate Agent, and to do this you go to your local Court of Petty Sessions and take out a Summons against the landlord.

DO YOU KNOW that bond money taken from boarders and lodgers also has to be lodged with the Rental Bond Board, the only exception being for people living in residential premises used as holiday homes, defined as "occupancy for less than six weeks".

housing crisis !



shelter the 1978-79 budget

Right now Australia is heading for a serious crisis in housing. The essence of the problem is this - over the last few years the availability of good quality housing has been decreasing, especially for those Australians at the lower end of the socio-economic scale. As the crisis deepens, it begins to bite on wage earners on reasonably good pay. If it persists, Australia will face a serious shortage of good quality housing at prices people can afford to pay.

It is widely recognised that high unemployment is associated with high rates of marital break-up, divorce, homelessness and drug and alcohol abuse, all of which increase the need for specialised housing and support services. With over 400,000 people officially unemployed, the demand for these services has increased dramatically.

Refuges and emergency accommodation services face a great demand, especially where they face discrimination in the private rental market. This places a much greater demand on the State Housing Authorities, increasing waiting lists and generating problems with the houses allocated to different household types.

Between 50% and 65% of the Aboriginal population is either unhoused or inadequately housed. Housing provided by aboriginal housing companies and State Housing Authorities is not available for many in need. At its present rate of expenditure, the national back-log of the Aboriginal Loans Commission (providing loans for home purchase) will take 20 years to clear. And this excludes the majority of aboriginal families in need, those living in dilapidated and temporary accommodation in rural towns and in outlying areas.

Many areas of Australia face a severe rental crisis. In inner city areas and in most country towns, rental accommodation is either not available, or only at very high rentals. In the major centres throughout rural N.S.W., such as Dubbo, Bathurst, etc., average rents for a three bedroom house range between \$45.00 and \$60.00 per week. These rents have increased by \$10.00 per week over the past 12 months. Agents in these centres prefer to rent first to professionals, then to working families and only as a last resort to single parents, unemployed and to others with severe housing needs.

In Waverley, in Sydney, the minimum rent for anything has increased from \$40.00 to \$50.00 over the past six months. Similar rapid rent increases have occurred in most inner city areas. Little rental accommodation is available to families in need.

Since interest rates increased dramatically, few single income households can afford to buy housing in the capital cities and the major rural centres. Single income families earning below average weekly earnings can not afford to purchase houses over \$25,000 since their wages cannot meet the repayments.

The problems existing in the housing market (as outlined on page one) call for a series of new initiatives by the Commonwealth. The only two new programs, the Home Savings Grants and the Housing Allowance Experiment, are wasteful and offer no real assistance to low income and other disadvantaged groups. Both should be scrapped (saving the Government approximately \$90m in the next budget) and be replaced by programs directed at the following issues:

- The disgraceful situation encountered by ex-alcoholics, mentally and physically handicapped, ex-psychiatric patients, people from institutions and others with special needs. Many of these people are forced into a degrading merry-go-round of temporary hostel, moving every few weeks as their stay is up, or live in boarding houses and other accommodation where they are exploited by entirely unscrupulous proprietors.
- The high rents and shortage of private rental accommodation demand the establishment of housing information services and housing co-operatives for tenants who cannot obtain ownership, where tenants have security of tenure and a release from the upward spiral of rents in the private market.
- The deteriorating condition of the existing housing stock, particularly in inner city and rural areas, requires the Commonwealth to act, in association with the States, to establish housing and neighbourhood improvement programs. Such programs should aim at a systematic upgrading of the existing housing stock where aged and low income tenants and owners cannot undertake the repairs themselves.

This demand for housing services requires action from the government, in terms of a re-allocation of programs in the budget, increased funds for public housing and greater involvement of the local people in the management of housing. The worst affected by the crisis are lower income groups and those with special needs, groups the Commonwealth is pledged to protect. And the crisis has wider implications on unemployment, on the burdens people face in meeting their housing costs and on the whole community.

THE CRISIS - Some Figures

- New block of land price in Sydney
1970 - \$7,450, 1972 - \$14,000, 1974 - \$20,000
- There are now 15% fewer workers engaged in the building industry than there were 3 years ago.
- In 1968, it took 32 weeks wages to bridge the gap between the amount you could borrow and the cost of a house and land. In 1976, it took 96 weeks wages.
- Expenditure on public housing has been static for 4 years. Public housing completions have declined to only 7% of the total market.
- In some areas, private rental accommodation is just not available. Where it is, rents are rapidly rising.
- There are over 100,000 people waiting for Housing Commission houses around Australia.

Smaller disputes

Consumer Affairs Minister Syd Einfeld says the Rental Bond Board is proving effective in eliminating disputes between landlords and departing tenants. With 17,000 bonds registered, the Consumer Small Claims Tribunal has only been called upon to adjudicate in 34 disputed bond-return rows.

Sun-Herald Feb '78

Providing more homes for rent

THE scarcity of rental accommodation in Australia's capital cities is acute — as our story today of a survey made by the Real Estate Institute of Australia shows. This will not be news to estate agents, landlords and those thousands of people seeking rental accommodation and being unable to find it . . . or, in some cases, being unable to afford it if they do find it. Sydney is particularly hard hit, both in availability and rent levels and Melbourne is almost as bad, but no city is well serviced in this most essential social area.

Why? The answer is simple enough: being a landlord is just not an attractive financial proposition. An average net return on investment in accommodation to let is about 7 per cent and is about the same across the country, when lower costs in some areas are balanced out against lower rents and vice versa in higher-cost areas.

Investors can do better with their money — and with fewer hassles. The restrictions placed on landlords as to what they can do with their properties in the face of laws and regulations to protect tenants is one of the major deterrents to rental investment, regardless of the arguments of social justice behind those laws.

Investors in real estate have found it more profitable and less difficult to put their money into buying old blocks of flats and converting them to home unit titles for sale, not rent, or into building new blocks of home units for individual sale.

But there is a real need for rental accommodation. Despite the average Australian's preoccupation with buying his own home, many people want

to rent flats and houses and society suffers if they cannot do so readily and at reasonable rentals.

The solution lies, as it nearly always does these days, in the Federal Government's taxation system. Investors in real estate, unlike investors in most forms of capital equipment, do not have the incentive for investment provided by some form of investment allowance.

Whether they should receive such an allowance or not is too complicated a matter to be argued in full here . . . but it is obvious that some sort of incentive must be given to investors in rental accommodation if the present scarcity and the high rents which go with it are to be overcome.

Society is ingrained with all sorts of emotive feelings about landlords, so that rational argument on the matter is hard to achieve. But the bald fact is that virtually no houses or flats for rent have been built in Australia for some years — and none will be while the economics of such ventures remain the way they are. At the same time, thousands of houses and flats, once for rent, have been sold as private accommodation.

The matter of giving incentives to investment in rental accommodation — or of removing some of the disincentives — has been raised with Federal governments over many years. Up to date, it has been put into the too-hard basket. It is time to bring it out and deal with it — in the interests not only of landlords but, more particularly, in the interests of would-be tenants wanting homes at rentals which they can reasonably afford.

LANDLORDS CRY POOR-MOUTH - LET'S LOOK AT THE FACTS:

To justify increasing rents and the availability of inadequate rental accommodation, landlords insist that they are having a difficult time because of poor returns on investment and increases in costs.

The Tenants' Union believes that these arguments are overstated and hide the big returns that accrue to landlords for the following reasons:-

1. A proper economic statement of rate of return on investment must be made in relation to the equity investment of the landlord - not the total investment in the property. The landlord chooses the most appropriate capital structure to finance the investment.
2. Capital gains are a significant source of asset accumulation and not subject to a capital gains tax.
3. Over long periods real estate has shown a continued general increase in value. The landlord cannot reasonably expect boom conditions to always apply.
4. Bad investment decisions by a landlord are not the fault of the tenant. Responsibility for losses from bad investment decisions rest fairly and squarely with the landlord.
5. Real estate agents are able to gain significant incomes from the management of property - indicating significant income potential from the rental market.
6. Tenants provide stable, reliable income for landlords over long periods of time.
7. High interest rates in the housing area arise from operation of the capital market where funds for housing have to compete with funds for mining, and other investments. In criticising high interest rates landlords should examine the philosophies, ideas and implications of a free market system providing funds for housing.

8. In complaining about high wages landlords should remember that low wage earners cannot pay high rents.
9. Landlords must distinguish between repairs and maintenance on one hand and further investment in the property on the other hand when complaining about the high costs of repairs. The installation of new plumbing, guttering, new electrical wiring do not fall into the category of repairs and maintenance - they represent long term investment not short term recurring costs.
10. Increases are often requested on the basis of increases in rates and other Council charges. In most cases we cannot accept that these increases would be more than \$1.00 per week per annum in total.

Landlords have existed for centuries and all the indications are that they will willingly continue to exist - pointing to the fact that tenants provide landlords with good incomes and living standards. Landlords have no justification for crying poor-mouth.

Patrick Healy

A STICKER FOR YOUR CAR

Our Publicity Committee is presently organizing the printing of a car sticker which reads:

Tenants' Union for Tenants' Rights
Join the Tenants Union 699 4073

If you want a copy of this sticker just give us a ring on a Wednesday evening 5.30 - 9.30, 699 4073.

THE SYDNEY RENTS CRISIS

"The Sun"
6/6/78 p.9

Average Weekly Rents	FURNISHED				UNFURNISHED			
	1 b.r.	2 b.r.	3 b.r.	4 b.r.	1 b.r.	2 b.r.	3 b.r.	4 b.r.
Bankstown, Greenacre, Bass Hill	38-40	50-60	70	rare	34	38-45	60-65	rare
Bondi, Waverley, Coogee	60	70-75	100	120	45-50	55-60	75-80	100
Cronulla, Sutherland	45	65	70-75	rare	40	50-55	65	95
Liverpool, Cabramatta, Fairfield	45	50-55	70-80	rare	35	45	50-60	rare
Manly, Dee Why, Balgowlah	45	60-70	65-75	rare	40	55-65	70-80	rare
North Sydney, Mosman Cremorne, St Leonards	60-65	70-85	90-150	rare	50-55	60-70	80-120	rare
Parramatta, Wentworthville, Grangville	35	55-60	60-65	rare	30	45-50	62-67	rare
Redfern, Glebe, Ultimo	35-40	45-60	65-70	70	35-40	40-50	50-65	65
Ryde, Eastwood, Carlingford	45	55-60	75	85	40	48	68	75
Strathfield, Concord, Lidcombe	40-50	50-75	65-95	120	38-44	44-60	60-90	120
Vaucluse, Rose Bay, Double Bay	75+	100+	250+	300+	70+	90+	200+	300-400

RENT SURVEYED IN EIGHT CITIES IN ONTARIO, CANADA.

(from "Housing Ontario", January/February, 1978.)

Average monthly rent levels - September, 1977

Municipality	1 B.R.	2 B.R.	3 B.R.	Total	Sample Size
Metro Toronto	\$222	\$264	\$307	\$246	1,062
Hamilton	\$179	\$215	\$253	\$206	1,045
Ottawa	\$214	\$251	\$281	\$243	1,107
London	\$184	\$216	\$253	\$208	408
Kingston	\$176	\$207	\$231	\$202	427
Sault Ste. Marie	\$175	\$198	\$234	\$194	458
Sudbury	\$171	\$182	\$220	\$185	401
Thunder Bay	\$186	\$226	\$245	\$212	524

Note: \$C200 per month = \$A36 per week
 \$C250 per month = \$A45 per week

high-cost areas

By DAVID HANCOCK 25

RESIDENTS of Sydney's north shore are paying between \$65 and \$200 a week for a three-bedroom home, in the Eastern Suburbs between \$65 and \$180 a week and in the average income areas in the western suburbs up to \$120 a week.

These amounts shown in the Real Estate Institute of Australia's survey are double the rents paid in comparable areas in Brisbane and Adelaide and nearly 40 per cent more than for similar areas in Melbourne. Canberra rents are high, but about 20 per cent less than in Sydney.

The vacancy rate at the end of May in Sydney was only 1.5 per cent, in Canberra 1.6 per cent, 3.2 per cent in Melbourne, 3.8 per cent in Adelaide and 3.9 per cent in Brisbane.

Only Sydney showed an increase in the sales of houses and blocks of land. In the other cities the demand to buy remained at a low level.

In Sydney a strong demand for rental accommodation exists and rents for three-bedroom houses and two-bedroom units and flats have risen by more than 10 per cent generally, and by 15 to 20 per cent in several areas. The greatest increase in rents was in the middle and outer suburbs.

At the end of May 29 per cent of the small number of available unlet dwellings were houses.

More than 50 per cent of these were in the Parramatta and north-west area and were at least \$80 a week.

Although there was still some uncertainty in the sales market, agents reported the sales of houses and blocks of land were picking up. The demand for vacant house blocks came mainly from builders.

Most areas of Melbourne experienced a slowing down in the rental market. The only areas in which there was a strong demand were Box Hill, Canterbury, Camberwell and some bay-side suburbs.

The vacancy rate in the inner suburbs was the lowest, extending out to the north and north-eastern suburbs. Houses accounted for only 21 per cent of vacancies.

People in Melbourne paid considerably less rent than Sydney. The bay-side and Hawthorn areas were the most expensive with the maximum weekly rent for a three-bedroom house up to \$100.

The average rent in the inner suburbs for a three-bedroom house was about \$60 a week, and for a two-bedroom unit \$45. In the north, eastern and southern suburbs rent for a three-bedroom house averaged about \$60 a week, with \$47 for a two-bedroom unit.

The sales market for housing and vacant blocks remained static, with little improvement over April.

In Canberra many property managers reported the demand for accommodation was strong. New properties were scarce, and there were some pockets of the city where the market had slowed down, the report said.

Rent levels for a three-bedroom house have risen about 9 per cent in the past year. In May 1977 the most common weekly rent level reported for a furnished three-bedroom house was \$55. Now agents are letting for about \$60.

Many Canberra residents are paying more than \$120 for houses in the older suburbs. Rents for two-bedroom flats have remained stable at about \$50.

The sales of dwellings and vacant house blocks remained low in Canberra, and the survey indicated there was little hope of an upturn in the market within six months.

In Brisbane the rental market varied widely within the metropolitan area. In the western suburbs there was a drop in demand for units and flats and a rise in demand for houses in the cheaper rent brackets.

In the city area there was a fall in demand for all kinds of accommodation, and at Moreton Bay and in the northern suburbs people were waiting for furnished and unfurnished houses in the \$50 to \$60 rent range.

The sales level in Brisbane continued slowly, with demand concentrated on the lower end of the market. The high cost of finance and lending requirements by financial institutions were the main reasons and the uncertainty of employment was another.

In Adelaide the demand to rent three-bedroom houses was strong and the market tightened slightly during May.

"The Australian"
7/7/78 p 4

Flats and units were readily available to residents but were not as popular as houses and estate agents found them difficult to let. The most expensive areas of Adelaide were in the eastern suburbs, where rental ceilings were mainly about \$80 a week for a three-bedroom house. There was a small improvement in sales in the housing sector, but generally the market remained slow.

CITY RENT LEVELS AT MAY 1978

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Suburb	3-bedroom house		2-bedroom unit	
	Range	Commonest level	Range	Commonest level
MELBOURNE				
Hawthorn	45-100	65	40-60	45
Nth Melbourne	50-75	60	45-65	50
South Yarra	45-70	50	30-45	38
Balwyn	65-75	70	45-50	50
Doncaster	50-62	55	44-52	50
Camberwell	55-80	63	40-60	47
Eastern Suburbs	50-65	60	55-65	60
Canterbury	55-65	60	45-50	50
Glen Waverley	50-60	60	45-55	50
Bentleigh	55-65	60	30-38	35
Cheltenham	65-70	65	45-55	50
Dandenong	48-65	55	35-48	40
Springvale	45-60	55	40-55	45
Beaumaris	60-100	75	40-100	50
Brighton	60-80	80	60-70	70
SYDNEY				
Eastern Suburbs	65-180	110	50-80	55
Crows Nest	85-200	80	45-90	60
North Shore	100-140	120	65-90	75
Ashfield/Burwood	60-100	80	40-60	50
Balmain	50-85	80	50-70	65
Canterbury/Bankstown	55-85	60	36-60	42
Panania/Revesby	55-60	60	50-55	50
Manly	65-120	80	50-75	68
Mona Vale	70-100	80	35-60	55
Parramatta	45-75	60	45-60	50
Liverpool	50-70	55	38-50	44
Cronulla	65-140	90	45-90	65
ADELAIDE				
Adelaide City	45-85	55	28-40	35
North Adelaide	—	—	35-45	38
Hindmarsh-Henley Beach	45-60	50	30-45	35
Croydon	40-45	43	28-35	35
Woodville	—	—	30-35	32
Western seaside	48-60	50	30-40	34
Modbury	45-55	48	—	—
Eastern	48-80	65	22-35	34
Unley	45-55	50	30-45	40
South-eastern	35-70	55	33-45	35
Christies Beach	40-55	50	35-45	40
BRISBANE				
Brisbane City	45-75	60	35-58	45
Wynnum/Manly	25-65	55	30-60	45
Aspley	35-72	55	—	—
Everton Park	38-70	48	40-50	45
Lutwyche	45-50	47	38-40	38
Mt Gravatt	50-60	52	48-50	48
Sunnybank	48-70	65	—	—
Jindalee/Jamboree	65-100	70	—	—
Sherwood	50-60	55	40-55	50
Toohey	55-120	80	50-75	60
Western Suburbs	50-85	55	40-55	48
CANBERRA				
Kingston	65-90	80	35-50	40
Red Hill	100-175	140	—	—
Latham	60-85	70	35-50	40
Ainslie	50-80	65	40-50	45
Curtin	60-80	70	35-50	42
PERTH				
Leederville/North Perth	—	—	41.33-31.16	—
South Perth	—	—	38.00-36.40	—
Victoria Park/East Victoria Park	—	—	37.80-30.00	—
Mosman Park/Cottesloe	—	—	40.00-35.00	—
Scarborough/Douglas	—	—	35.50-31.66	—
Nedlands/Claremont	—	—	37.40-34.11	—
Maylands/Highgate	—	—	40.00-34.00	—

HOBART
Sandy Bay
Howrah
Kingston
Glenorchy
Moonah

Western Australia is not a member of the national survey and figures for three-bedroom homes are not available.
Tasmania has no housing shortage and figures for two-bedroom units are not supplied.

AN EXPENSIVE ALTERNATIVE TO BONDS

A number of tenants have been approached over the last few months asking them to pay a premium on an insurance scheme to protect landlords from bad tenants. They are told that if they pay the premium on this insurance scheme then they won't have to pay any bond. Premiums are either \$40 or \$70 for cover of \$500 or \$1,000 respectively. For low-income tenants initially this is to their advantage as they don't have to raise bonds which today can exceed \$300. However, premiums are not recoverable like bond money is and this means that if a tenant remains in a property for a number of years and is required to pay the premium each year a lot of money is lost. This scheme is to cover the landlord's risk and therefore he should be the one to pay the premium. It can be concluded that generally the scheme is for landlords and with the present premiums being so high it is certainly not in the tenant's interest.

TENANTS' RIGHTS PAMPHLETS

Do you know that the Tenants' Union has now produced an information series of pamphlets on Tenants' Rights?

These cover:

- No.1 Signing a Lease
- No.2 Rent
- No.3 Maintenance and Repairs
- No.4 Terminating the Tenancy
- No.5 Bond Money
- No.6 Other Problems Tenants Have
- No.7 Definitions: Terms often used by Landlords
and Real Estate Agents
- No.8 Where You can get Help. A List of Legal and
Tenants' Services

Just give us a ring on a Wednesday evening 5.30 - 9.30
699 4073.

The Tenants' Union presently has a submission with the N.S.W. Ethnic Affairs Commission for funds to reprint these leaflets in all the major languages of the Sydney area.

FREE TENANTS' ADVICE SERVICES

BONDI BEACH

Bondi-Waverley Tenants Assoc.,
"Chapel by the Sea",
95 Roscoe Street, Bondi. 2026.
Phone: 30 3445, 30 6449
Monday & Thursday 2p.m. - 6p.m.
Wednesday 6p.m. - 9p.m.
Saturday 9.30a.m. - 12.30p.m.

CHIPPENDALE

Chippo Info,
Pine Street, Chippendale. 2008.
Phone: 698 8216
Monday to Friday 1p.m. - 8p.m.
Saturday 9a.m. - 2p.m.

LAKEMBA (For residents of
Canterbury Municipality only)
Canterbury Community Aid Bureau
62 The Boulevard, LAKEMBA. 2195.
Phone 750 9603
Monday to Friday 10a.m. - 2p.m.

LEICHHARDT

Migrant Advisory Service,
Ground Floor, Marketown,
Leichhardt. 2040.
Phone 560 4488, Ext. 7
Thursday 6p.m. - 9p.m.
(Italian/Spanish spoken)

LIDCOMBE

Housing Association for Low
Income Families, 40 John Street,
Lidcombe. 2141. Phone 649 3795
Monday to Friday 9a.m. - 12.30pm

KINGS CROSS

Community Resource Centre,
280 Victoria Street,
Kings Cross. 2011. Phone 31 3210
Wednesday 2p.m. - 4p.m.

NEWTOWN

Newtown Neighbourhood Centre,
343 King Street, Newtown. 2042.
Phone 516 4755
Thursday 3p.m. - 7p.m.
(Interpreters available)

NORTH SYDNEY

Labour Supporters' Group,
47 Mount St. North Sydney. 2060.
Phone 922 4090
Thursday 6p.m. - 9p.m.
Saturday 9a.m. - 12 noon

REDFERN

Tenants' Rights Project of South
Sydney Community Aid Co-op. Ltd.
118 Regent Street, Redfern. 2016.
Phone 699 4073, 699 2260
Wednesday 5.30p.m. - 9p.m.

REVESBY

Revesby Housing Commission
Tenants' Co-op.,
85 River Road, Revesby. 2212.
Phone 77 7960
Monday to Friday 1p.m. - 5.30p.m.

SURRY HILLS

Surry Hills Neighbourhood Centre,
Doherty Hall, Cnr. Norton &
Collins Sts., Surry Hills. 2010.
Phone 31 8890
Tuesday 3p.m. - 6p.m.