

11 JUL 1994

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# NEWS

No 51 NSW JULY 1994

OPTIMISTIC ISSUE



## I N S I D E

TENANTS PROGRAM LAUNCHED

TENANT BLACKLIST

CARAVAN PARK FACTS

HOMELESS WOMEN

OFFICE REAL ESTATE SERVICES

OVERSEAS NEWS



## About the Tenants Union:

The Tenants Union of NSW promotes the interests of tenants, including boarders and caravan park residents.

Since 1976 we have advocated many improvements to laws and administrative procedures affecting tenants and we have worked to increase awareness of tenants rights.

Each year the Union continues to publicise developments in tenants access to their rights and housing justice. We gratefully receive contributions of up to 1500 words and invite feedback or suggestions for future issues.

## The current Board of the Union is:

Sarah Crawford  
Sheryl de Vries  
Katy Jenkins  
Beth Jewell  
Sandra Koller (Chairperson)  
Stephen Smith (Treasurer)  
Catherine Stuart  
David Vaile  
Rita Wilkinson (Secretary)

## Staff of the Union are:

David Ramsay (Policy Officer)  
Paul Mortimer (Project Officer)  
Bob Clayton (Administrater)

**This issue was produced by:** Paul Mortimer

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## New tenants' program launched!

In the last Tenant News we announced the funding of the new program Tenants' Advice and Advocacy Program (TAAP) for NSW. The program was officially launched on June 9 by Robert Webster, NSW Minister for Housing. Our organisation and other tenants' services and community services were well represented. Excitement mounts, and we can now give some details about the program:

- Total annual budget of \$2.2 million.
- 12 generalist services, 7 in Sydney metropolitan and one each in Illawarra, Central Coast, Hunter, North Coast and a Western Service (an 008 number) for the remainder of the State. A total of 27 generalist positions.
- Equivalent of 5 NESB positions, allocated as half positions in various generalist services.
- Aboriginal services, 4 positions. 1 metropolitan and 3 in non-metropolitan regions.
- Mobile home service, 2 positions.
- Resourcing body, 3.5 positions.

Interested organisations have been invited to apply for funding to carry out the functions of the resourcing body. The Tenants Union feels it is the most appropriate organisation to resource the TAAS services, and is preparing a submission.

An implementation strategy and timetable has been approved and is set out below. It is running a month or so behind schedule at present, but this is the order in which the program will be established. Program development work on guidelines and specifications has already been completed by the office of Housing Policy assisted by a steering committee.

### **Resourcing Body:**

Submissions sought May 1994, contract commences 1 July, 1994

### **First round of submissions including expressions of interest to operate services:**

Submissions sought July 1994, contract commences 1 October, 1994

### **Final round of submissions:**

Submissions sought October 1994, contract commences 1 February 1995

### **Specialist services**

Submissions sought January 1995, contract commences 1 May 1995

## New Office of Real Estate Services

*This article appeared in the December '93 issue of 'Residential Tenancies Update' NSW Tenancy Commissioners Office*

"The Minister for Planning and Housing, Robert Webster, has announced the establishment of the Office of Real Estate Services within the newly created Ministry of Housing, Planning and Urban Affairs. This new office will bring together the Rental Bond Board, Real Estate Services Council, the Registry of the Residential Tenancies Tribunal and the Strata & Tenancy Commissioner's Office.

"The Office of Real Estate services' role will be to reduce constraints on the real estate market so that it can respond to the demands of consumers and facilitate the efficient production of new products and the adaptation of existing products. In this way, the Government wants to ensure that transactions in real estate can be easily and cheaply conducted and disputes are efficiently settled.

"Mr Webster said: 'We can build on the high quality services already offered separately by these agencies. It is important to recognise that each of the affected agencies already commands very high levels of customer satisfaction. The role of the new office will be to coordinate these activities and deliver even better results for the people of New South Wales. Well informed consumers, be they renters, buyers or sellers, are essential and Governments must ensure that information and help is available.'

"A working group of managers from the affected agencies comprising Ray Ball of the Rental Bond Board, Grahame Knight of Real Estate Service Council and Bob Browne of Strata and Tenancy Commissioner's Office as Convenor has been set up to develop a revised structure and implementation arrangements for the new Office. This Group's role will be to discuss the proposed changes with the affected agencies and their staff and recommend appropriate modifications to the Office's policy and client service delivery operations.

"The Minister said: 'Further consideration of outstanding recommendations within the Second Mant Report will be referred to the Director, Office of Real Estate Services. I will seek further report on the progress of that work by June this year.'

*Editor's note: This new body will incorporate the Tenancy Service now operated by the Tenancy Commissioner's Office. Also, the Office of Real Estate Services will be the body which oversees the new Tenants Advice and Advocacy Program. Bob Browne, NSW Strata Titles and Tenancy Commissioner, has been appointed as Director of the Office of Real Estate Services.*



## Tenant Blacklist

David Ramsay

Since the introduction of the Credit Reporting Act, landlords and real estate agents are no longer able to use organisations such as the Credit Reference Association of Australia to check tenants' credit histories.

The Tenants Union has recently become aware that the company Remmington White and Associates has established a central register of information about tenants. For a small fee landlords or real estate agents may extract information about a tenant or prospective tenant from this company. Likewise landlords or agents have the ability to volunteer seemingly unscreened information about their current or previous tenants. This information is collated and stored on Remmington Whites' data base. Using information gathered, tenants are then allocated a rating under the following headings.

- A: Outstanding tenant, highly recommended.
- B: Well regarded, regular payer.
- C: Sound tenant with a tendency to pay slowly.
- D: Damaged premises, not recommended.
- E: Broke Lease, not recommended.
- F: Left owing rent, not recommended.
- J: Judgement by RTT / Magistrates Court.
- M: Miscellaneous, see explanation.

We wonder how many tenants are registered in the top three categories? The accuracy of the data collected in our opinion remains questionable. For instance the rating "J" (Judgement by RTT / Magistrates Court) may be there to serve as a warning to landlords and real estate agents that this tenant knows her or his rights and has pursued them. No doubt previous winners of our "Tenant of the Year" award would easily make this category.

The extent and use of this scheme remains unclear. There is difficulty also in determining as to whether the scheme has been used to discriminate against prospective tenants. Tenants are unlikely to know whether they are listed on the RENT Scheme unless they contact Remmington White and associates to find out. If a tenant objects to the listing then defamation proceedings against the agent or landlord or company may well be the only recourse. This action is, however, expensive and difficult.

The RENT scheme also stores details of outstanding debts accrued by tenants to landlords. Those owing debts to previous landlords may then be traced when applying for their next private rental tenancy.

Since 1987 Remington White and Associates have operated the data base out of Victoria, and the RENT Scheme now operates Australia-wide. We'll monitor RENT.

## Facts about caravan parks and mobile home villages

Di Evans

Western Sydney Housing Information and Resource Network (WESTHIRN)

- 1) **Park and village residents can be evicted for no reason at all, with as little as 60 days or 180 days notice - even if they own their own home.**

There does not need to be a breach of the tenancy agreement for park and village residents to be given a termination notice, as little as 60 days notice for a caravan or 180 days notice for a caravan with a rigid annexe or mobile home is possible using the no fault eviction clause. These notice periods can not be given until the term of the agreement has expired, for example a resident with a 12 month agreement can not be given notice without cause until the term has expired.

Unfortunately very few residents are offered term agreements and can be given termination notices at any time. We are told that the trend is to offer longer term agreements, however, we have seen little evidence of this, in fact there are many residents who have not been offered any type of tenancy agreement.

- 2) **If park residents sell their home on-site they can be forced to pay the park owner a percentage of the sale price, even if the park owner does nothing to assist with the sale.**

The Industry argues that the location of the park or village adds value to the caravan or mobile home (it would not be worth as much if it were not on-site) and therefore residents should pay a percentage of the sale price as a premium to the park proprietor. We do not agree with this concept, we believe that it is actually the work performed by the residents such as landscaping and maintenance to their homes that increases the value of the park (would park proprietors pay a percentage of the sale price to each resident if the park we sold? We think not.)

Park location is actually reflected in site fees, for example a park or village situated close to beaches and other holiday areas charge more per week per site.

If a park resident is evicted and can not afford the many thousands of dollars it costs to relocate their home (average cost \$10,000) they are forced to sell their home on site, often at a much lower price than the original purchase price, as well as paying a premium to the park proprietor.



It does not take much imagination to work out that more evictions and more forced sales result in increased income for the park proprietor.

**3) Park residents can be charged for overnight visitors! Even if residents own their own homes and the visitors are not using park facilities.**

This is the only form of accommodation where residents are charged for their visitors. Most homes situated in parks and villages now have internal facilities, residents pay for their own power use, and will soon have to pay for their own water use. The maintenance costs on communal areas such as swimming pools, tennis courts, halls and other recreation areas are paid for by site fees, so why charge for visitors? While it is true that some parks no longer charge for visitors, it is also true that many others still do. The banning of visitors fees must be covered by tenancy legislation, it is not enough to rely on the goodwill of park proprietors.

**4) Park residents who are not direct customers of the local electricity supply authority are not eligible for pensioner or medical rebates.**

If park residents buy their electricity from the park proprietor, they are not direct customers of the local electricity supply authority and therefore are not able to claim pensioner or medical rebates that are available to the wider community. Park residents also miss out on financial assistance in the form of EAPA vouchers, that are seen as being essential to low income earners. There are many other problems associated with the supply and cost of electricity to residents of parks and villages, these issues need immediate attention and should be covered by legislation.

**5) If tenancy agreements are offered to residents there is often little or no consultation or negotiation as to the terms of the agreement.**

A significant number of park and village residents have been coerced into signing agreements that give them less rights than they had before signing the agreement, for example a park that had never charged a premium for on-site sale of homes included the charging of premiums in their tenancy agreements.

The method of site fees increases is obscure in many tenancy agreements, park proprietors are nominating a number of different methods of rental increase rather than one form of increase. As residents have made a significant investment in the purchase of their home it is only fair that they are consulted as to the terms that are included in their tenancy agreement.

**6) There are still many parks not complying with the Residential Tenancies Act, The Mandatory Code of Practice and Ordinance 71 of the Local Government Act. Penalties for non-compliance are not harsh enough and breaches continue to occur.**

Many tenancy problems begin after a resident complains about lack of maintenance of park facilities. This issue could be avoided if penalties for breaches were made harsher and compliance and licensing visits were made more frequently.

Ideally, parks and villages would be covered by one piece of legislation and compliance units would be increased in size and number and given the power to impose harsher penalties on parks and villages that did not comply immediately.





## More homeless women

*Source: Steve Coles, Homeless Persons Information Centre*

In 1992 the Homeless Persons Information Centre took over 1,000 calls from single women requiring assistance and in 1993 these requests increased to over 1,400. In the first 3 months of 1994 the Homeless Persons Information Centre has received requests for emergency accommodation from over 420 single women. The majority of these requests came from inner city region.

The increased numbers are largely made up of victims of domestic violence, the chronically homeless and those newly arrived in Sydney.

To quote the centre's report, "A look at the agency's vacancy records for the first three months of 1994 shows that of the 60 weekdays in the period, on only 16 of these days was it possible to place a single homeless woman into emergency accommodation by late afternoon (5.00 pm). On 44 of the 60 days there was not a bed available within the Sydney metropolitan area by 5.00 pm".

An analysis of the Homeless Persons statistics from January to December 1993 reveals that over 1040 callers designated that the primary reason for their homelessness was a "crisis eviction."

A "crisis eviction" means that a person has been "evicted today and needs emergency accommodation tonight."

The Tenants Union will be monitoring figures such as these which indicate the need for affordable housing, crisis accommodation and tenants' services. We'll be watching these figures with increasing interest in the lead-up to the 2000 Olympics.

## Co-op housing conference

A 2-day State Conference on Co-operative Housing was held at Forster on May 6 and 7. It was organised by a committee of co-op Tenants, assisted by the Association to Resource Co-operative Housing (ARCH). Co-op conferences have been held before for housing workers, but this was the first in NSW for co-op tenants themselves, and possibly the first in Australia. 90 tenants who are members of housing co-operatives attended the conference.

A key speaker was Robert Webster, NSW Minister for Housing, who foreshadowed an increase in funds for community housing, including co-operatives, in the next state budget. This gave the conference a very positive outlook.

Tenants participated in the many workshops which focused on aspects of managing, establishing and expanding co-op housing in NSW.

Tenants were enthusiastic about meeting each other, and the conference gave the co-op housing movement a stronger sense of identity. Probably the most important outcomes were the contacts that people made. These have laid a good foundation for future expansion and networking.

*The information for this article was provided by Ruth Keating, co-op member, ARCH director, and a member of the conference's organising committee.*



# Department of Housing restructure

*Source: Central Sydney Regional Director, Department of Housing  
Article in 'Keyhole', Sydney Regional Public Tenants Council*

## 1. Establishment of a New Ministry

One of the key changes in the NSW housing administration has been the establishment of a new Ministry of Housing Planning and Urban Affairs. Within that Ministry which will be headed by a Director General, Gabrielle Kibble, a new Office of Housing Policy has also been established. The purpose of the Ministry and the Office in particular, is to separate policy formulation and housing provision. This was one of the main recommendations of John Mant's enquiry into the Department of Housing.

Under the new arrangements, the Ministry will establish the policy framework for overall housing provision. The Department of Housing will be contracted by the Ministry to provide certain housing services. Community housing providers, like the Community Tenancy Scheme, will play a greater role in housing provision and will compete with the Department for funds for housing provision. The intention of this change is to give clients a greater choice of affordable housing options, and encourage the development of innovative housing models.

## 2. Changes in the Department of Housing

The Department of Housing is undergoing one of the most fundamental restructures of any public sector agency. Andrew Cappie-Wood has recently been appointed as Director of Housing.

The cornerstone to these changes is the regionalisation of the Department's activities. The Department has traditionally been a very centralised organisation. Decisions about policies, budgets and programs have generally been taken at the central not regional level. From a client perspective it is important that decisions be made at the local and regional level to ensure that they are more responsive to client needs.

Eight new semi-autonomous regional housing offices have been established. They will have enhanced decision making powers in respect of budget setting, expenditure, policies, programs and most importantly in respect of decisions relating to how housing funds should be targeted to assisting clients.

## 3. New Regional Structures

Regional structures will be dramatically different. The emphasis of the structure is to improve client service and to improve regional planning. Each region will be under a Regional Director, and beneath that position will be five managers with specific responsibilities within the region:

- \* Area Manager (includes client services)
- \* Manager of Corporate Services (includes staff development)
- \* Manager of Regional Finance
- \* Property Asset Manager
- \* Manager of Strategic Planning and Specialist Housing Programs

## Capital funding for Community Housing

*Source: Federation Newsletter Summer '94 Edition.  
NSW Federation of Housing Associations*

A new capital program, to assist the stabilisation of Community Tenancy Schemes (CTS), is likely to be up and running later this year. The NSW Federation of Housing Associations understands that the level of funding is likely to be quite substantial, providing an opportunity for groups with few or no capital properties to expand/establish their capital base.

How the funds are to be allocated, both to regions and individual groups is not yet clear. However, given that the Regional Housing Offices are currently preparing their strategic plans, it seems likely that this program will form part of the regional capital works program.

CTS groups, particularly those with few or no capital properties, should give consideration to their future plans. It might now be an appropriate time to assess local housing needs and identify the gaps in the current stock profile, particularly in relation to location, size and design.

# NSW Federation of Housing Associations

*Source: NSWFHA Implementation Plan  
May 1994 - June 1995*

The NSW Federation of Housing Associations (NSWFHA) has received funding from the NSW Ministry of Housing as part of the Ministry's assistance to infrastructure for the development of co-operatives and housing associations. They have developed an Implementation Plan for May 1994 to June 1995, which is summarised below.

## 1. Corporate Summary of Implementation Plan

The primary function of the NSW Federation of Housing Associations (NSWFHA) is to support the development of a viable, cohesive, independent and professional housing association sector, which delivers high quality services to consumers. The Federation does this through:

- \* Resourcing the sector by developing products and services which enhance the capabilities of member organisations.
- \* Co-ordinating and facilitating the activities of housing associations.
- \* Acting as an advocate and mediator for members in dealings with all levels of government and other relevant agencies.
- \* Providing a forum for equitable discussion among members and a unified voice for the sector.

## 2. Business activities

In our Strategic Plan we outline the organisation's goals and objectives; and strategies to achieve these goals over the next three years. These strategies may be categorised as core business, sector development projects and services and products which are offered on a fee for service basis.

The core business activities of the Federation may be grouped as:

- Sector co-ordination;
- Representation;
- Promotion;
- Training; and
- Information services for housing associations and government and non-government agencies about housing associations.



Projects are once only activities which are concerned with specific aspects of sector development. The type of projects outlined in the Strategic Plan are specific to this phase of the sector's development. As the sector matures the projects will become increasingly varied.

Fee for service products and services will be financed either wholly or in part by individual organisations. At this early stage of the Federation's development some products development funds will be required from government. The Federation will supply these products and services outside the housing association sector.

## 3. Structure

The organisational structure of the NSWFHA includes its membership, State Council, executive, staff and regional networks and reference groups.



# Federal Budget 1994/95

*Source: National Shelter News May 1994*

The Budget was handed down on May 10. Significant initiatives to come out of Brian Howe's new Department of Housing and Regional Development have focused largely on regional development.

The Budget was bereft of measures to increase the supply of housing. It allocated some additional funds for assistance to targeted groups identified as being in high need. Funds were also directed to research and development activities.

The Social Housing Subsidy Program will finally be implemented. It was first announced in the 1992/93 Budget to begin in 1993, but was then deferred in 1993 to 1994. The program subsidises State Housing Authorities to fund the public equity component of shared home ownership schemes, and for low cost rental accommodation. Funds committed to the Program total \$8 million in 1994/95, \$16 million in 1995/96 and \$24 million in 1996/97.

The main housing-related initiatives announced in the Budget include:

- Supported Accommodation Assistance Program (SAAP): \$18.8 million over four years. Funding will be mainly targeted to consumers with a mental illness, psychiatric disability or substance abuse problem.
- Rent Assistance has been extended to AUSTUDY/ABSTUDY recipients who qualify for the 'Homeless' rate of payment. No change was made to address the anomaly whereby general AUSTUDY/ABSTUDY recipients are not eligible for Rent Assistance.
- 'New Homes for Old' Program is aimed at developing greater housing choices for older people, with \$610,000 being committed to the program over a two year period. In the first year of the program a study will be conducted into options/strategies for financing housing.
- Community housing for people with a mental illness. 10% of Community Housing Program funds in 1994/94 and 1994/95 will be allocated to long term housing for people with a mental illness.

# Forum on public housing reform

A forum on public housing reform was held in Parramatta on June 20th. This was organised by NSW Shelter and WESTHIRN (Western Sydney Housing Information and Resource Network) It was part of a nationwide series of forums co-ordinated by National Shelter, involving Shelter members, community organisations and housing consumers.

Commonwealth and State Ministers are developing a public housing reform package that may change public housing in Australia. The Commonwealth/ State Housing Agreement (CSHA) is due for review in mid 1995 and a major Commonwealth statement on housing is expected this August.

The reform process will look at:

- \* The efficiency and effectiveness of public housing
- \* Commonwealth /State responsibilities
- \* Microeconomic reform in areas such as rent setting and rebates, allocations and asset management.

The forums are designed to:

- \* Bring people up to date on the reform process
- \* Contribute to development of a strong community sector response
- \* Shape a consumer driven strategic approach to better public housing
- \* Bring together Shelter NSW members to address priority State issues.

The Tenants' Union of NSW was represented by our Policy Worker, David Ramsay. It was facilitated by Monica Wolf, the Co-ordinator of National Shelter.





## Interesting cases

### 1. Landlord claims premises abandoned

*Source: Residential Tenancies Update November 1993.  
Tribunal case numbers: 93/12764 and 93/9992*

A landlord applied for compensation from the tenant for supposedly abandoning the premises, and for cleaning, repairs and replacing locks and keys.

The tenant said that the water pump was not repaired despite written requests over two months, so there was no water for the toilet, hot water or bathing. There was a kitchen tap that worked. As a result the tenant gave notice that she was terminating the agreement and vacated the premises.

The Tribunal found that the landlord had failed to carry out repairs and ensure adequate water supply, and that the tenant was entitled to terminate.

A special clause in the lease said that the tenant was obliged to repair the water pump, but this was declared void as it is against the Act.

There was no condition report and the final inspection was made 3 months after the original tenant moved out (another tenant occupied the premises after that date). Therefore, the landlord couldn't convince the Tribunal that the premises were not left in the same condition as when the tenant moved in. Also, there was no evidence that the tenant was ever given a key. The tenant said she was never able to lock the cottage.

The Tribunal dismissed the landlords claim for compensation and directed that the rental bond and interest be paid to the tenant.

### 2. Landlord unable to prove damages

*Source: Residential Tenancies Update December 1993  
Tribunal Case No 93/17048*

The Tenants claimed the bond from the Rental Bond Board but the landlord objected, alleging damage had been done to the premises. In such cases the onus of proof is on the landlord to satisfy the Tribunal that the tenant has caused the damage.

An agent for the landlord requested various amounts for items including one days rent, a damaged stove door, a small burn mark to carpet and removal of logs.

In each case the tenant gave evidence that the money was not owing. For example, the tenant said that they left a day early on the agents request so that an inspection report could be done quickly and new tenants move in. Also, that the same number of logs were present at the end as at the beginning of the tenancy.

In each case the agent was unable to contradict the evidence, and as the onus of proof was on the landlord these claims were dismissed.

Interestingly, the Tribunal also ruled that where a fire place is provided, sometimes sparks get around the guard and cause some minor holes, and this was consistent with fair wear and tear in this case. A small burn hole had appeared, but that the guard was in place and other small burn holes already existed at the start of the tenancy.

The whole of the rental bond plus interest was paid to the tenant. The tenant sought costs but this was disallowed.





## Interesting cases

### 3. Supreme Court stops eviction

*Source: Waverley Tenants Service*

On the day of a Tribunal hearing, a tenant Faxed a medical certificate to explain why she couldn't attend, the case went ahead anyway and the Tribunal ordered the tenant be evicted in just 2 days time. This was despite the fact that no rent receipts had been issued and the amount of rent owed was in dispute.

The tenant was a single parent with two children, living on a benefit. With only one day before the Order of Possession was to be enforced, the woman asked Waverley Tenants Service for help to try and stop the eviction.

An application was put in to have the order set aside as the woman had reasonable grounds for not being able to attend. The Registrar of the Tribunal rejected this application on the grounds that the decision would have been the same whether or not the tenant had attended. This is different from having or not having a good reason for not attending; the application had been refused for a reason different from that in the application.

The Legal Aid Commission had been contacted by now, and they lodged an appeal with the Supreme Court. The Supreme Court put an immediate injunction on the Tribunal and landlord to stop the eviction. Landlord and tenant came to an agreement on paying rent owed and the tenant finally found other accommodation at a time more of her choosing.

### 4. Negotiated result

We received a call from a woman to thank us for the advice given by our 'Hotline' tenancy service.

She was 8 months pregnant, the place she moved into was flea-infested and she became covered in bites. She was worried because of the health risk and moved out immediately. The agent was told why she was breaking the lease, but the bond money was at risk. Meanwhile, the agent had failed to give the tenant a copy of the tenancy agreement.

On the Hotliner's suggestion, she discreetly asked the agent were they aware that they had to provide premises in a habitable condition, and they could be fined \$500 for not giving her a copy of the lease. The agent promised to return the bond.

### CAUTIOUS OPTIMISM





## Age discrimination and renting

In NSW it is no longer legal to discriminate against someone because of their age. This will apply when someone is renting or trying to rent accommodation. An important effect of this is that it will be illegal not to rent to someone because they have children.

Unfortunately, landlords can still discriminate because of a person's perceived ability to pay the rent. This often results in back-door discrimination against sole parents, low income families, and other groups in our community.

## Solicitor on loan promised

The NSW Legal Aid Commission (LAC) has agreed to lend the Tenants Union a solicitor for at least 6 months. The person will be employed by the LAC and 'seconded' to the Tenants' Union.

It is planned that the solicitor will add to the Tenants Unions legal expertise. They will take on difficult cases and test cases, help tenants advisers when they need legal back-up, research the tenancy laws and how they are being implemented, and help draft reforms to the law and it's practice.

This will obviously be a boost to our law reform and advice work and it is supposed to happen fairly soon. At the time of printing the solicitor has not materialised but we remain hopeful.

## The Ritz

*The following article appeared recently in the Sydney Morning Herald.*

"Devoted totally to his Ritz masterpiece over the past eight years, maestro builder Simon Symond is now close to unveiling his Cremorne Point residential development. Located on Milson Road, with CBD and North Sydney views, the Ritz consists of 10 25- to 60- square apartments, all of which will hold Heather Buttrose's interior design signature. As it is better than Neutral Bay's Baden House, asking prices at the Ritz, with its resort-style facilities, seem sure to start well over \$3 million. The apartments may well be the answer for the few who can afford the best but won't come at living in towers on a windswept deserted CBD street."

*The Ritz used to be 100 low-cost units for boarders. The Tenants Union was involved in a campaign around these premises in the late '80s.*

## New Policy Officer and Board Members

David Ramsay has been employed as the Tenants Union's new Policy / Legal Officer. He previously worked for Shelter in South Australia, and was attracted by the excitement of N. S. W. and tenancy.

We also have four new members of the Tenants Union Board: Sheryl De Vries, Catherine Stewart, David Vaile and Steven Smith (our new Treasurer). Welcome to all.

IM A PUBLIC TENANT  
IN SEASONALLY ADJUSTED  
TERMS...BUT RIGHT NOW  
I DONT HAVE ANYWHERE  
TO LIVE.



## Parramatta Regional Public Tenants Council

*Parramatta Regional Council says in its leaflet:*

Are you a public tenant? Can we help you?

- Do you have problems with repairs?
- Problems understanding your rent?
- Does your area need improvements?
- Need to know what is happening in the Department of Housing?

Tenant participation is the answer!

Contact Regional Tenant Worker:

02 675 2844

Shop 2, 13 Cleese Close State Bank Building Mount Druitt

## Letters to the Editor

Dear Editor,

When Sue Creek recently presented me with the 1993 'Tenant of the Year' award, I was aware of two very distinct emotions; - one of pride, because we all like to have our egos addressed; and the other was humility; the latter being by far the stronger of the two.

I was so very much aware that any contribution I had made to assist the Tenants' Union could in no way ever repay the caring help that Marie and I had been given when we were so desperately in need; and this caring has continued on through advise and help given to our family.

There is one very strong message I would give to all members of the Union, - contact anyone you know who is renting and advise them to join. They do not realize that they too may need help at some future date.

George Gibson  
Harbord

*Editors note: George also sent the Tenants Union a copy of a prominent article about his award that appeared in the Manly Daily and a letter of congratulations from his local MP, 'Independent' Peter Macdonald*



## Moscow: brave new housing

Source: 'Global Tenant',  
publication of International Union of Tenants

Elderly and sick Moscow residents are being made homeless and even being killed for their apartments. Ruthless people are advertising to buy apartments and guarantee the seller "lifetime support of single elderly residents." But that's not what they get.

"People who privatise their apartments are simply disappearing," said Tatiana Kuznetsova, a senior Moscow prosecutor. "They are not among the living, they are not among the dead, they are simply gone. And other people are living in their apartments".

Moscow residents can now own the apartments they used to rent from the State, and the value of these units are soaring in the capital's overheated property market.

Criminals are paying local bureaucrats the equivalent of \$US450 to get the names of elderly people and alcoholics living alone. Many tenants are duped out of their flats and left to cope on the street, where ten homeless people die every day in Moscow.

## Arkansas laws

Source: 'Global Tenant',  
publication of International Union of Tenants  
Information compiled by Stella Clark, Associate Professor in  
the Sociology Department at Hendrix College.

Here is a summary of some of the tenancy Laws in Arkansas, where Bill Clinton was recently Governor:

- Laws mainly protect landlords, e.g. it is still a criminal offence for a tenant not to pay rent.
- Landlords don't have to provide additional maintenance.
- Tenants' issues are invisible, even though there is a high degree of substandard housing.

Some recent improvements are:

- Landlords can no longer remove doors or change locks to get possession of a property.
- The security deposit can no longer exceed 2 month's rent.

Reform attempts as recently as 1991 were defeated by the Landlord and Real Estate lobbies. Bill Clinton apparently had little to say on the issue.

## Switzerland: market rent push

Source: 'World Tenant',  
publication of International Union of Tenants  
From article by Elfie Schopf

In recent years land prices and interest rates have increased, leaving Swiss tenants with greatly increased rents. Social Services offices are rushed by people behind in rent and applying for public assistance. Despite this, property owners are trying to end State involvement and are campaigning for market rents.

30% of Swiss tenants are estimated to have a rent higher than the household's ability to pay. Rents have doubled in new dwellings compared to 1985, and on average is 25% of household income. Even with extensive rental rights introduced in 1990 it will not be possible to lower the cost of living, while landlords have incomes high above their costs.

Despite this, landlords strive for increased revenue. The idea to let market rule much more, to get better resource distribution, investment and increased welfare, has been accepted with enthusiasm by the landlords of Switzerland.

The Swiss tenants movement strongly opposes this view. Dwellings are not goods comparable with chocolate or cars, which you can choose to buy or not. Everybody needs shelter.

If the proposals to introduce market rents should get any success, the Swiss Tenants' Union must prepare itself for a referendum on this question. They feel they can count on the Swiss people, consisting of 70% tenants, to defend their rights.

A great task for the Swiss tenant movement is to defend what has been already achieved, as well as reaching new goals and reducing rents to a reasonable level. The Swiss TU is lucky to be a uniting force without competition. During the last ten years membership has trebled, and tenants have just one representative body. The Tenants' Union has a negotiating monopoly and so carries a great responsibility to get tenants' demands met. Switzerland will need it's tenants movement now and in the future.



# Annual Report 1993: Summary

## 1. Highlights

The past year has been another busy one for the Tenants' Union. Some of the key features have been:

### Program Development:

- \* Commitment from the NSW Minister for Housing, Robert Webster, to fund non-government tenant advice and advocacy services.
- \* Ministerial appointment to the Community Housing Advisory Committee, and participation in the development of this new joint Commonwealth/ State Program.

### Advice:

Over 5,000 enquiries handled by the Hotline and office.

### Policy and law reform:

- \* Several key submissions presented, including to the Mant Inquiry into Certain Customer Service Bodies under the Minister for Housing.
- \* Ministerial appointments to, and participation in, the Residential Tenancies Act Consultative Committee, the Rental Bond Board and the Residential Tenancies Tribunal Customer Service Councils.
- \* Amendments to the prescribed Residential Tenancy Agreement and the version produced by the Real Estate Institute.
- \* Acceptance of tenant concerns in the Government Pricing Tribunal's Water Pricing Inquiry.

### Community Legal Education:

- \* Introduction of special workshops for Aboriginal workers.
- \* Enhanced media work (including Handbook and MAPS Report launches, water billing, and the Olympics).
- \* Launch of a new edition of the 'Your Rights as a Tenants' Handbook.
- \* Upgrading of the Tenants' Union newsletter.
- \* Enhanced distribution of resources, including over 1,000 posters, 800 Handbooks, 74 Manuals and 600 Factsheets.

### Access and Equity:

- \* MAPS Report launched by the Federal Minister for Immigration.
- \* Formation of Tenants' Union Access Sub-committee and successful liaison with relevant Government agencies over access issues.

## 2. The year ahead

1994 is emerging as a year of opportunity for the Board and staff of the Tenants' Union. It presents many opportunities to develop services and build partnerships with existing and potential funding bodies to once again provide community-based tenant services throughout the state.

Following from the recommendations of the Tenant Advice and Advocacy Services Working Party, it is anticipated that the Minister for Housing, Robert Webster, is soon to announce the establishment of a funding program for community-based tenant advice services. Once the program has commenced it is expected that there will be increased demands and pressures placed on the Tenants' Union. Such growth should not only see the beginning of consolidation of tenancy networks but will require the Board to respond in a co-ordinated and strategic manner.

Along with the establishment of local tenant services it is understood that there will be funding for a resourcing body to co-ordinate service operation, provide training and resources and assist with and co-ordinate the performance monitoring of local services. As the statewide tenants' body currently providing training and community legal education services this program offers the Tenants' Union the chance to respond to needs that we have long been unable to meet. However, in meeting these new challenges it will require commitment by the Tenants' Union to develop appropriate staffing, administrative and communication structures. The Union's Access Sub-committee will have an important role to play in this area.

To enhance our existing legal services and to service the burgeoning demand from the emerging services efficiently and effectively, adequate resources are essential. This could be effected through encouraging a creative partnership between potential funding bodies, to achieve the required amount of resources to deliver the maximum amount of services.

The Legal Aid Commission has indicated that it is willing to develop a co-operative relationship with the Union so as to maximise resources and services to the community. Although funding is limited, they are willing to consider joint ventures that can improve services to tenants throughout the State in a financially prudent and creative manner. Benefit could be gained from holding similar discussions with other funding bodies over the next couple of months.

1993 has ended on a very positive note and 1994 is moving the Tenants' Union into a new phase. With co-operation, commitment and careful planning, the year ahead should be one of the best the Union has seen in some years.



## YES I want to join the Tenants' Union of NSW

Name \_\_\_\_\_

Address \_\_\_\_\_

Postcode \_\_\_\_\_

Telephone (h) \_\_\_\_\_ (w) \_\_\_\_\_

First language \_\_\_\_\_

Please tick

☐ New membership ☐ Renewal

Are you a: ☐ Tenant ☐ Home Owner

☐ Other (specify) \_\_\_\_\_

### FEES

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).

### YEARLY FEE

Tick the fee that applies

No (or low) wage/pension/benefit \$8

Waged worker \$15

Organisations \$30

Donation \$ \_\_\_\_\_

I enclose \$ \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Return to: Tenants Union, 68 Bettington Street  
Millers Point 2000

### OFFICE USE ONLY

Service Fee \_\_\_\_\_ Shares \_\_\_\_\_

Donation \_\_\_\_\_

Receipt No \_\_\_\_\_ Membership No \_\_\_\_\_

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