

NSW ELECTION 2003

WHAT ABOUT TENANTS' RIGHTS?

The Tenants' Union has sought to put tenants' rights on the agenda of parties contesting the New South Wales State Election on 22 March. This week, the Tenants' Union, along with Shelter NSW, the State's peak low-income housing consumers' organisation, launched their respective tenancy and housing policy statements at Parliament House, Sydney.

The Tenants' Union's statement, 'Tenancy Policy for the NSW State Election 2003', identifies five priority issues for tenants that must be addressed by the next Parliament.

The Tenants' Union identified these priority issues through its specialist tenancy legal practice, and through the experiences of tenants' advocates in the state-wide network of Tenants Advice and Advocacy Services.

time, investment in social housing through the Commonwealth-State Housing Agreement has been slashed, to the disadvantage of public housing tenants and eligible private tenants alike. Residents of caravan parks and manufactured home estates also are facing uncertainty as increasing numbers of parks threaten to close.

1. Reform of the Residential Tenancies Act 1987, in particular to provide:

- protections against unjust terminations;
- protections against unfair rent increases;
- rights for victims of domestic violence;
- resolution of share housing and co-tenancy disputes; and
- rights for tenants whose goods are unlawfully destroyed or disposed of by their landlords at the end of a tenancy.

2. Legislated rights for boarders and lodgers
3. Legislation against tenant databases
4. Growth and enhancement of affordable housing, including social housing
5. Retention of accommodation on residential parks

See page 4 for a summary of the Tenants' Union's main recommendations.

New South Wales tenancy law is due for reform. The Residential Tenancies Act has been law for over 13 years. Over that time it has become obvious that some aspects of the law do not give tenants the protections they deserve. New South Wales tenants can still be evicted without just cause, and enjoy scant protection against unfair rent increases. The current law does not provide solutions to the problems of tenants who are the victims of domestic violence, who live in share housing or co-tenancies, or whose goods are destroyed by their landlord. The Residential Tenancies Act leaves boarders and lodgers without legal rights or effective protection against arbitrary evictions and rent increases. The Act also does not deal with tenant databases, whose practices threaten all tenants and undermine the rights provided by Act.

Also, broader changes in the State's housing system have placed many tenants and other residents under pressure. The unaffordability of rental housing has deepened, impacting on critical numbers of households not just in the inner city, but throughout the suburbs and regions too. At the same

The Tenants' Union-Shelter NSW policy launch was also attended by representatives of the NSW Council of Social Service (NCOSS), the Youth Accommodation Association (YAA), the Catholic and Uniting churches, community and housing agencies and public tenants.

All these organisations call for greater security for all tenants, boarders and lodgers, a doubling of the present stock of social housing, and increased funding for supported accommodation for people at risk of homelessness.

Meanwhile, all major parties have committed to providing a response to the Tenants' Union's five tenancy policy priorities before election day. The Tenants' Union will publish parties' responses, and the Tenants' Union's assessment of their policies, on the Tenants' Union website <www.tenants.org.au>.

by Chris Martin, Policy Officer, Tenants' Union

Shelter calls for new deal for private tenants

In its "Housing Directions" election statement Shelter NSW argues that until just-cause eviction is enshrined in legislation, private rental housing will remain transient and chronically insecure.

And, says Shelter "In a market in which the majority of tenants are now trapped long-term rather than its being a transitional form of housing for those on their way to home ownership, current levels of consumer protection

are no longer adequate."

Shelter notes that for all the media discussion about expanding private rental housing, increasing vacancy rates in the metropolitan area and consequent downward pressure on rents, the situation at the bottom end of the market is worsening.

In its policy statement, Shelter says there is good research evidence to indicate that low-cost rental stock is shrinking, and that

by Harvey Volke, Policy Officer, Shelter NSW

there is now a national shortage of around 150,000 units of low-cost stock.

This affordability crisis is at its most severe in Sydney, where low-income people literally can no longer afford to rent either in the traditional inner-city enclaves of low-cost rental housing (now being rapidly gentrified)

(continued on page 2)

Tenants' Union Board of Directors

David Vaile	Chairperson
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Contributors to Issue 72

Joy Connors	Chris Martin
Tom Donnelly	Harvey Volke
Cecilia Lenagh	KerryAnn Pankhurst
Joy Connor	

Production

Viviana Villamar
 Harvey Volke
 Kiri Hata
 Carmen Jauregui

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Disclaimer

Views expressed by contributors to Tenant News are not necessarily those held by the Tenants' Union Board of Directors or staff.

Aims of the Tenants' Union

The Tenants' Union aims to represent the interests of all tenants in New South Wales, both private and public, including boarders, lodgers and residential park tenants by:

- Raising awareness about tenants problems and rights.
- Providing high quality advocacy and advice for tenants through the tenants hotline and legal practice.
- Lobbying for improvements in residential property laws
- Promoting secure and appropriate housing solutions
- Supporting training and resourcing local independent statewide tenants advice services.

The Tenants' Union is a community legal centre that has been active in promoting the rights of more than one and a half million tenants in NSW since its formation in 1976.

Over this time we have advocated on behalf of tenants, to government and developed policies for equitable law reform to protect the rights of renters in NSW.

We have also produced numerous resources that provide information to tenants and their advocates, about their rights and current tenancy laws in NSW.

Tenants' Union of NSW Co-op Ltd

68 Bettington Street Millers Point, NSW 2000
 Phone: (02) 9247 3813 Fax: (02) 9252 1648
 web: www.tenants.org.au



Make Housing, Not War



Forget about Iraq: We're making war on our own people here, and, as usual, housing isn't even a blip on the radar screen in the current election battle.

This is despite the fact that housing is the single most important cost in people's lives and that low-income earners – mostly clustered in the private rental market – are in the middle of a well-documented housing crisis. For example, more than 80 percent of low-income tenants in Sydney are in housing stress, and country tenants' advice services report major problems in the bush arising from factors like the drought and people being blacklisted out of their towns.

We need policies that will provide more and cheaper housing. And we need policies that will guarantee security for tenants, for share households and for victims of domestic violence. We don't see much sign of them: About the only secure housing going is in all

those new prisons they're building.

And then there are the park residents seeing their investments and their homes go up in a puff of smoke . . . or dust, really, as park owners stampede to the bank with the loot from flogging off juicy chunks of land in prime sites.

And, lest we forget, there are the boarders and lodgers who after decades of promises still have no rights at all.

Derisory policies like stacking more sardines in the tin (sorry, boarders in the lodging house) or the current rerun of the Joe Schipp "take-in-a-lodger-today" placebo are little short of offensive. We just can't wait to see all those north shore doors flung wide while newborn landlords sing in unison "give me your poor . . . give me your homeless . . ."

Please, fellers, can we just get . . . A . . . LITTLE . . . BIT . . . REAL? Please?

Harvey Volke
Editor

(continued from "Shelter Calls.." page 1)

or in the limited rental markets of western Sydney.

When this situation is combined with the structure of the market around small-scale landlords – the large majority of landlords rent out only one unit of stock – it leads to a situation of continual rent increases and chronic insecurity for tenants on low incomes.

Shelter says there is no restriction on the frequency or amount of rent increases. In addition, excessive rent increase provisions in the legislation that throw the onus of proof on to tenants have proved ineffective.

While legislative protection has improved considerably since introduction of the Residential Tenancies Act in 1989, some at-risk groups, such as boarders and lodgers, continue to have little or no legal protection.

Until just-cause eviction (termination of tenancy only for reasons specified in the legislation and that can be challenged in the Tribunal) is specified for all, private rental housing will continue to be transient and chronically insecure.

Shelter notes that home-owning tenants of residential parks already have some of these rights – just-cause eviction is written into residential parks legislation, and market factors are only one in a range of factors to be taken into account in ex-

cessive rent disputes. Shelter says it is time these rights were extended to tenants generally.

Overall, in developing policy directions for the state election, Shelter NSW has identified the need for an integrated State Housing Plan and a doubling of social housing stock over the next decade as fundamental to address current unmet housing need.

The Shelter 'Housing Directions' statement argues that the viability of state housing programs will require a 10 percent increase in social housing stock or an additional 12,821 units of housing per year for the next 10 years.

This call has attracted the support of major housing and welfare services across NSW, such as supported accommodation services, tenancy and housing services and the Council of Social Services. The ability to achieve this goal will be one of the key indices against which Shelter will measure the policies of the parties contesting the election.

While the goal is difficult to achieve in the current climate of funding reductions for social housing, a commitment of this magnitude is necessary if the housing needs of low-income people are to be seriously addressed, says Shelter.

Election 2003

Park People Put Polities in their Place

By Joy Connor, Parks and Village Service

Up and down the coast politicians are being asked, "What is your commitment to residential parks?". In several key coastal seats the answer will determine the outcome of the state elections. Park residents have been appalled to discover that their retirement housing is now at risk as owners cash in on the land price boom and sell parks to developers, leaving residents no place for their homes. This state election gives residents a chance to have their voices heard.

Politicians need to be worried, very worried. No other constituency lives so close together in such large numbers and is able to mobilise its forces so effectively. In the Clarence, the Tweed and the Illawarra to name but a few, park residents have the numbers

Premier last November to address park closure concerns raised by the joint report produced by Park and Village Service, Shelter NSW and I.B. Fell Housing Research Centre. Since then there have been calls for submissions, but no action. Residents feel they have been fobbed off by clever footwork and are not happy.

"...Politicians need to be worried, very worried..."

Park residents are a formidable bunch. On the coast the majority are retirees, often from a union background, who know how to organ-

Park Residents Demands:-

- **Funds now** to the tenants' advice network (through the Department of Fair Trading) to inform residents of their legal entitlement and help them to get these entitlements. Otherwise the developers and owners make the profit and the resident and the government pay the cost.
- **Assistance for displaced residents** who need rehousing.
- **A firm policy commitment by government to a secure future for residential park homes** through changes to planning laws and incentives to park owners, especially local government, to stay in business.



art work by Kerrie Lowe

to unseat the sitting member. In Wyong and Gosford they have the numbers to make the current sitting members very uncomfortable.

Residents have begun effective campaigns visiting and writing to politicians and talking to local media in each of these electorates. A postcard campaign has been organised by the Combined Pensioners and Superannuants Parks sub committee to target politicians in key electorates.

A round table was called by the Deputy

ise and have time on their hands. While many are old and frail they have a fighting spirit and the current government needs to beware of taking their concerns lightly. Residents have learned that the media loves a story about independent older citizens fighting for their homes and they are making their voices heard.

As the election draws nearer more and more are contacting their local politicians.

Their demands are simple but will mean security for people who currently face the loss of their retirement home. The answers to these demands will be felt at the ballot box. Already The Greens on the North Coast are responding positively to residents' demands.

For further information call your local Tenant Advice and Advocacy Service.

Election 2003

TENANTS' UNION RECOMMENDATIONS TO STATE PARTIES

1 REFORM OF THE RESIDENTIAL TENANCIES ACT 1987

Thirteen years after it commenced, the Residential Tenancies Act needs to be reformed.

1.1 Protections against unjust terminations

Under the current law, tenants can be evicted from their homes without grounds. This is a fundamental injustice.

- Amend the Residential Tenancies Act to provide that a landlord may give a notice of termination only on just grounds prescribed by the Act.

1.2 Protections against unfair rent increases

Current rent increase provisions are ineffective, and do not protect tenants from unfair rent hikes.

- Amend the Residential Tenancies Act to provide that rent may not be increased more than once in any 12 month period, that the market level of rents is only one of a range of factors in determining if rent is excessive, and that the landlord bears the onus of proving that a rent increase is not excessive.

1.3 Rights for victims of domestic violence

The current law does not recognise that victims of domestic violence may need to change their tenancy arrangements to make themselves safe.

- Amend the Residential Tenancies Act to provide that a person in a domestic relationship with the tenant, and who is or is likely to be the victim of domestic violence, may apply to the Consumer, Trader and Tenancy Tribunal for an order terminating the tenancy and vesting a tenancy in the applicant's name only.

1.4 Resolution of share housing and co-tenancy disputes

People living as co-tenants and in share housing need better ways to resolve tenancy matters.

- Amend the Residential Tenancies Act to allow one co-tenant to make application to the Consumer, Trader and Tenancy Tribunal for an order terminating the tenancy, and to give the Consumer, Trader and Tenancy Tribunal jurisdiction to hear disputes between co-tenants relating to the tenancy.

1.5 Rights for tenants whose goods are unlawfully destroyed or disposed of by their landlords at the end of a tenancy

The current law does not enforce its own provisions about tenants' goods. This flaw must be changed.

- Amend the Residential Tenancies Act to allow a former tenant to make application to the Consumer, Trader and Tenancy Tribunal for an order that the former landlord pay compensation for losses incurred by the tenant as a result of the landlord dealing with the tenant's uncollected goods other than as provided by the Act or an order of the Tribunal.

2 LEGISLATED RIGHTS FOR BOARDERS AND LODGERS

Boarders and lodgers are the most disadvantaged people in the housing system. Under the current law, they have no legal rights and are subject to arbitrary eviction and rent increases.

- Pass a Boarders Act, based on the Residential Tenancies Act, providing boarders and lodgers with a regime of rights and responsibilities similar to those of other New South Wales tenants.

(see next page for update on boarding house situation in NSW)

3 LEGISLATION AGAINST TENANT DATABASES

Tenant databases undermine all tenants' rights, and can effectively make you homeless if you are listed. Tenant databases do not have a valid place in the rental housing system.

- Prohibit the use and operation of tenant databases.

4 GROWTH AND ENHANCEMENT OF AFFORDABLE HOUSING, INCLUDING SOCIAL HOUSING

The costs of housing are unaffordable for tens of thousands of New South Wales households. Without a whole-of-government plan, and more and better social housing, the crisis will worsen.

- Implement a comprehensive State Housing Plan, including an Affordable Housing State Environmental Planning Policy.
- Double the stock of social housing over the next ten years, and broaden the Department of Housing's income eligibility criteria.
- Repeal the Department of Housing's renewable tenancies policy and rental bonds policy, and implement a policy on public housing redevelopments including protocols for consultation with tenants at all stages of the redevelopment process.

5 RETENTION OF ACCOMMODATION ON RESIDENTIAL PARKS

Thousands of caravan park residents face losing their housing as more parks close.

- Amend the Residential Parks Act 1998 to allow residents who are entitled to compensation for the costs of relocation to apply to the Consumer, Trader and Tenancy Tribunal for orders that these costs be paid before, rather than after, a relocation.
- Implement a State Environmental Planning Policy to retain parks as a provider of permanent, affordable accommodation.

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Boarding houses: still waiting for reform

by Tom Donnelly, Student Law Clerk, BLAG

The need for legal protection for boarders and lodgers has been a longstanding social justice concern of tenancy workers and other interested parties.

There are few rights for boarders and lodgers regarding common tenancy issues such as rent increases, repairs, quiet enjoyment and eviction. The Consumer Trader and Tenancy Tribunal (CTTT) is a low-cost, quick way of dealing with a dispute between landlords and tenants which is available to tenants but not boarders and lodgers. This means that most boarders do not and cannot enforce their basic housing rights and any attempt can result in boarders becoming homeless.

The Boarders and Lodgers Action Group (BLAG) was formed with the purpose of advancing the rights of this marginalised group. To further this aim BLAG originally drafted a bill in 1991 to protect and regulate this unique housing relationship. This bill attempts to achieve statutory recognition for the right to housing as in Article 25.1 of the Universal Declaration of Human Rights, and to overcome the exclusion of boarders and lodgers from the Residential Tenancies Act 1987 (RTA).

Like the RTA, the bill allows for a standard form of tenancy agreement, and any terms that are inconsistent with the bill are not valid. The parties can include any terms they think are important, as with a contract. This agreement is then enforceable through the CTTT. Agreements like this can already exist, but are without formal legal protection. For instance, the bill will assume that a verbal agreement is in the same form as the standard written agreement, and that the legal obligations of the resident and the owner will apply.

By comparison, the bill is less strict than the RTA and the Victorian law in terms of its notice periods. For instance, the bill requires between 7 and 30 days notice to evict a resident, depending on whether the agreement has expired or not. In Victoria this is up to 90 days, but 2 to 4 weeks in other states. Bonds cannot exceed 1 week's rent, but can be 2 to 4 week's rent in other states. Rent in advance is limited to 7 days, but can be 14 days in Victoria and Queensland. Rent increases re-

quire 60 days' notice, and can range between 28 and 90 days in the other states.

"Any legislative backing for boarding agreements, enforceable through the CTTT, will be a vast improvement to the current situation for boarders."

The aim is to recognise the right to housing without turning boarders into formal tenants. This also grants flexibility to owners and proprietors of boarding houses, many of whom fear that too many conditions will make it hard to stay in business. Despite detailed legislation in Victoria however, the boarding house industry is still functioning. Making the law clearer in this area will help everyone to know their rights and responsibilities without losing this valuable source of housing.

As such, BLAG is continuing its campaign to have legislation enacted, and encourages all those concerned about this issue to contact the Policy Officer at the Tenants' Union on 9247 3813 or their local Tenancy Service.

HOW DOES NSW COMPARE TO OTHER STATES IN PROTECTING BOARDERS AND LODGERS?

ISSUES	PROPOSED NSW LEGISLATION	CURRENT NSW STATUTORY RIGHTS	VICTORIA Residential Tenancies Act 1997	QUEENSLAND Residential Services (Accommodation) Act 2002	SOUTH AUSTRALIA Residential Tenancies (Rooming Houses) Regulations 1999
STANDARD FORM AGREEMENT?	√ (Boarding Agreement)	×	× (May enter an agreement)	√ (Residential Services Agreement)	√ (Rooming House Agreement)
RIGHT TO QUIET ENJOYMENT?	√	×	√	√	√
LIMIT ON RENT IN ADVANCE?	√ (7 days)	×	√ (14 days)	√ (14 days)	√ (7 days)
NOTICE FOR RENT INCREASES?	√ (60 days)	×	√ (90 days)	√ (4 weeks)	√ (4 weeks)
LIMIT ON AMOUNT OF BOND?	√ (No more than 1 week's rent)	×	√ (No more than 2 week's rent)	√ (Usually 4 week's rent maximum)	√ (No more than 2 week's rent)
RIGHT TO DEMAND REPAIRS ARE DONE?	√	×	√	√	√
NOTICE PERIOD PRIOR TO EVICTION? (Not including Immediate Termination for acts of violence etc)	√ (No-grounds= 7-30 days, 14 days for rent arrears)	×	√ (No-grounds =90 days, or 7 days for rent arrears)	√ (No-grounds =14-30 days, or 0-4 days for rent arrears)	√ (No-grounds= 4 weeks, or 2 days for rent arrears)
APPEALS TO LOW-COST, INDEPENDENT, DISPUTE RESOLUTION BODY?	√ (Consumer, Trader and Tenancy Tribunal)	×	√ (Residential Tenancies Tribunal)	√ (Residential Services Tribunal)	√ (Residential Tenancies Tribunal)

TENANTS CHARGED FOR PRIVILEGE OF HAVING RENT COLLECTED

The Tenants' Union is concerned at the growing practice of charging fees to tenants for the collection of rent. Increasing numbers of real estate agents are using third party companies, such as Cosmos E-C Commerce Ltd, that collect tenants' rents by direct debit – and charge the tenant a fee for the service.

In cases that have come to the attention of the Tenants' Union, the fee involved is modest, but if things go wrong in the payment system, the potential cost to the tenant is substantial. For example, if there are insufficient funds in a tenant's bank account for the direct debit of rent, the tenant might be charged default fees by both the bank and the rent collection company.

For some tenants, the fee-for-payment method of rent payment is being introduced to them during the tenancy and after the tenant has been paying rent for some time through another method, usually with the real estate agent suggesting that they will now accept rent payments only through the new method. If you are one of these tenants, the law is clear: the real estate agent cannot change the method of payment set down in the tenancy agreement without your consent, and you are entitled to continue to pay according to the method set down in the agreement.

In other cases, tenants signing up to new tenancies are being presented with tenancy agreements that provide only for the fee-for-payment method. For these tenants the legal position is less clear.

The Tenants' Union believes that it is unfair for real estate agents to require tenants to pay a fee for the collection of their rent, and that tenants ought to be allowed to make rent payments by a method that imposes no cost.

If you are being required to pay rent through a payment system that charges you a fee, contact the Tenants Hotline or your local Tenants Advice and Advocacy Service.

by Chris Martin, Tenants' Union

DROUGHT HITS BUSH TENANCIES

Farms aren't the only thing affected by drought, the New England and Western Tenants Advice and Advocacy Service (NEWTAAS) has found. Since opening its doors to local tenants in October last year, NEWTAAS has discovered that the drought is also having a big impact on the private rental market in the bush.

"The drought is having an impact on rental housing markets in larger rural centres as people come off the land and move into rental accommodation," said Ms Kerry Ann Pankhurst from NEWTAAS.

"As the drought has hit the economies of small rural towns, people are driven out of work, and must move to larger centres to look for work. Unemployment rates in rural towns are consistently higher than the rural centres and much higher than the city," she said.

A second serious issue the new service is grappling with is the fact that people in small bush towns may have to leave town altogether if they have problems with a real estate agent or landlord.

"When there are only one or two estate agents in town, finding alternative accommodation when you have been labelled a 'bad tenant' is almost impossible," said Ms Pankhurst.

"We know tenants who have had to leave their home towns, where they have family and friends, doctors who know them and where



NEWTAAS crew working together with the North & North West Community Legal Service crew

their kids go to school, because they have lost their tenancy and been unable to get any other accommodation. When these tenants also have to face the 'bad tenant' databases, life becomes incredibly difficult."

NEWTAAS was set up to assist tenants from across the New England, North West, Western and Far West regions of New South Wales, and has offices in Armidale, Dubbo and Broken Hill.

Like most tenancy services around NSW NEWTAAS workers Wendy Le Blanc, KerryAnn Pankhurst, Annabel Doherty, Tamara Allen and Pam Buryr will provide tenancy advice and advocacy and local community education on tenancy rights. If you need help with your tenancy problem, give NEWTASS a call on 1800 836 268.

Materials supplied by Kerry Ann Pankhurst

NEW FEDERAL PRIVACY LAWS

On 21 December 2002 tenants were given new rights under the Commonwealth Privacy Act 1988. The Act now allows for some regulations and a complaints process for tenants listed on a 'tenancy database' system for alleged breaches under a tenancy agreement such as non payment of rent.

When tenant databases started in the late 1980s there were few laws controlling their actions. Some tenants did take action against tenant database operators and individual members under the Trade Practices Act, but cases were both expensive and time-consuming for tenants.

The Privacy Act requires businesses to operate according to the National Privacy Principles (NPPs) set out in the Act. This means that tenant database operators must tell you the reasons why you have been listed and who else the information may be given to and how to contact the tenant database operator. Under the NPPs a database operator must also correct any information that is not

correct, complete or up-to-date and must allow you to lodge a request for information at no cost to the tenant along with other fees relating to providing the information must not be excessive.

However, if you seek information about you which might have been listed prior to December 2002 the tenant operator does not have to abide by all these principals until the information is given out to a database.

If you believe a data base operator has breached the privacy principles you can make a complaint to the Federal Privacy Commissioner. The Commissioner will investigate the complaint and take court action to stop the database operator from breaching the Privacy Act.

For more information please call your local Tenants Advice and Advocacy Service or check out the Tenant Union's website on www.tenants.org.au for a facts sheet on tenant databases.

Erskineville Tenants Triumphant!

At a meeting with tenants of the Erskineville Estate on 18 November, the Minister for Housing, Mr Andrew Refshauge, announced that the proposed redevelopment of the Estate, located in Sydney's inner west would not proceed.

As earlier reported in the Tenant News in October last year, the residents of the Erskineville public housing estate fought and lobbied hard to prevent a proposal by the Department of Housing to 're-develop' the site bounded by Ashmore, Binning, Swanson and Fox Streets.

In a deal with private developers the Department of Housing was obviously hoping to raise funds from the deal by replacing the existing 146 two-bedroom, one-bedroom and bed-sit units with a development claimed to integrate public, aged and private amenities.

The land on which the Erskineville Estate is built would have seen an additional 450 units to the site replacing the unique open-spaces and trees currently housed within the estate destroying a unique site.

The proposal would also have seen some

long-term residents located to other areas. The residents of the Estate also gained strong public support from private home owners in the area, showing that the Estate is a workable and beneficial social and environmental contributing factor to the local community as a whole.

The Government has not only backed down from its redevelopment proposal but has also now invited tenants of the Estate to participate in a project recording the history of the Estate and its residents, and to help the Department of Housing understand why it is that Erskineville Estate works so well. The tenants have also been informed that the Department will consult with them about necessary refurbishment and modification to the building at the Estate.

The tenants, obviously delighted by the

Government's decision to withdraw its proposal, had said they would have not budge till they were triumphant — as Ms Jones, long-time resident told the press last year, "we're not moving -we'll dig our heels in and they'll have to drag us out." It seems such determination has prevailed in justice for all residents of the Estate.

The Tenants' Union, which provided advice and supported the tenants of the Erskineville Estate during the campaign, congratulates them on their success and thanks them for the inspiring example set by their campaign. Chris Martin, Policy Officer of the Tenants' Union puts the success of the residents down to "the tenants' refusal to give up on their right to public housing in Sydney."

Go for gold? No, just go

A new research report by the Mid Coast Tenants Advice Service (MCTAS) has identified a 60 day no-grounds termination notice as the "Gold Medallist" of tenancy problems facing tenants in NSW.

The silver medal went to share housing, and rent increases got a bronze. All three had footprints (across tenants' backs) as big as Ian Thorpe's.

The report — titled 'Zooming In and Out' — outlines levels of satisfaction and major concerns by NSW tenants' advice and advocacy workers with current NSW tenancy law, in particular the Residential Tenancies Act 1987 and the Residential Parks Act 1998.

As the report's author, MCTAS's Cecilia Lenagh explains "the report's aim was to take a photo-finish of the tenancy law issues that tenancy workers around the state were most concerned about".

Over 23 tenancy workers around the State were interviewed for the survey between October and December 2002. More than half — 52% — of the 23 workers interviewed rated the Residential Tenancies Act as satisfactory in its effectiveness in providing consumer protection to tenants.

On the other hand, a whopping 67% of

those interviewed rated the Residential Parks Act as 'less than OK.' Maybe this is one of the reasons many tenancy workers would prefer not to have to run with park cases in their saddlebags.

Cecilia Lenagh says that if an Olympic gold medal could be given to the top problem facing tenancy workers, then the favourite

the Bronze with a dazzling lack of regulatory protection.

The next most frequently identified problems were issues around domestic violence in shared housing situations; lack of compensation for residential park residents; need for some form of security of tenure for boarders and lodgers and the negative effects of the 'bad tenant databases' stopping tenants from getting housed.

In total 42 tenancy problems were identified as common issues experienced by all workers interviewed.

Cecilia Lenagh and the crew at MCTAS hope to further their research by seeking next, the opinion of tenants.

If any Tenant News readers wish to contribute by letting MCTAS workers know of their own experiences and problems faced under current



Eva Nelson, Cecilia Lenagh, Margaret Howard, Sandra Ward - Mid Coast TAAS crew

60-day No-Grounds Terminations would have to be the all-time winner, by several lengths.

Share Housing Tenancy Arrangements ran erratically all over the course with co-tenants being severally and jointly liable for the tenancy agreement, and consequently managed only the Silver.

Well-known stayer Rent Increases scored

tenancy law then please contact :-
Mid Coast Tenants Advice Service
PO Box 125,
PORT MACQUARIE NSW 2444
or email Cecilia_Lenagh@fcl.fl.asn.au

Materials supplied by Cecilia Lenagh



Tenants Have Rights!

How to avoid problems

- ✓ **Start by reading your residential tenancy agreement. Get some help if you can't understand it.**
- ✓ **Tell your landlord, or the landlord's agent, about any problems and tell them what you want. You should confirm anything you agree to in writing and send your landlord a copy.**
- ✓ **Remember that the agent works for the landlord.**
- ✓ **Keep a written record of what happens between you and your landlord or agent, including what each of you said and when.**
- ✓ **Keep copies of your:**
 - Residential Tenancy Agreement
 - Condition Report
 - Receipts for rent and bond money, all letters and written records.
- ✓ **Never sign a blank form or any papers you don't understand.**
- ✓ **If you receive notice of a Tribunal hearing you should always attend.**
- ✓ **Remember that if you stop paying rent you can be asked to leave. Rent strikes do not work.**
- ✓ **Contact your local tenancy service**

Your landlord can't evict you - only the Consumer Trader & Tenancy Tribunal (CTTT) can do this.

For more help

Contact your local Tenants Advice and Advocacy Service. Workers will be happy to call you back if you live out of the area.

Sydney Metro	
Inner Sydney	9698 5975
Inner Western Sydney	9559 2899
Southern Sydney	9787 4679
South West Sydney	4628 1678
Eastern Suburbs	9386 9147
Western Sydney	9891 6377
Northern Sydney	9884 9605

Coastal	
Central Coast	4929 6866
Hunter	4929 6888
Illawarra/SthCoast	4274 3475 / 1800 807 225
Mid Coast	6583 9866 / 1800 777 722
North Coast	6622 3317 / 1800 649 135

Western	
Nth West. Region	6772 8100/ 1800 836 268
South Western	6361 5307 / 1800 642 609

Specialist	
Aged Tenants' Service	9281 9804
Parks & Village Service	9281 7967
Greater Syd. Aboriginal Tenants Service	9572 7066

Western NSW Aboriginal Tenants Service - 'Gunya' 1800 810 233

Southern NSW Aboriginal Tenants Service - 'Murramia' 4472 9363 or 1800 672 185

North NSW Aboriginal Tenants Service 6643 4426 or 1800 248 913

Tenants' Union Hotline
Monday - Friday 9.30am - 1pm & 2 - 5pm

02 9251 6590



Get a new lease on life... join the

Tenants' Union!
68 Bettington St
Millers Point
NSW 2000

Membership Application

TAX INVOICE

I would like to apply for membership of the Tenants' Union of NSW Co-operative Limited ABN: 88 984 223 164

Name / Organisation: _____

Address: _____

Phone: (home) _____

Phone: (work) _____

This is a: (please ✓ one)

new membership renewal _____
(Membership Number)

I am a: (please ✓ one)

tenant tenant organisation
 non-tenant non-tenant organisation
 other (please specify)

Annual fee runs from 1 January to 31 December.
New members can pay half fees after 30 June.
First membership fee paid covers cost of share.

unwaged \$8.00 waged \$16.00 organisation \$32.00
(all include GST component)

Please find enclosed cheque / money order to the Tenants' Union for:

Membership: _____

Donation: _____

Total: _____

I am over 18 years of age. I support the objectives of the Tenants Union of NSW.

Signed: _____

Date: _____