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## TENANTS ADVICE SERVICE WORKSHOPS

Every FIFTH TUESDAY the Union will be holding a workshop for the volunteers in Tenants Advice Service to exchange ideas on how to deal with tenancy problems. The next one is to be held on the 7.8.79, then on the 30.10.79. CONTACT: O. Gager at Kings Cross Tenants Advice Service if you are interested in coming.

## WE'VE BEEN BUSY!

The Tenants Union's leaflets have been updated and reprinted. Copies are now available. NB If organisations are interested in obtaining large numbers of these leaflets, they may be obtained for the nominal fee of 50c per set from 118 Regent Street, Redfern 2016.

Also: we are currently drafting new leaflets on protected tenancies and boarders.

## "TENANTS' HOTLINE"

Tenancy advice is available on

6 9 8 8 0 3 3

Monday to Friday between 1pm - 9pm and Saturday between 9.30am - 12.30pm.

The Tenants' Hotline uses a network of Tenants' Advice Services and members rostered on at home. However, we need more volunteers willing to do this from their home. Contact Petra (699 4073) Monday or Tuesday if you can help.

More on the "TENANTS' HOTLINE" in this ~~next~~ Newsletter.

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 118 Regent Street, Redfern, 2016.

Phone 688 033 Wednesdays 5.30pm - 9pm

## INCREASING THE HOUSING STOCK?

The announcement by Mr. Paul Landa on Granny Flats has turned what was once an occasional rumble of interest into an avalanche of argument. On the one hand is the claim that Granny Flats allow more efficient use of space, especially in homes where the children have grown up and moved on. It is argued that fairly simple modifications may allow accommodation for a potentially large number of people in a period of extreme shortage of rental accommodation. On the other hand, fears have been expressed about the quality of constructions undertaken, the difficulty in enforcing standards and the ambiguity of the status of people who will be using "Granny Flats".

The following are some of the news articles on Granny Flats...

# Govt acts to ease homes shortage Scheme for 'granny flats' Plan welcomed

By GARRY MADDOX,  
Property Reporter

The introduction of dual occupancy legislation is likely to have most effect in Sydney's established middle-distance suburbs.

These are the areas where many owners have divided family homes illegally in recent years. Local councils have also refused thousands of applications.

Land tax may deter some owners, but builders are expecting a greater number of extensions and additions to houses because of the Government's action.

According to Mr Tony Dunn, who headed a Housing Industry Association committee which recommended dual occupancy to the Government in late 1976, the legislation is a step in the right direction.

"It will certainly allow people to live closer to the city and cut the strain on transport systems and services."

Mr Dunn, the managing director of the building extensions company, Cape Cod (Australia) Pty Ltd, said almost 25 per cent of his company's inquiries for exten-

sions were dual occupancy proposals.

Up to 300,000 of Sydney's 800,000 houses could be converted, he said.

The Housing Industry Association welcomed the legislation as a boost for the building industry.

The association's executive officer, Mr David Sellars, said the new work created by extra home extensions would not affect home building.

The president of the Real Estate Institute of NSW, Mr Eric Morrison, said the move was expected to ease the tight rental market.



By CATHERINE HARPER

House owners throughout NSW will be able to add self-contained extensions to their houses for relatives or for rent under a State Government plan announced yesterday.

The Minister for Planning and Environment, Mr Landa, announcing details, said the scheme was a real attempt by the Government to meet a growing shortage of rental accommodation.

He estimated there was potential in Sydney alone for between 3,000 and 4,000 of these flats.

The Government will gazette changes to all planning schemes throughout the State during the next few weeks to allow for dual occupancy of home sites.

## Help for builders

The extensions or conversions of houses will be subject to local council approval. But people will have a right of appeal to the Local Government Appeals Tribunal against council rejection of their application.

The scheme is aimed at:  
Slowing the urban sprawl.  
Boosting the building and construction industry.  
Conserving land resources.  
Bringing people closer to the centre of populations.

It is estimated that there are thousands of illegal flats attached to houses now. But Mr Landa said they would not automatically become legal under the scheme.

Owners would have to get approval for them and they would still have to meet normal council building requirements.

In the past, most councils have rejected applications for self-contained additions or conversions to houses — commonly known as "granny flats."

Until now, there has been no right of appeal against a council's refusal.

Mr Landa foreshadowed the scheme early last year.

About three years ago, Randwick and Hornsby councils introduced a trial scheme for "granny flats," he said yesterday.

These trials had been successful with an average of 50 units being added to houses in Hornsby a year and slightly fewer in Randwick, he said.

Under the proposal, no addition will be permitted that is smaller than the smallest flat allowed in the area. The addition must not occu-

py more than 30 per cent of the floor space of the house involved.

The extension will have to meet the local council's building requirements.

"Self-contained dwellings will be allowed on blocks of sufficient size, in areas with sufficient services. Each individual application will be subject to the council's consent with a right of appeal," Mr Landa said.

He hoped the new policy would encourage better use of existing urban areas and services.

"The new policy has obvious social advantages, particularly in the case of relatives who want to live with their family but in self-contained accommodation."

"It will also encourage better use of existing housing."

"An aging couple whose house has become too large can now stay on in a small flat attached to the house and derive an income from letting the house itself," he said.

It would not be necessary to legislate for the scheme.

Land tax would be applied with its normal conditions.

Mr Landa said if the application of land tax proved a disincentive to the scheme, "then I'm certainly going to look at the situation again."

Council spokesmen said yesterday they believed there would be a demand in their areas for self-contained units.

Mosman Town Clerk, Mr M. G. Park, said he expected a mixed reaction among local residents.

SIR, It has been assumed that any policy which will increase the supply of rental accommodation is to be approved unquestioningly. However, any scheme needs to be evaluated in terms of its practical application. Also, if regulations are not laid down for policing the changes, they are open to abuse and will be ineffective.

The Tenants' Union believes that Mr Landa's "granny flats" proposal has shortcomings which have not been publicised.

First, this type of accommodation is being introduced as a pilot scheme in Hornsby and Randwick. These areas are not as crowded as the inner city. Their existing housing generally is of a standard such that 30-35 per cent additions may be satisfactory. In the inner city area 30-35 per cent often amounts to no more than two rooms.

Also, the quality of some inner city rental housing is very poor and extensions would see a further decline in overall housing standards. A new and third-rate type of accommodation may result.

Second, local council health and building inspectors do not have the time or the resources to check all existing housing alterations. Unless the Planning and Environment Commission makes provisions for local councils to employ more inspectors, policing of the new regulations

will be impractical. The existing problem of sub-standard housing will be compounded.

Finally, nothing has been said about the legal status of the occupiers of "granny flats." Will they have fully self-contained units and thereby be considered tenants? Or will they be merely boarders? A serious omission has been made by not specifying their legal status.

Until these questions can be answered, "granny flats" should not be legitimised. Although there is a critical need for more rental housing, the introduction of a stop-gap solution with serious flaws will only worsen the situation in the long run.

L. REDWIN,  
Honorary Secretary,  
Tenants' Union of NSW  
Co-op Ltd.  
Regent Street,  
Redfern.

July 4

# Adding on a 'granny flat'

## Insulting

SIR, As part-owner of a block of flats in Macdonald Street, Lakemba, I take exception to the insulting reference by W. H. Taylor (Letters, July 2) to "the infamous Macdonald Street, Lakemba."

As far as residents are concerned, the area is popular because the 40 per cent of site cover and eight-foot side boundary lines permit low-rental flats. Newer flats built to stricter codes mean higher rents. Tenants should have the choice — and the creation of "granny flats" will give them more to choose from. The flats on the northern side of buildings in Macdonald Street get plenty of sun because of the 16-foot spacing. Those on the southern side would be cold in winter no matter how far away the next building was.

The main building activity in Sydney in recent years has been the addition of top storeys to normal houses — many within three feet of the boundary line. The "granny flat" proposals do not change the external requirements, but will permit two families to live in a home within range of services — thus reducing the suburban sprawl.

There are at present many illegal "granny flats" which serve a purpose. The worst aspect of the former position has been the informers and snooping inspectors prying into internal domestic arrangements.

FRANK HUDSON,  
Vivienne Street,  
Kingsgrove.

July 2



What do you think? Comments, criticisms, suggestions and personal experiences in this area are welcome. CONTACT: The Policy Committee (or Editor) at 118 Regent Street, Redfern, 2016.

## State Govt's housing policy

SIR, Mr McDonald, the Deputy Leader of the Opposition, in his letter of July 9 shows a lack of understanding of housing finance.

The Land Commission is not landbanking. It has virtually doubled its sales rate during 1978-79 with gross sales revenue approaching \$13 million. It has sold lots all over Sydney at an average price per lot of about \$10,500.

Mr McDonald presumably is referring to a Land Commission acquisition in the Baulkham Hills district when he writes of lots selling for up to \$35,000. Prices in the area have shot up recently, with sales of between \$35,000 and \$40,000 commonplace. If the Commission had not intervened to stabilise prices there, they would rise even more, to the great detriment of people who want to live there.

Mr McDonald overlooks the fact that the Land Commission has bought a number of parcels of land from the Housing Commission with the specific purpose of enabling the Housing Commission to convert some of its raw land assets into cash with which to help make up the drastic cuts in Federal Government housing funds in the last two financial years.

He accuses me of ignoring the sum of \$35 million which he says the NSW Government will

receive in grants over and above the \$52.2 million it will get in advances for public housing. In fact, none of the State Governments knows yet what it will get as its share of the \$100 million the Federal Government is making in grants. In any case, these grants are for specific purposes — for pensioners, Aboriginal people, etc. — and have nothing to do with reducing the Housing Commission's waiting list.

The \$200 million which Mr McDonald says the NSW Government will get in untied grants is fully needed for Government services, wages, public transport and other items of a non-capital works nature. It also has nothing to do with public housing.

The fact is that the amount of money made available by the Commonwealth to house those on the NSW Housing Commission waiting list has been cut by 50 per cent this financial year. Moreover, the NSW Government and the other State Governments have failed to get any assurances from the Commonwealth that funds will be available next financial year for their public housing programs.

Their requests for minimum funding programs, forward housing budgets and other measures to help them plan their programs have also been refused.

SYDNEY D. EINFELD,  
NSW Minister for Housing,  
Oxford Street,  
Darlinghurst.

July 12

# \$2.3 m housing plan

THE NSW Rental Bond Board planned to spend \$2.3 million on new housing next year.

NSW Minister for Co-operative Societies Mr S Einfeld said this last week. He was speaking at a ceremony to mark the completion and sale of 11 town houses built with Rental Board funds at Cabramatta.

The project, in St Johns Road, consists of 22 town houses worth more than \$600,000. It is the first project to be built by the board with rental bond money lodged by NSW flat and home tenants.

Speaking at Cabramatta, Mr Einfeld said the concept of using bond money to provide housing at prices below the prevailing market price was unique in the world. The board now held \$31.6 million in rental bonds and would use the interest to help moderate income earners buy low cost, good quality housing.

Mr Einfeld said finance was being provided at 5-3/4 per cent interest to purchasers of the Cabramatta town houses.

Mr Einfeld praised the in-

itiative shown by NSW Education Minister and Member for Fairfield Mr Bedford in helping to get the scheme off the ground. The town houses, constructed by A Kirk and Sons Pty Ltd, of Campbelltown, were of exceptional value, he said.

"The Rental Bond Board was established by the Labor Government. Bond money which was previously locked up, useless, with estate agents is now siphoned back into the community through building societies to provide low cost housing and help to stem inflation," Mr Einfeld added.

Housing

## BEWARE OF LANDLORDS' INSURANCE POLICY

A case was recently brought to the attention of the Tenants' Union where a tenant had been quite happy to pay a premium on a Landlords' Insurance Policy and the arrangement was that the landlord would claim on this policy should any damage result from the tenant's occupation of the premises. At the end of the tenancy the landlord claimed damage had been done by the tenant. Rather than making any claim on the insurance policy the landlord took the matter to court. The magistrate ruled that the landlord was not bound to claim under any insurance policy and that the tenant's payment of the premium did not preclude the landlord from taking civil action. The court made an order against the tenants, requiring them to pay the landlord for the damage. However, he did subtract the sum of \$45 which was the premium which they had initially paid.

## YOUTH ACCOMMODATION SEMINAR

On that ominous day Friday the 13th David Owen (Tenant Union Director) attended ... Youth Accommodation Seminar at Parramatta, organised by Shelter and Annandale Youth Refuge. The seminar looked at the special problems faced by young people renting, particularly discrimination and the effect of the general contraction of the private rental market.

The seminar came up with several recommendations including the following:-

1. Government departments should release unused properties to community groups for low-cost housing.
2. The Planning and Environment Commission should list all these properties.
3. Funding bodies should be sympathetic to new initiatives in housing.
4. The Anti-Discrimination Board include discrimination based on age and employment status.
5. The Real Estate Institute discourage discrimination against low-income groups.
6. The Housing Commission broaden its criteria of acceptance to include youths, single-parents, etc.
7. Community groups providing housing fully record their housing resources and needs.

The following letter was one of a number sent by the Publicity Officer to various unions. Attached were some documents that could be included in the Union Newsletter. If any readers have suggestions as to other unions that may be contacted, could they forward the information to the Tenants Union offices, marked to the "Publicity Officer".

Mr. G.B. Hammond,  
Editor,  
"Red Tape",  
Public Service Association of N.S.W.,  
201 Castlereagh Street,  
SYDNEY. 2000

Dear Mr. Hammond,

Enclosed is an article about the Tenants' Union of New South Wales for the next edition of "Red Tape".

Over 33% of Australians today are tenants. Many are paying up to 60% of their income in rent. Yet the Poverty Commission recommended that no-one should pay more than 25% of their earnings on housing.

The issue of tenancy and tenants' unions is of vital importance to trade unionists, as it affects our quality of life. Just as workers have fought for their rights through trade unions, so tenants are unionising in New South Wales to fight against increasing rents, laws which deny them their rights, and other important issues.

Since many members of P.S.A. are tenants, or provide services to tenants in their work, they need to be aware of the existence and activities of the Tenants' Union of N.S.W.

I am enclosing some publications of the Union for your information.

Should you require further information, please contact me at the above address or telephone me on 587 2444 during office hours.

Yours sincerely,

Beth Mitchell,  
Publicity Officer.

The following are excerpts from Shelters 1979-1980 Budget Proposals.

The failure of the Federal Government to act on the housing crisis indicates an inability and an unwillingness to recognize the dimensions of housing that most directly affect the life-styles and life-chances of Australians:

- The quality of housing;
- Security of tenure;
- Level of housing costs, relative to income;
- The stability of housing costs.

The policies and programs of the Commonwealth must be evaluated in light of their effect on these four dimensions. The reality is that recent Commonwealth policies have not only failed to improve the nation's housing situation but indeed have contributed to an identifiable deterioration. An increasing proportion of Australians:

- Live in substandard housing, isolated from services that made housing more than mere shelter;
- Have less security of tenure than previously, especially in rapidly contracting rental markets;
- Face higher housing costs relative to income; and
- Experience justified uncertainty about their inability to meet housing costs in the future.

The Federal response to this crisis has been to drastically reduce total housing expenditure. The estimated expenditure on housing in the 1978-79 Budget was \$363.3 million or down \$143.6 million from actual 1977-78 expenditures - a cut of 35% in real terms. This cannot be allowed to recur in the next Budget.

To rationalize these cuts the Commonwealth may point to superficially encouraging trends in the housing market in the December 1978 and March 1979 quarters. However, these signs appear transitory and are over-shadowed by the depth of the existing crisis.

CONSTRUCTION LEVELS in the private sector show a depressed and confused picture. Bureau of Statistics figures show that, seasonally adjusted, the number of houses commenced in the December 1978 quarter was the lowest since March quarter 1966; a situation not significantly changed by the predictable increase in the March quarter this year. Increasing materials costs, uncertainty over short-term demand for new dwellings and the loss of skilled workers and apprenticeships from the industry mean prospects are bleak for a building industry recovery during 1979 and 1980.

IN THE PUBLIC HOUSING SECTOR, 10900 dwellings were commenced in 1977-78 compared with 13000 in the previous year. State Housing Ministers estimate commencements of Government dwellings at no more than 6000 during 1978-79. The full impact of cuts already made will not be fully felt until 1979-80.

INVESTMENT IN RENTAL ACCOMMODATION has also fallen dramatically. In 1973-74 approvals of dwellings other than houses numbered 17,000 dwellings. This figure had fallen to 4,000 developments in 1976-77, and has remained at that level since. About 75% of these dwellings are normally for rental purposes. Possibly, more important for families seeking rental housing is the decline in the number of detached houses available for rent. Tight rental markets, especially in Sydney and Melbourne, have been caused by:

- Increasing difficulty of house purchase for those on low to moderate incomes;
- Low levels of investment in rental construction;
- The increased sale of previously-rented dwellings.

PRIVATE SECTOR VACANCY RATES have plunged to 1.8% of available rental stock in Sydney, 3.2% in Melbourne and 2.3% in Canberra (despite the hundreds of empty Government-owned houses). Inner city rental markets are usually even more constrained. In consequence, rents have been forced up by this demand pressure. Rental increases of 10-15% have been common in most areas across Australia, with some 20% increases being experienced in Sydney and Melbourne. Rural areas have not been spared the effects of contracting rental opportunities and escalating rents.

In addition, there are an estimated 250,000 persons living permanently in caravan parks throughout Australia. This does not include caravan dwellers who live on vacant blocks or in backyards. The large number of people living in mobile homes must surely shake any remaining doubts about the depth of Australia's housing crisis.

These trends point to an appalling situation in which more and more Australians are forced into poorer quality, relatively expensive housing which offers little stability of costs or security of tenure, low income earners and those receiving social benefits and excluded from home ownership because of high interest rates, inflation in housing prices and a contracting supply of available houses. Commonwealth programs such as the Home Savings Grant Scheme do little to alleviate the situation. Less than 10% of Home Savings Grant recipients have been low-income earners. Soaring rents, reductions in rental stock and prohibitive initial costs are progressively eroding alternatives for low-income households in the rental market. They cannot turn to public housing as a solution. Their only alternative is to hope for decisive Federal Government action in this year's Budget.

It is no longer possible to suggest that a simple reshuffling of funds from inefficient programs is a solution to the Australian Housing malaise. An increase in funds is required to ease the situation documented above.

SHELTER acknowledges that increased expenditure runs contrary to Federal economic policy. However, the hard-ships faced by an increasing proportion of the Australian population demand immediate action. There is no reasonable alternative but to increase public investment.

AT THE SAME TIME, THE COMMONWEALTH HAS ONLY ITSELF TO BLAME FOR THE NEED TO INCREASE EXPENDITURE. The dismantling of the Dept of Environment, Housing and Community Development, and the increasing number of departments with fingers in the Federal Housing Policy pie, will ensure that the Commonwealth gets much less than maximum value for each dollar spent.

The production of a Housing Budget Paper which audits ALL Commonwealth Housing expenditure, and a commitment by Cabinet to co-ordinate the various Housing programs are essential to increase the effectiveness of Commonwealth expenditure on housing.

SHELTER proposes the following program as minimum requirements for some alleviation of the housing crisis.

#### ABORIGINAL HOUSING:

- \* It is imperative that funding for Aboriginal housing be returned to levels achieved prior to 1975, in real terms;
- \* These funds should be primarily channelled through Aboriginal-controlled housing organisations. This would involve new Aboriginal companies and co-operatives, as well as the sustenance of those currently operating under difficult financial circumstances;
- \* Aboriginal-controlled legal and information services should be funded to combat discrimination in both private and public housing markets.

#### PUBLIC HOUSING:

- \* Of prime importance is an immediate injection of funds, via the CSHA, to State Housing Authorities to encourage purchase and rehabilitation of existing housing stock;
- \* Direct funding, in the form of tied grants, to housing initiatives of local Government and non-profit organisations.

#### EMERGENCY HOUSING:

- \* The long-term housing component should be emphasised in any emergency accommodation program;
- \* Increased assistance to Women's Refuges through the Community Health Program;
- \* Funding to the States for adequate provision of emergency housing for unemployed youth and family groups;
- \* Provision of back-up services for those attempting the transition from emergency housing to more permanent private or public accommodation.

#### DIRECTIONS FOR RESEARCH AND CHANGE:

- \* Support for more flexible housing finance arrangements that would permit deferred or indexed mortgage repayments to ease the burden of early repayments;
- \* Provision of funds for the establishment of cost rent housing associations and rental co-operatives in particular experimental pilot schemes in each State;
- \* Support for housing information and referral services;
- \* Support the concept of a National Housing Advisory Council to bring together industry, Government and community groups;

- \* Initial assessment of the housing stock;
- \* Continual monitoring of important trends in the housing market (e.g. rental housing, demands on emergency housing, etc.) should be undertaken;
- \* The interrelationships between housing and other forms of public investment should be investigated, especially the role of housing as an income-redistributive device;
- \* State Housing Authority land acquisitions (both broadacres and inner urban) should be evaluated with respect to efficiency and the availability of community services;
- \* Research should be conducted into the efficiency and equity of public housing administration at Federal, State and Local levels.

#### CONCLUSION

In preparing this document, SHELTER seeks to stimulate a national debate on housing in this period of pre-budget discussions. We will be taking these issues up with the Commonwealth Government, and urge you to do the same. If you are interested in making housing a priority, please contact our State branches of Shelter

NEW SOUTH WALES : Beth Mitchell,  
P.O. Box J-252,  
BRICKFIELD HILL. 2000  
(02) 212-2447

#### HOUSING INFORMATION REFERRAL SERVICE (H.I.R.S.)

H.I.R.S. is a working group of N.S.W. Shelter, as is the Tenants Union. So far H.I.R.S. has been working under an interim management committee. Soon (30 OCT) a new committee will be voted in comprising representatives from Shelter, the Tenants Union, Housing Commission Tenants' Association and the 8 local government areas covered by H.I.R.S. We'll let you know who is on this new committee and what H.I.R.S. will be doing in the next newsletter.

#### HOUSING DIRECTORATE

The Housing Directorate has been established by the State Government as an overall housing policy formulation body. So far they have had one meeting with organisations who are affected by housing - the Union, refugees, neighbourhood centres, etc. As yet nothing concrete has been decided. They are keen to meet with interested people and to obtain as much information as they can. If you have anything you'd like them to know about, the Tenants' Union's representative is David Owen and you can send information to him C/- 118 Regent Street, Redfern 2016.



# DMR UNDER FIRE

Department of Main Roads tenants in Ashfield are living in houses unfit for human habitation.

*An Ashfield Council health report on three near-derelict houses in Frederick Street says they leak severely, have inadequate toilets and water and gas supplies, broken stairs, serious under-floor damp, a dangerously cracked wall and sinking floors.*

MANLY DAILY 17-8-79

Sydney businessman Mr Peter Clyne lost an ejectment case in Manly Court yesterday.

Mr G. Gorman, SM, which gave advice on "tactics" to be used by landlords against tenants. When asked by Mr James if in the book he had advised landlords to start legal proceedings against tenants again and again until they vacated possession of premises he answered: "Yes — I call it the machinegun tactic".

Mr Clyne admitted he had advised the Alford to use such a tactic. He said that when the Alford contacted him and asked him to act as their agent he asked them to supply details of "the means and resources" of Mr and Mrs Garrity.

During his cross-examination, Mr Porter questioned Mr Clyne at length about the notice to quit served on the Garritys, in which he stated his intention to take them to the High Court.

## Eviction service

Mr Clyne, who was operating a company called the Peter Clyne Eviction Service, was acting as agent for Mr R. C. Alford and his wife, Mrs E. A. Alford.

He had exhibited information for the ejection of Mr and Mrs A. M. Garrity from their rented flat in Collingwood Street, Manly.

He had the information on September 19 last year.

When the matter came before the court the Minister for Consumer Affairs, Mr Einfeld, intervened in the case and was represented by Mr C. A. Porter, QC.

Both Mr Porter and Mr G. James (for Mr and Mrs Garrity) objected to Mr Clyne appearing, claiming he had no legal authority to act as agent for the Alford.

During the hearing Mr Porter accused Mr Clyne of using "blackmail" to evict Mr and Mrs Garrity.

He claimed Mr Clyne had put pressure on the Garritys' son, who was described as "a successful Hornsby doctor" by threatening to subpoena details of all his financial affairs.

## 'Blackmail'

Mr Clyne denied he had used blackmail, claiming he had not used any kind of illegal pressures.

Mr Clyne, giving evidence to support his authority to appear for the Alford, said he had written a book titled A Practical Guide To Tenancy Law,

which gave advice on "tactics" to be used by landlords against tenants.

When asked by Mr James if in the book he had advised landlords to start legal proceedings against tenants again and again until they vacated possession of premises he answered: "Yes — I call it the machinegun tactic".

Mr Clyne admitted he had advised the Alford to use such a tactic.

He said that when the Alford contacted him and asked him to act as their agent he asked them to supply details of "the means and resources" of Mr and Mrs Garrity.

During his cross-examination, Mr Porter questioned Mr Clyne at length about the notice to quit served on the Garritys, in which he stated his intention to take them to the High Court.

## Apply pressure

Mr Porter accused Mr Clyne of using the notice to quit as a "propaganda document" to apply pressure on tenants.

"No, I emphatically disagree with you," Mr Clyne replied.

"The tenants would know that the public solicitor would be able to defend them.

"Tenants do not feel under any pressure at all, in fact, they enjoy having all this money spent on them."

Mr Clyne admitted that in his book under the chapter titled "Drafting A Notice To Quit" he advised that the information in the notice should not be to inform the tenants, but to "brainwash" the magistrate.

Mr Clyne had said his tenancy ejectment service had received much publicity and he had advertised his service in Sydney newspapers.

He admitted he had described tenants as "parasites" in his publicity.

## 'Conspiracy'

In his closing address, Mr Porter claimed that Mr Clyne's authority to act for the Alford was "riddled with illegalities" and accused the three of conspiracy.

One tenant can use only one gas burner on her stove while the other has installed an electric stove.

Council's chief health officer Ron Spratt said, "If they were privately owned I'd have no hesitation in issuing a closure order on them under the Public Health Act as unfit for human habitation.

"But they are not privately owned and the council hasn't instructed me to take such action."

Instead the council has called a meeting to ask the DMR to repair the dwellings or rehouse the tenants, who pay a nominal \$20-\$22 per week.

If the council decided to close the houses it would have to rehouse the tenants.

Mayor Lew Herman denied that his council's exposure of the condition of the buildings was the first step in having the houses vacated to allow council to acquire the land for car parking for the nearby swimming pool.

[Although the land is owned by the DMR and earmarked for future road widening the DMR has given the council use of it in the interim when the houses are vacated.]

Ald. Greg Nash, who

prompted the investigation, said, "I asked for a report on the houses because I wanted to see the land used for car parking, but on learning of the tenants' deplorable living conditions that's not an issue any longer

"That's paled into insignificance alongside the living conditions of these people.

"The DMR should repair the houses or rehouse the tenants."

The DMR owns six houses in the block.

Three are occupied by an 82-year-old woman who has lived there for 54 years, by an elderly couple who have been there for 25 years and the third by two young men and a woman

The young woman, Gail Argat (17), said she was surprised at the council's condemnation.

"The house is okay — it's a roof over our heads, except it leaks," she said.

A DMR spokesman said, "We're aware of their condition and we're deciding what can be done".

The spokesman agreed the low rents "had something to do" with the houses not being maintained since they were bought in poor condition in 1971.

*'It's very nice Mr...*

*But does the dunny work?*

# Clyne's case rejected

TENANCY DISPUTE - A CASE STUDY from the files of REDFERN LEGAL CENTRE

This case involved a lady who obtained a lease for six months of residential premises. The lease was the standard form 5A Lease.

When our client agreed to take the premises, she requested the real estate agent who had conducted the transaction on behalf of the landlady to effect certain basic repairs. These matters she noted on the inspection sheet which is provided for in Clause 15 of the standard form 5A Lease.

After moving in, our client made several repeated requests to the real estate agent for the repairs to be done, but the real estate agent kept fobbing her off saying that he would have to speak to the landlady before commencing the repairs. After about a month, our client approached the Health & Building Department of the local Municipal Council, which sent a Health Inspector down to inspect the premises. He then served notices on the real estate agent requiring a number of matters to be attended to. Only some of these were attended to, leaving a large number of repairs still to be done.

Again our client approached the real estate agent who refused to do any further work. At about the beginning of the fourth month of the lease our client decided that she would not pay any further rent until the premises were made fit for habitation. By doing so, she ran the risk of being sued for breaching her obligation to pay rent, and also that the landlady might take action to determine the lease. At the end of the fifth month the real estate agent served what purported to be a Notice to Quit upon our client requiring her to vacate the premises within seven days of the date of the Notice. Our client decided that she would leave the premises and seek alternative accommodation. Before she had removed all her belongings from the premises, an employee of the agent changed the locks and arranged for the electricity to be cut off. Our client was forced to gain entry through a hole in the wall which the agent had neglected to repair.

About two weeks after our client had left the premises, she was served with a summons which had been taken out by the agent on behalf of the landlady claiming two months rent and \$100.00 for changing the locks and "cleaning".

Our client decided to defend the action and institute a cross-claim against the landlady. The basis of our client's defence and cross-claim were:

1. Clause 2 of the lease provides that the landlord shall "ensure that the premises are in a reasonably fit condition for use as a residence at the Commencement of the lease". As the premises were in a disgraceful state when the lease commenced, the landlady had breached this Clause, thereby giving rise to a claim for damages against the landlady.
2. The action of the real estate agent's employee in locking our client out of the premises constituted a retaking of possession of a dwelling house without a court order, contrary to the provisions of Section 2AA(5) of the Landlord and Tenant Act. That provision was introduced in 1978 and provides for a fine of \$500.00 if the offence is committed by an individual and \$1,000.00 if committed by a company. It is not certain what civil consequences flow from this action by the landlady's representatives, particularly whether the landlady is debarred from maintaining her action against our client for non-payment of rent. However, our client had good base on which to bargain with the landlady and her representatives.

The total amount claimed against our client came to approximately \$500.00. Her cross-claim against the landlady was limited to \$1,200.00, to avoid the possibility that the landlady might avail herself of the provisions of the Courts of Petty Sessions (Civil Claims) Act which provides that a cross-claim for an amount exceeding \$1,250.00 may, on the application of the plaintiff, be struck out (the result of which would be that the cross-claim would have to be brought as a separate action in the District Court). (Continued on back page)

# Rents fall as units stay vacant

By GARRY MADDOX  
Property Reporter

The Sydney residential rental market has turned. The rapid rise in rents in the past six months has steadied and the number of vacant properties has increased dramatically.

Some rents at the top of the market have even fallen.

A luxurious two-bedroom home unit at Waverton that let for \$130 a week six months ago, has been let for \$105.

"All of a sudden there are lots of vacant properties," according to the manager of J. J. Hooker Ltd's property management department, Mr Phillip Vicq.

Weeks, after months of sharply rising rents and the lowest vacancy rate of any capital city in Australia.

The president of the Real Estate Institute of NSW, Mr Eric Morrison, said that rents had risen 10 per cent in the past six months because of the shortage of accommodation.

This had happened at a time when the cost of home units was high and rising.

"Unit costs cannot be expected to stabilise until councils increase site densities to make construction a paying proposition for the developer," Mr Morrison said.

"Investors cannot get a realistic return for rental when they are forced to pay \$55,000 for a two-bedroom unit.

"This is a not-uncommon price

"A lot of renovated old flats converted to strata-title units have come back on the market for renting."

While the onset of winter was obviously a factor in coastal areas, Mr Vicq attributed the rise in the number of vacant properties to the re-emergence of the small investor.

The rapid rise of rents and property values had apparently enticed small investors to buy many of the units on the market in the first half of the year.

This was particularly the case in the expensive eastern suburbs and Lower North Shore, where the demand for homes was greatest.

A survey of agencies this week showed that rental accommodation was more plentiful in almost all parts of Sydney, but rents were still high.

being fetched in the Western Suburbs at present."

Mr Morrison said councils should consider allowing the construction of flats specifically as rental accommodation to allow investors to make a reasonable return at rents of about \$55 to \$60 a week.

A spokesman for the Tenants' Union of NSW, Mr Robert Mowbray, said there was still a critical shortage of low-priced rental accommodation for the disadvantaged people of Sydney, particularly in the inner city.

"It is difficult to get a house in anything resembling reasonable condition for less than \$55 a week for two bedrooms and \$70 a week for three bedrooms," he said.

The greater demand to buy inner-city houses, together with rises in rents, had acted against

Typical rents for unfurnished modern units with two bedrooms were: Cronulla, \$55 to \$85 a week; Dee Why and Harbord, \$65 to \$75; Lower North Shore, \$68 to \$75; Randwick, Coogee and Kingsford, \$75 to \$80; inner-city, \$60 to \$70; Elizabeth Bay and Rushcutters Bay, \$75 to \$85; Parramatta, \$54 to \$65.

The most notable example of the greater availability of units was at Elizabeth Bay, where 35 studio apartments (bedsitters) were listed at \$44 to \$60 a week. Two-bedroom units at the large Victoria Point complex, at Potts Point, were on the market for \$100 to \$125 a week.

The survey showed that rents below \$70 a week had stabilised and those above had dropped in certain areas.

This has happened in the last six

pensioners and low-income earners.

The Tenants' Union operates an advisory service. Mr Mowbray said some of the most common problems surrounded the signing of a lease.

Tenants should realise they often have to pay rent in advance, as well as bond money, real estate agent's submission fee, stamp duty and sometimes the landlord's legal costs and registration fee, he said.

"Tenants should ask for a statement of all expenses before signing the lease. Don't forget to get receipts for all these expenses, especially for rent and bond money.

"Deposits to the appropriate authorities for the connection of electricity and gas may also be payable."

## GLEBE RENTS TO INCREASE

Glebe Housing Estate rentals will increase from July 1 and full details will be announced next Thursday.

Basically, the increase will be \$9 for 1979, but the Commonwealth Department of Housing and Construction says that before this is applied possible alternatives will be taken into consideration.

The department says the increases resulted from the Government's 1977 decision that rents in the estate would gradually increase to market rent levels except for those tenants already paying market rents and people on rebated rents. The increases over a three-year period were to be \$8 for 1978, \$9 for 1979 and \$10 for 1980.

A public meeting has been called by the Glebe Residents' Advisory Committee for Sunday and the department says the views expressed on alternatives will be taken into consideration by the Government in arriving at a decision equitable to residents.

Rents for tenants whose sole income is their pension will pay no more than 18 per cent of their gross pension.

Other tenants on low to moderate income may be eligible for a rent rebate which will mean that their rent will not exceed 20 per cent of the income of the tenant and spouse, plus an extra \$5 for each person living in the same house receiving a gross income of \$25 or more a week.

The Department says that all residents have been informed by letter of the proposed increases whether they apply to them or not.

Those residents whose rents will be affected will be supplied with details by letter before July 1.

For further information contact Arthur Pike, Glebe Project Office, on 660-1722.



The budget presented in the last newsletter has been changed a bit after auditing.  
This is the end product.

# TENANTS' UNION OF NEW SOUTH WALES CO-OP. LTD.

## Statement of Income and Expenditure 1978

<u>INCOME</u>	\$	<u>EXPENDITURE</u>	\$
Service Fees .. ..	199.00	Printing .. ..	730.92
Donations .. ..	133.32	Stationery .. ..	42.81
Grants (Shelter) ..	690.00	Postage .. ..	245.62
Sale of Pamphlets ..	170.05	Publications ..	49.03
Sale of Car Stickers	18.33	Photocopying ..	27.48
Proceeds from Stalls	239.31	Telephone .. ..	92.68
Lectures/Workshops	113.70	Furniture & Equipment	42.20
Bank Interest	1.93	Contributions to	
		Tenants' Advice Services	60.00
		Bank Charges ..	6.22
		Miscellaneous	29.68
<u>TOTAL</u>	<u>\$1,565.64</u>		<u>\$1,326.64</u>
		Claims made in 1978 but	
		still unpaid at 31.12.78	<u>\$81.80</u>
Balance of Income over Expenditure at 31.12.78	=		<u>\$239.00</u>
Adjustment for year ended 31.7.78	=		<u>6.00</u>
			<u>\$245.00</u>
Less accumulated deficit	=		<u>6.00</u>
		Net Surplus	<u>\$239.00</u>

Bank Balance 31/12/78	\$339.99
Less Unpresented Cheques	<u>111.90</u>
Balance Cr.	<u>\$228.09</u>

Share Capital at 31/12/78	\$237.00
Share Capital in Trust	
(awaiting approval by	
Board)	\$40.00

### Interest Bearing Deposits

On 28.7.78 \$200.00 of Tenants' Union funds were transferred to Interest Bearing Deposit with the Commonwealth Trading Bank (Redfern). Rec. No. 623468

The interest rate is 9% p.a. calculated at six monthly intervals.

At 31.12.78 therefore NO interest has accrued on this deposit.

### Petty Cash Breakdown for 1978 (Included in Expenditure above)

Petty Cash system commenced 31.7.78

Paid In - \$10.00

<u>Expenditure Breakdown</u>	\$
Postage .. ..	.14
Stamp duty on counter cheques	1.00
Stationery .. ..	2.50
Photocopying .. ..	1.50
Fares (to workshops etc.)	1.60
Documents/Publications	.75
Miscellaneous .. ..	.93
<u>TOTAL</u>	<u>\$8.42</u>
In Hand at 31.12.78	\$1.58

Martyn Jones (Hon. Treasurer)  
12.7.79

TENANTS' ADVICE SERVICE AT REDFERN  
STATISTICS OVER 3 PERIODS

	<u>PERIOD</u>					
	18 months to 30.11.76		12 months to 30.6.78		12 months to 30.6.79	
	No.	%	No.	%	No.	%
Total	647	100.0	451	100.0	489 (1)	100.0
Local Govt. Area -						
South Sydney	202	31.2			109	22.3
Marrickville	100	15.4			43	8.8
City of Sydney	71	11.0			59	12.1
Other - City	256	39.6)			204	41.7
Country		)			17	3.5
Not recorded	18	2.8			57	11.6
Type of Contact -						
Telephone	400	61.8			311	63.6
Interview	190	29.4			136	27.8
Home Visit	50	7.7			20	4.1
Other	7	1.1			22	4.5
How referred -						
Previously assisted	36	5.6			52	10.6
Friend	100	15.4			100	20.5
Dept of Y & C S	20	3.1			13	2.7
Rental Bond Board	(2)	-			8	1.6
Other Govt. (3)	132	20.4			50	10.2
Non Govt.	167	25.8			89	18.2
Leaflet	7	1.1			14	2.9
Other (4)	119	18.4			60	12.3
Not recorded	66	10.2			103	21.0
Type of Problem -						
General Advice	93	14.4	48	10.6	114	23.3
Searching for Accom.	52	8.0	21	4.7	19 (5)	3.9
Repairs	58	9.0	68	15.1	75	15.3
Rent Increase	56	8.7	39	8.6	45	9.2
Invasion of Privacy	17	2.6	20	4.4	27	5.5
Threat of Eviction	162	25.0)	83	18.4	109	22.3
Lock-out		)	4	0.9	15	3.1
Bond Dispute	61	9.4	45	10.0	30	6.1
Enquiry re Rental Bond	(2)	-	(6)	-	19	3.9
Dispute over Tenancy Agreement	10	1.5	28	6.2	7	1.4
Dispute over Rent Payment	8	1.2	10	2.2	6	1.2

PERIOD

	18 months to 30.11.76		12 months to 30.6.78		12 months to 30.6.79	
Total	647		451		489	
Rent Arrears	16	2.5	13	2.9	12	2.5
Term. Lease Early	21	3.2	23	5.1	16	3.3
Dispute with Neighbour	10	1.5	4	0.9	11	2.2
Other Services - Gas Elec Water	12	1.9	18	4.0	13	2.7
Appl. for H.C. Accom.	N/R	-	7	1.6	9	1.8
Other	71	11.0	20	4.4	39	8.0
Service Provided -						
Advice only	264	40.8			259	53.0
Follow Up	240	37.1			160	32.7
Referral	216	33.4			148	30.3
Referred to- (7)						
Legal Service or Solicitor	92	42.6			45	30.4
Municipal Council	41	19.0			22	14.9
Rent Control Office/ Rental Advisory Service (8)	6	2.8			18	12.2
Rental Bond Board	(2)	-			17	11.5
Consumer Claims Tribunal	(9)	-			11	7.4
Housing Commission	N/R				3(5)	2.0
Dept of Y & C S	30	13.9			1	0.7
Other Government	28	13.0			19	12.8
Other	90	41.7			40	27.0

Ranking of "Type of Problem" According to Frequency.

Rank	PERIOD		
	18 months to 30.11.76	12 months to 30.6.78	12 months to 30.6.79
1.	Threat of Eviction	Threat of Eviction	General Advice
2.	General Advice	Repairs	Threat of Eviction
3.	Bond Dispute	General Advice	Repairs
4.	Repairs	Bond Dispute	Rent Increase
5.	Rent Increase	Rent Increase	Bond Dispute
6.	Searching for Accommodation (5)	Dispute over Tenancy Agreement	Invasion of Privacy

NOTES -

- Over this period a further 909 telephone enquiries were referred on to other Tenants' Advice Services.
- Rental Bond Board commenced operations on 1.11.77.
- Includes 'Council'

4. Includes 'Media Publicity'
5. There has been a very large increase in enquiries at the agency relating to 'Searching for Accommodation'. However, these enquiries are now handled by social welfare staff and included in their statistics. Over the 12 months to 30.6.79 cases handled in the office numbered 434 and telephone enquiries numbered 217, totalling 651 altogether. The social welfare staff frequently make 'Referrals' to the Department of Youth and Community Service on such matters for help with bond money.
6. Included in 'General Advice'
7. % figure calculated on number of referrals.
8. Rental Advisory Service of Department of Consumer Affairs commenced handling enquiries on 1st March 1979. It has power to prosecute when "Lock-outs" occur.
9. Consumer Claims Tribunal was not handling bond disputes at this time.

## DISTRAINT IN SOUTHWARK A LABOUR COUNCIL IN THE U.K.

### CASE ONE

Mr. Moss rented a piece of land from Mr. Harrison, who later mortgaged it to Mrs. Gallimore. When Mr. Harrison went bankrupt Mrs. Gallimore demanded that Mr. Moss should pay his rent direct to her. His payments had always been regular, but now he owed 28 pounds. Mrs. Gallimore threatened to distrain his goods unless he settled the debt immediately. Mr. Moss was intending to sell some property anyway, and asked Mrs. Gallimore to delay the distraint until he could do so. She refused, seized Mr. Moss' goods and sold them for 22 pounds.

### CASE TWO

Another family owed rent to their landlord the Council, who also decided to distrain. The Council seized and sold a dressing table, 2 black and white TV's, a record player, radiogram and radio.

They got 28.50 pounds for the lot.

After paying the bailiffs' fees they made 4 pounds to pay off the arrears.

Two similar cases - the main differences are that the first took place in Staffordshire in 1779 and the second in Wandsworth in 1979; and where Wandsworth seized TV's, Mrs. Gallimore seized cows; and 28 pounds was worth a little more 200 years ago!

On October 30th last year Southwark Council Housing Committee decided to use distraint in rent arrears cases.

Since then distraint can be threatened at the whim of Estate Officers and has been threatened against unemployed tenants and a tenant who was no longer in arrears.

(DISTRAINT is a landlord entering his tenant's home and taking and selling his or her belongings to recover rent owed.

Southwark Council, unlike a private landlord, does not need to go to court to use this procedure. It simply instructs a firm of bailiffs, who need give the tenant no notice of their visit.

Its legal name is distress and dates from the statute of 1267.)

The TNT Tenants Group is being supported by Kings Cross Tenants Advice Service.



The following are extracts from the TNT Tenant Groups Newsletter and newspaper clippings on the issue.

# TNT TENANTS GROUP 'NEWSLETTER' NO. 1. WHAT'S HAPPENING OVER THE 71 EVICTIONS

## a. Craigend Street.

Well, two month's back, the Herald on Saturday, gave over half of its page 3 to an article on TNT's plans for its tenants, a TNT spokesman denied that we had any plans to evict anyone. Occasionally C.R.S. Real Estate took up this story. The facts are that, as I.D.A. said in a letter to the Tenants' Union on February 2nd, it wants to "renovate" houses once the tenants have been evicted, and its first choice is numbers 13 to 23 Craigend St. Eviction notices were issued in April to three houses in this area of Craigend Street, but notices were not given notice to quit because their lessees, who were sub-letting their house to lodgers, voluntarily agreed to go. One house which received a notice to quit was vacated because the residents were finding it difficult to live together as a group. The other two houses which have received notices to quit are fighting the issue, and have placed the matter with the TNT Action Group's solicitors, Messrs. Benjamin and Rhodes. Although in normal circumstances, a refusal to vacate a house in the period laid down in a notice to quit, would be followed very quickly by a summons to a court hearing, SO FAR TNT HAS NOT DARED TAKE THE CRAIGEND STREET TENANTS TO COURT. This is a major victory for the Tenants Action Group.

## b. 2 Royston Street.

Since its notices to quit were issued in Craigend Street, TNT has moved on the number 2 Royston Street. In this block of six flats, two were already vacant when notices to quit were issued. One tenant was going to move anyway, and did. Another thought there was no hope of fighting and moved out. Of the other two tenants, one demanded the option of purchase which was promised to tenants in I.D.A.'s first letter to the Tenants' Union, but which was not offered to Royston Street tenants. Our solicitor is taking this broken promise up with TNT. The other tenants negotiated a three month lease with TNT in another Royston Street block of flats. The people who fight TNT get something - the people who run away simply get forced out of the area. Events so far show that TNT's eviction notices are nothing to be afraid of and that TNT is not backing them up by Court Summonses.

## c. Guards

TNT has introduced armed guards into the area. Just as it lied about "no evictions" and lied about the "option to purchase", it has lied also about the guards, telling a writer for last week's Sunday Telegraph they have been withdrawn. But the uniformed men are still around at night keeping Royston Street tenants awake by "checking" vacated flats in number 16 - the idea being to make as much noise as possible late at night to drive tenants out. The guards are supposed to keep out squatters, but according to I.D.A.'s own rent collectors there are now more squatters in the area than before the guards came in.

So what on earth are they doing, except trying to scare residents? In two incidents the Tenants Action Group took up, security guards tried:

- \* to order a pensioner couple out of their flat at five hour's notice.
- \* to refuse to let a family enter their own flat after they paid rent for five months until they produced their rent receipt. This is not "protecting" residents - this is intimidating them! The TNT guards must go!
- \* If TNT cannot run its properties without armed guards, it is simply admitting how unpopular a landlord it is.

#### d. "Renovations"

The latest lie in T.NT's large repertoire is that it wants to "renovate" properties and the tenants group is "opposing renovation", the story in last week's Sunday Telegraph. If the guards will let them, any tenant who takes this story seriously should have a good look at what TNT is actually doing to the houses it is "renovating". The cheapest possible materials are being used, structural defects are not being remedied, but plastered over. Many tenants have been asking for repairs for years, and never had them done - if repairs had been done when tenants asked for them, the present renovations would be unnecessary. The Tenants Action Group wants real repair done on houses, not phoney jobs and it wants the repairs done without evictions.

## Old couple harassed, Ald claims

A City Council alderman will protest to the State Government about the alleged actions of armed guards in a tenancy dispute at Darlinghurst.

He alleged the guards had "harassed" two elderly tenants by entering their flat and destroying their fuse box.

"If the police hadn't intervened, the guards would have carried out their threat to evict the old couple," said Alderman Tony Reeves (Labor) yesterday.

Ald Reeves said he was making a complaint to the Attorney-General, Mr Walker, and the Housing Minister, Mr Einfeld.

He said that two uniformed guards from Thomas National Transport had "patrolled" Royston and Craigend Sts, Darlinghurst, for many hours last Saturday.

### Properties

Ald Reeves said TNT owned a large number of properties in the area.

"Late in the afternoon two guards, armed, forced their way into a flatlet occupied by two elderly tenants, and told them they would have to leave," he said.

"The old people were upset and worried about their position, and then the guards ripped out the fuse box.

By DAVID HALPIN

"They broke the fuse box, and told the old couple they would be back to evict them at 7 pm.

"The other residents of the TNT properties talked to the old couple and then telephoned Kings Cross police."

A police spokesman said the guards, if armed, would not have been breaking the law if they had pistol licences.

Uniforms were also legal as long as blue and white checkered bands were not worn around their caps.

"However, security guards have no more powers than an ordinary citizen, and they cannot carry out evictions," the spokesman said.

Mr K. A. Watson, deputy manager of TNT Group Four Security, denied that the guards involved were armed, although he said they did wear uniforms.

He also denied that they had entered any premises to tear out a fuse box or were concerned with any evictions.

## Evictions, guards claim residents

About 100 Darlinghurst residents yesterday held a demonstration against the alleged eviction of tenants and the use of security guards to patrol the area.

Residents in the area bounded by Craigend, Surrey and Royston Streets are concerned that the properties will be converted to fashionable inner-city accommodation by the owners, Primera Pty Ltd, a wholly owned subsidiary of Thomas Nationwide Transport Ltd.

When the Herald reported in March that tenants in the area feared eviction, spokesmen for TNT and Primera denied that any scheme or project had been initiated to update the properties or evict tenants.

A resident of Craigend Street and a member of the action group formed by residents, Mr Robert Eadie, said yesterday that the property owners had guards patrolling the area 24 hours a day.

Until residents had approached the police association the guards had been carrying

weapons, he said. They now carried guns only at night.

"Last week they tried to prevent a family moving stuff into their flat, despite the fact that they held a rent slip which proved their tenancy," he said.

Four or five residents had received eviction notices and another three had received an offer for them to buy the property they occupied.

The meeting passed a series of six resolutions calling for the withdrawal of the "private army," a stop to evictions, negotiations with residents and the immediate repair of buildings which have been allowed to deteriorate.

It also called on the State Government to provide finance for housing in the area.



OUR PLAN TO BEAT TNT

How can TNT's plans to evict tenants be defeated? The first steps the Tenants' Group have taken have been aimed at making tenants aware of their legal rights, and using all the possibilities open to them under the law. The next step must be to find a lasting solution.

TNT won't talk

So far TNT has refused to make any real moves to talk to tenants. IDA Constructions director I.D. Holland talked to tenants' representative Robert Eadie and Holland offered to organise further talks with TNT. As with several of Hollands other promises, these talks never materialised. Again, the open air meeting the Tenant's Group organised at Royston Street last month passed a motion calling on TNT to negotiate. There has been no response. TNT has simply used tactics of confrontation, smearing tenants as "hippies, squatters and transients" through an unpaid advertisement published courtesy of Rupert Murdoch in the Sunday Telegraph, and then mobilising "security guards" against these "undesirables". The Tenants' Group, in contrast, has always made clear its willingness to talk.

TNT versus tenants

Large corporations like TNT prefer the outsize profit they hope to get from selling up the Darlinghurst triangle to seriously taking into account the interests of the tenants in the area, the overwhelming majority of whom want to stay living where they are. This is a fact of economic life that tenants have to face. TNT bought the houses in the area in order to sell them at a profit later on when land prices rose. Tenants for TNT, are a temporary inconvenience to be put up with in TNT's real business of speculation. TNT's profit comes not from rents but from buying cheap and selling dear and to hell with the people involved. This is why TNT has to be forced, kicking and struggling every inch of the way to the conference table. A conference with the tenants might cut its profits.

Who else fights, TNT

What the three hundred odd people in the area have to do then is take on this Multinational giant. A tall order? Only if you look only at what's happening in Darlinghurst and don't see how many other groups organisations, unions and people has been disregarding in its grab for profits. Unions like the seamens', the miscellaneous workers, the waterside workers, the transport workers, and the building trades group all are in different kinds of conflict with TNT. In botany, the residents action group has a long record of fighting with TNT. If everybody gets together, instead of going their own way, TNT's profiteering can be brought under control. TNT has shown what side of the political fence it is on by recruiting Sir Robert Askin to its board. This is enough to set the best elements in the Labour party squarely against it.

Woolloomooloo

The last time a big developer was taken on in the inner city was in Woolloomooloo. In that battle the developers were defeated and the Housing Commission did real renovations on the houses - instead of patch-up jobs like those TNT is doing - and the residents are now returning to houses that will last for which they are paying rents adjusted according to what they earn. What is good enough for Woolloomooloo is good enough for Darlinghurst. We are not asking for pie in the sky. We are asking that tenants get the same conditions and the same security they fought for and won in the suburb next door to Darlinghurst on the other side of William Street. It has been done once. It can be done again.

Times can change even more

We are not taking any excuses about how "things are different" now from the early 'seventies. Of course times change. There is no longer a federal Labour Government. The Builders' Labourers' Federation which imposed green bans to halt developers have been smashed by Norm Gallagher and Steve Black. Juanita Neilsen has been murdered because she fought the developers. All this means is that we know what we are up against. It is better to ask for what you want and not get it than ask for what you don't want and get it. But we are going both to ask for what we want and get it.

We will win

The union pressure that forced action on Woolloomooloo can and will happen again. The building trades unions cannot survive if in the suburbs like Darlinghurst the bulk of workers doing sub-contracting work on the cheap patch-ups the developers demand are non-union. Another Woolloomooloo would mean not just fewer

jobs for sub-contractors but more jobs for unionists all round, but because all the structural alterations necessary to keep houses tenable would be done not just cheap cosmetic jobs. In the unions own interests, fighting to keep tenants is fighting for more jobs and an end to subbies. We want an alliance with the building unions on this basis and will win it, by appealing both to the union leaders and the union rank and file. Darlinghurst in a combined tenant & union fight, will keep its people with roofs over their heads rather than having them thrown on the streets by TNT guards.

Next Week:

How we want the Council and State Government to act.

Official Communications should be  
Addressed to The Town Clerk

Telephone 2 0263  
Box 1591 GPO Sydney 2001  
Telegraphic Address  
"ITBIS" Sydney

## THE COUNCIL OF THE CITY OF SYDNEY

Mr. Jim Page,  
35 Surry Street,  
DARLINGHURST, N.S.W. 2010

TOWN HALL, SYDNEY N.S.W.  
2 JUL 1979  
Reference AF 11 28 0027  
DM/pb

Dear Sir,

Premises: Nos.15, 19 and 49 Craigend Street,  
Darlinghurst

In reply to your recent letter concerning work being carried out at the abovementioned premises, I wish to advise that only renovation work to kitchens and bathrooms and general maintenance work to the building is being carried out, which would not necessitate the submission of a building application. However, other work to the premises is contemplated and the foreman has been advised to submit a building application for any structural alterations.

Yours faithfully,

L.P. CARTER  
Town Clerk.

We reprint the above letter from the Sydney City Council to show the collusion existing between the city council and IDA. Anybody is welcome to look through No.17's window at the extra fibro room I.D.A. has joined onto number 15 which Mr. L.P. Carter, in his wisdom, has decided doesn't exist. TNT and IDA are breaking the building regulations hand over fist and the Council's building inspectors are blind. Could IDA's donations to the ruling Civic Reform Group on the council have anything to do with this??

# Private armed patrols

SIR, I was horrified this weekend to see armed guards with walkie-talkies patrolling the streets near my home.

When I approached one of these men and asked him whether this was not a police duty he referred me to an officer of the Darlinghurst Police who he said

had given him permission for the foot patrol.

He also said that it was normal for his company to use its employees to guard building sites. As the area which was being "guarded" was a set of suburban streets containing flats and terraces with probably hundreds of residents, I was surprised to hear this used as a justification.

I now wonder whether the NSW Police Force has decided to pass on some of their more arduous duties, such as foot patrols of suburban streets, to private security organisations. I also wonder whether the men in these organisations have the necessary training and discipline which we expect of our police force.

Are they responsible to the May 13

people they are "protecting" or are they responsible to the company which employs them?

I would feel much safer if the responsibility for the security of my neighbourhood reverted to the police force — as is the normal practice in Australia.

ELAINE SPICER,  
Clapton Place,  
Darlinghurst.

Craigend Street tenant and painter Rob Eadie last Saturday painted a mural on the wall of number 13 Craigend Street, with a little help from his friends. Security guards, police and even ABC reporters gathered round to watch. The security guards and police found Rob had been authorised by the old agents, Barraclough and Gold-on behalf of TNT, to paint a mural on that stretch of wall. The police took a look at the letter and decided not to get involved. The security guards were rather less cautious, but when reporters with television cameras from the ABC programme Four Corners emerged from an unmarked car round the corner, several TNT guards went into full retreat and were chased by a camera-wielding reporter all the way up the stairs to their hidey-hole in the top flat of 2 Royston Street. A feature of the event was a full vodka-swilling forty-mile-an-hour backward drive by a TNT guard's car when confronted by a cameraman.

The ABC Four Corners programme is shortly to feature an inquiry into security guards, in which the incidents in Craigend Street will be part. The programme will be screened Saturday week. In the meantime, the mural is still on view at the corner of Craigend and Nimrod Streets and is very well lighted at night when it can be seen clearly from Victoria Street. It was even reported in last Tuesday's Herald on page three.

#### UNION SUPPORT

The board of management of the Plate, Sheet and Ornamental Galss Workers' Union of N.S.W., - the union in the Building Trades Group that represents people who put in and repair windows - has passed a very strong motion supporting TNT tenants and others in similar positions.

#### The Motion reads:

That in areas where building and developers are using scab sub-contract labour to do inadequate renovations, and substantial numbers of people are being evicted, the union take traditional direct action to clear the sites of non-union land, so that adequate building repairs can be carried out by union labour without working people being evicted.

The next step is to put this resolution up to the entire Building Trades Group of unions. The Builders Labours' Federation carried a resolution at a branch general meeting that their management committee investigate the imposition of a ban on TNT development in the area until tenants' demands are met and union conditions of work are observed by the building employers. The next step, under the rules of the union, must be a residents' petition to the BLF to act. So when someone knocks at your door asking for a signature in the next few days you know what its about.

#### COUNCIL INVESTIGATION

As a result of the Sydney City Council debate on TNT's mass evictions initiated by LABOR alderman Rob Tickner a few months back, the city council has now asked its eastern suburbs planning team - which recently exhibited plans for this area outside their office in the Hyatt Kingsgate - to investigate what TNT is doing. So anything you think the City Council ought to know, drop in and tell the Planning Team at its ground level Kingsgate office (just along from the newsagent).

#### MORE PUBLICITY ON BUILDING VIOLATIONS

I.D.A.'s extensions to its "renovated" buildings, extensions which the City Council town clerk denies exist, have been publicised further after our reprint of the Town Clerk's letter on this matter last week. A Tenants' Union spokesperson on the Channel 7 program 11 a.m. raised the issue of building regulations being ignored after the company concerned had made a donation to Civic Reform's local body election campaign funds.

#### DANCE

At Garibaldi's in Riley Street, TNT Tenants' Group are planning a dance on Saturday, 28th July. Jeannie Lewis may drop in, and there will be other bands, including a Latin American combo.

#### WHAT WE WANT FROM THE COUNCIL, ETC

Because of pressure of all the above good news, our promised article on this is being held over.

# TENANTS' HOTLINE

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## WE'RE READY TO GO!

The TENANTS' UNION now operates - "TENANTS' HOTLINE".  
Telephone No. 6 9 8 - 8 0 3 3.  
It uses the network of Tenants' Advice Services.

The TENANTS' HOTLINE will enable a more accessible advice service for tenants.  
Eventually it may be available 24 hours a day - many lockouts happen after hours.

However, from 1st September 1979 at least until the New Year the hours of operation are:

Monday	1 - 9pm
Tuesday	1 - 9pm
Wednesday	1 - 9pm
Thursday	1 - 9pm
Friday	1 - 9pm
Saturday	9.30am - 12.30pm

At present the following Tenants' Advice Services have agreed to participate, i.e. ensure that one phone is free to take phone calls,

BONDI	BONDI JUNCTION	BURWOOD
CHIPPENDALE	DULWICH HILL	KINGS CROSS
LEICHHARDT	REDFERN	

in other words, just ring 698 - 8033 for advice on your tenancy problem.

## USING RESOURCES OF THE TENANTS' UNION

All Tenants' Advice Services will be supplied with pamphlets on Tenants' Rights, a resource manual including sample letters etc., sheets for statistical returns, and help to organise a workshop for volunteers.

## PLUGGING THE TENANTS' UNION

Tenants' Advice Services participating in the TENANTS' HOTLINE will actively solicit Tenants' Union membership by inviting membership and posting out a membership form.

## FOLLOWING UP CASES

If follow-up is required for individual cases outside the rostered timeslot the individual TAS will give its own telephone number to the enquirer.

## ANOTHER OPINION NEEDED!

The TENANTS' HOTLINE allows for a 3-way conversation with the Redfern office if someone is at that office. It requires a telephone call on another to let us know you want help.

## YOU CAN BE ROSTERED ON IN YOUR HOME

The TENANTS' HOTLINE allows for members to be rostered on at home. This means that people not associated with any Tenants' Advice Service can help give advice from the comfort of their lounge room.

MEMBERS, we need volunteers who are willing to do this. Such assistance will allow us eventually to expand our hours of operation.

EXTRACT FROM "RENTAL BOND BOARD ANNUAL REPORT 1978" p10:

## ACTIVITY

During the period from 1st November, 1977 to 30th June 1978, the Board processed the following volumes of rental bonds -

Bonds deposited	Number of Bonds	Value
Bonds deposited.....	179,138	\$29,245,073
Bonds refunded.....	29,311	4,958,828
	<u>149,827</u>	<u>\$24,286,245</u>

The disbursement of rental bonds refunded by the Board was as follows -

Bonds paid in full to tenants.....	51%
Bonds paid in full to landlords.....	27%
Bonds paid partly to both parties.....	22%
	<u>100%</u>

During the period to 30th June, 1978, 227 claims for the refund of bonds were referred to either the Consumer Claims Tribunal or a Court of Petty Sessions for the settlement of a dispute. This represents less than 0.8% of the total number of bonds refunded. Based on information received from the Consumer Claims Tribunal, which is a completely separate and distinct entity from the Rental Bond Board, the disbursement of disputed bonds was as follows -

Claims awarded in full to tenants.....	26%
Claims awarded in full to landlords.....	26%
Claims awarded in part to both parties.....	48%
	<u>100%</u>

During the four months to 28th February, 1978, the Board took the opportunity to carry out extensive staff training before normal volumes of deposits and claims were experienced. It is pleasing to note that of the \$4,958,828 paid out as refunds of rental bonds by the Board's officers, it has not been necessary to write off any incorrect payments.

In addition to the processing of rental bond deposits and refunds, the Board handled 32,041 telephone inquiries and 15,100 counter inquiries concerning the legislation and general information during the period. At the 30th June, 1978, the Board was handling approximately 300 telephone and 150 counter inquiries per day.

The total staff establishment of the Rental Bond Board as at 30th June, 1978, was 45 positions.



Continued from pp. 9.

The matter was listed for hearing in January, 1979, and shortly before the hearing, the landlady decided to withdraw her action entirely against our client. Our client then agreed not to pursue her cross-claim. The end result of the matter was that our client obtained two months' rent free accommodation as a result of the landlady's, or her agent's, refusal to make the repairs initially agreed to.

(From "Redfern Legal Centre News" Vol 3 No 2 & 3 February and March 1979 pp 2, 3)

# TENANTS' UNION



OF N.S.W. CO-OP LTD.  
118 REGENT STREET  
REDFERN 2016  
PHONE 699 4073 or 699 2260  
WEDNESDAYS, 5.30pm - 9.00pm

The Tenants' Union represents tenants against unfair treatment from property owners and real estate agents.

We help tenants work TOGETHER to make improvements by:

- maintaining Tenants' Advice Services;
- lobbying Governments on tenancy issues;
- publicising tenants' problems and rights.

WE BELIEVE THAT GOOD QUALITY HOUSING IS A BASIC HUMAN RIGHT... THIS MEANS SECURITY OF TENURE, HOUSES IN GOOD REPAIR AND PROTECTION FROM EXCESSIVE RENTS.

SOLIDARITY IN NUMBERS IS THE ONLY WAY THAT OUR RIGHTS CAN BE FOUGHT AND WON.

JOIN NOW...HELP THE TENANTS' UNION TO HELP YOU AND OTHERS!

## APPLICATION TO JOIN TENANTS' UNION

Name.....

Address.....

.....

.....Postcode

Telephone.....

Occupation.....

Are you a tenant? .....(please)

Are you a home-owner?.....( tick )

Cost: Pensioners)  
Unemployed) ..... \$2  
Students )

Workers ..... \$4

Organisations ..... \$10

This covers purchase of shares and a service fee.

I enclose \$.....

I declare that I am over 18 years of age.

Signature.....

Witness.....

Date.....

Cut along dotted line and return to:

Tenants' Union of N.S.W. Co-op. Ltd.,  
118 Regent Street,  
REDFERN. N.S.W. 2016.

## HELP WANTED

The ever-present need for additional helpers leads to yet another call for volunteers. All work done by the Tenants' Union Co-operative is done on a voluntary basis. The more volunteers, the less each individual has to do. Anyone interested in helping with the Tenants Advice Service could contact the nearest service about joining the roster. Volunteers to help run the stalls (which are a main revenue source) would also be welcome. If you have any goods for the stalls - plants, clothes, books and nic-nacs for example, contact BETH MITCHELL on 560 4488 ext 7 Thursday 6pm to 9pm