

RRVV

NEWSLETTER

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Residents of Retirement Villages Victoria Inc.

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RETIREMENT LIVING COUNCIL PUSHING AHEAD WITH 8 POINT PLAN

The Retirement Living Council (RLC), a division of the Property Council of Australia and the body that represents owners and operators of retirement villages, published its 8-Point Improvement Plan in July 2017. We reviewed the plan in our September 2017 newsletter (see Newslettersonresidentsofretirementvillagesvic.org.au). RRVV has had discussions with the RLC on two of its initiatives flowing from the plan:

1. A code of conduct
2. Training for village managers and sales managers

The RLC published the consultation draft of its proposed code of conduct in December 2017 and called for public comment. RRVV had seen one earlier draft. Consumer Action Law Centre (CALC), Housing for the Aged Action Group (HAAG), Council on the Ageing (COTA) and RRVV jointly provided feedback. You can find our joint letter on the RRVV website. RRVV offered additional input including a list of 81 sins of commission and omission we allege owners and operators commit against residents. We argue that any code should have amongst its objectives the elimination of poor owner and operator conduct and the strengthening of residents' rights and protections

RRVV believes that for a code to be useful it will need the support of sufficient owners and operators to ensure coverage of at least 90% of all retirement villages. In our opinion, it is unlikely

that a voluntary code will ever achieve adequate coverage. Accordingly, we favour obtaining the resident benefits we seek through legislation. Nevertheless, in the interim, we are willing to support a code that significantly improves the conduct of owners and operators.

Unfortunately, the draft code does little for residents. Our impression is that the RLC is engaged in a public image exercise rather than an improvement program. Furthermore, we see little evidence of owners and operator enthusiasm for painstaking customer improvement programs. The improvements residents want require sustained hard work over an extended period. There are no quick fixes.

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Moreover, we feel that developing a full-scale code is too big a challenge for the sector to handle it in one step. We have recommended starting again with a charter of residents rights and protections. We have also advocated developing and implementing a code of ethics before attempting a full code of conduct.

Given our disappointment with the draft code of conduct, we received the news that the RLC was kicking off a project to develop a training program for village managers and sales managers with some anxiety. Will the RLC again only invite residents to participate late in the process?

The RLC did invite all six retirement village residents' associations to participate in a teleconference and express our views. During the teleconference, we learned that the RLC had been working on the curriculum for two months and had undertaken significant consultation with other parties. Moreover, RRVV formed the impression that the RLC has given little thought to ongoing resident participation.

For over a year RRVV has advocated for an independent training organisation to develop and deliver village manager training at Certificate 4 level or higher because we fear that industry-sponsored training will not be sufficiently rigorous and likely to recycle current poor attitudes and practices. Moreover, we believe that training should be compulsory for all village managers in Victoria, not just those covered by the RLC. We saw no evidence that the RLC has considered our position.

Our current willingness to participate in the RLC's projects in no way signals we have lowered our expectations. Rather, we see participation as an opportunity to engage constructively with the RLC on identifying the depth and breadth of problems in the management of retirement villages.

We will keep you posted and welcome your feedback.

2018 RESIDENT LIAISON OFFICER MEETING

The RRVV Committee has called a Special General Meeting to deal with some pressing amendments to the RRVV Rules of the Association. The meeting will be quite short. After the meeting we will hold a RLO Meeting.

The main agenda items are:

1. Support for Resident Liaison Officers (RLOs) and Assistant Resident Liaison Officers (ARLOs).
2. How can RRVV best support you in what can be a demanding position?
3. Replacing RLOs and ARLOs who retire
 - When the time comes what is the best way of selecting and appointing your replacement?
4. Streamlining newsletter distribution
5. 2018-2019 RRVV budget preparation
6. 2018 Victorian elections
7. General business

Please put the following in your diary:

Date: Thursday 5 April 2018

Time: 10:30 to noon

Place: Victoria University Convention Centre, Level 12, 300 Flinders Street, Melbourne.

(Exit Flinders St. Station from the western end and head to the north side of Flinders Street 75 metres to the west of Elizabeth Street).

Please RSVP by 2 April to 9015 8402, or email rrvv.vic@gmail.com

SPECIAL GENERAL MEETING TO BE HELD 5TH APRIL 2018

Following a review of our Rules of Association by the Committee, it was discovered that there are a number of Rules that need amendment or re-wording.

Whilst the majority of these amendments are cosmetic in nature, e.g. re-numbering of rules, expansion of rules to better explain their intention, spelling mistakes, definitions of Life Member, Associate Member and Full Village Membership etc., the major issue that needs to be addressed is the quorum requirement for the holding of General Meetings of Members. The current rule 35(2) states:

“the quorum for a general meeting is the presence (physically or as allowed under Rule 34) of 10% of members entitled to vote”

With a membership base of some 7,000 members, this requires the attendance of 700 plus people at all General Meetings. Clearly, this does not happen!

Accordingly it is necessary to change our Rules of Association to enable RRVV to hold valid General Meetings going forward. To change the Association Rules a General Meeting of Members is required to be called and for that meeting to pass a Special Resolution altering the Association Rules.

The Committee therefore proposes to alter Rule 35(2) to read as follows:

“the quorum for a general meeting is the presence (physically or as allowed under Rule 34) of 50 members entitled to vote”

Notices of Meeting & Proxy Forms as required by our rules are enclosed with this newsletter.

If anyone has any questions relating to the proposed changes please contact the Treasurer, Graeme Seymour at the following email address: treasurer@rrvv.org.au

Graeme Seymour
Treasurer

NOTICE OF SPECIAL GENERAL MEETING

To be held on Thursday 5th April, 2018 at 10:30am

At Victoria University Convention Centre Level 12, 300 Flinders Street, Melbourne (Exit Flinders Street Station from Elizabeth Street Entrance ... Venue is on North side of Flinders Street 75 metres west of Elizabeth Street)

AGENDA

1. Open and welcome
2. Present and apologies
3. Determine that quorum is present (10% of members entitled to vote in person or represented by proxy)
4. If Quorum not present then under Rule 35 (3)(b)(i) the meeting will be adjourned to:
18th April 2018
Same Venue
Commencement time 10:30am
5. If Quorum is present the following Special Resolution will be tabled for Voting:
That the Association Rules be amended as per attached summary of proposed changes.
6. Close of Meeting

Attachment to Agenda

**PROPOSED AMENDMENTS TO ASSOCIATION RULES TO BE VOTED ON AS A SPECIAL RESOLUTION
AT MEMBERS MEETING TO BE HELD ON 5TH APRIL 2018 OR ANY ADJOURNMENT THEREOF.**

Rule No.	Current Rule	Proposed Change
Rule 4 Definitions - member	The words "rule 13 (3)"	Replace with "rule 13 (2)"
Rule 9(2)(b)		Add the words "as determined under rule 12"
Rule 11(2)	The words "rule 13 (3)"	Replace with "rule 13(2)"
Rule 13(3)		Renumber as "rule 13(2)"
Rule 16.2	The words "sub-rule 7.1"	Replace with "rule 16.1"
Rule 25	After the words "between themselves"	Add the words "within 14 days of the dispute coming to the attention of each party."
Rule 26(1)	Delete the words "themselves, the parties must-"	Replace with "themselves within the time required by rule 25, the parties must within 10 days-"
Rule 30(7)	Delete	
Rule 30(8)		Renumber as Rule 30(7)
Rule 33(3)	New rule	Insert "This rule does not apply to a disciplinary appeal hearing"
Rule 33(7)	New rule	Insert "A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Association no later than 24 hours before the commencement of the meeting."
Rule 35(2)	Delete the words "10% of the members entitled to vote."	Replace with "50 members entitled to vote"
Rule 37(4)	New rule	Insert "This rule does not apply to a vote at a disciplinary appeal meeting conducted under rule 23."
Rule 47(2)	After the words "financial statements of the Association" delete the word "and"	Insert the words "and their certification by the Committee prior to"
Rule 54(3)(b)	Delete the word "ember"	Replace with the word "member"
Rule 65 (2)		Renumber existing paragraphs (a) (b) & (c) to read (b) (c) & (d) respectively Insert new paragraph (a) "the names of the members in attendance at the meeting"
Rule 70 (2)		Renumber existing paragraphs (c) & (d) to read (d) & (e) respectively Insert new paragraph (c) "the certification of the financial statements by the Committee."
Appendix 1	Life Member Associate Member Delete "Village Full Group Membership....."	Rename to "Life Time Member" Replace definition with "a person who has an interest in Retirement Village matters, a person who is the process of entering or has recently left a Retirement Village (without voting rights) Replace with "Whole of Village Membership where a Village pays annually a lump sum using an amount per Unit/Residence as set by the Committee and lists the name of all residents".

VICTORIAN'S VOTE IN NOVEMBER. HAVE A SAY WHILE PARTY POLICIES ARE STILL MALLEABLE.

Politicians are working on party policies for the coming election. It is time for you to tell them what retirement village sector reforms you want to see in their platforms. Write to your local members (you local lower house member and your local upper house members) or phone and make an appointment for a meeting. If you find the idea a bit daunting, take a look at the lobbying kit on RRVVs website (residentsofretirementvillagesvic.org.au and enter lobbying in the search field). It is easier than you might think.

Ask for whatever reforms you want. If you get stuck, consider one or more of the following:

1. A free, expert and non-adversarial dispute resolution system (ombudsman or the like)
2. Greatly enhanced rights and protections for residents enshrined in legislation
3. Significantly strengthened minimum standards for retirement villages
4. Banning of contract provisions that disguise the actual cost of living in a retirement village
5. Outlaw fee gouging
6. Independent training at Certificate 4 or undergraduate diploma level for village managers
7. Equal voting rights for all residents in villages with both strata titles and leasehold contracts
8. Clearer and fairer contract provisions covering maintenance
9. Clearer and more equitable contract provisions covering unit reinstatement
10. A stronger and proactive regulator

If you need help, please contact the RRVV helpline:

(phone 9015 8402 or email rrvv.vic@gmail.com).

COMPLAINING TO CONSUMER AFFAIRS VICTORIA

Have you complained to your village manager but not received an adequate response? If you want to take your complaint further, you can lodge it with Consumer Affairs Victoria (CAV). All you have to do is fill out the CAV complaint form. To download a copy of the form Google <Residential accommodation complaint form - Consumer Affairs Victoria>. You can lodge the form by mail or email.

Very few retirement village residents complain to CAV. This tendency is unfortunate as the low number of complaints (somewhere around 50 a year) leaves the impression that only a minority of residents have difficulty resolving an issue. We know this is a misleading statistic as members contacting the RRVV helpline about unresolved disputes averages over 400 a year.

If your issue is between you and your village manager, CAV might offer to conciliate. If your dispute is between you and another resident CAV might refer you to the Dispute Settlement Centre of Victoria (DSCV).

If you need help completing the form, please contact the RRVV helpline (phone 9015 8402 or email rrvv.vic@gmail.com).

From 30 April DSCV will be the point of contact for retirement village disputes. DSCV will then offer dispute resolution services for disputes between residents, and complaints between residents and retirement village managers. RRVV will, in the coming weeks, email further information to RLOs and members who have registered with us for email updates.

ARE YOU HAPPY WITH THE SUPPLY OF ELECTRICITY IN YOUR VILLAGE?

The Essential Services Commission is the independent economic regulator of the electricity industry (together with other industries) in Victoria. In February the commission invited RRVV to take part in a series of roundtable meetings as part of their consultation with stakeholders on the regulation of providers of electricity to retirement villages, apartment buildings, caravan parks, etc. The initial meeting took place on 27 February, with further meetings to be held over the coming two months.

The key issue being addressed by this project is the protection of customers such as residents of retirement villages. The organisations supplying electricity to residents (typically the village operators and managers) are not required to hold a licence - unlike the larger electricity retailers supplying the general public who have to be licensed and abide by codes designed to protect their customers.

In order to enable us to lobby effectively for our members in this matter, we need to know more about the situation regarding electricity supplies within your village, particularly if any residents are not satisfied with the current arrangements.

If you have any views or experiences you would like to share, please drop us a line - either to admin@rrvv.org.au or to RRVV, PO Box 2402, Caulfield Junction, VIC 3161. The names of members and villages, and any other personal details you provide, will not be divulged to the commission without your permission.

FROM THE BEEHIVE RETIREMENT VILLAGE

Christmas can be a celebration with family and friends or it can be an achingly lonely time when separation from family and friends exacerbates senses of sadness and isolation.

I have now been at the Beehive Retirement Village for three Christmases but have not ever physically been there on Christmas Day. I don't know what it is like to be within the Beehive on Christmas Day.

Common, I think, to most retirement villages, the communal Christmas celebrations at The Beehive are held prior to Christmas Day. Bees cluster with family and friends and share a feast of delicious honey and pollen. The atmosphere at the feast is warm and welcoming.

Then most bees fly to the beehives of family and friends on Christmas Day.

This last Christmas I flew to London – “to visit the Queen?” – No – to stay with my son who lives on a canal boat on London's Regent Canal. It was quite an adventure.

London is an exciting, gritty, grubby and ancient city steeped in history. I love being there at Christmas time. I love the extravagant Christmas lights, mulled wine in cosy, brightly-decorated pubs, crowds of people and the buzz of Christmas.

Living on a canal boat is commonly seen as romantic. It is – in summer.

In winter steering the boat, emptying toilets, taking on water and diesel, and tying ropes to bollards all in wind, cold and freezing rain is hardly romantic. Still my son thrives on the life style.

Despite living at very close quarters (a canal boat is similar to a small caravan on water) my son and I quickly settled into a routine and although, no doubt, I annoyed him on occasions, there were no sharp words between us and the adventure even enhanced our relationship.

I spent a lot of time within the London CBD and it struck me that I saw very few frail, ageing people. I thought about that. Travelling within the London CBD is very physically demanding. My son, very familiar with London public transport, would skip up and down endless steps - then he would remember I was with him and would come back to me, as I slowly struggled with those endless staircases.

My conclusion was that most of the ageing London population very sensibly choose to live in the outer suburbs or in small villages throughout England.

For a month I knew nothing of the buzz within the Beehive, of events within RRVV, or of Australian politics. I came to the conclusion that a break from the Beehive was a very good thing for me.

It was a break:

- From close communal living with many people,
- From internal buzzing of whispers and rumours,
- From the frustration of trying to keep up with what is going on,
- From lobbying for change,
- From meetings and events,
- From complaints and stress.

Then, refreshed, returning to the Beehive:

- to learn what fellow bees have experienced while I was away,
- to reconnect with fellow bees,
- to feel safe and secure,
- to settle back into the routine of the Beehive.



I wonder if others feel like that too when they return from living elsewhere. ie. away from their retirement village, for a short while.

RENEWING YOUR MEMBERSHIP ONLINE

You can now renew your RRVV membership online using a credit card, a debit card or a PayPal account. Go to the RRVV website www.rrvv.org.au and click on "Join RRVV" at the top of the home page, then click the orange "Join Online" button on the next page and follow the instructions.

This new facility is also designed for the use of non-members who are interested in joining RRVV, and has already succeeded in attracting a number of new members.

Please note these credit card transactions take place in a secure environment and RRVV does not have access to your credit card details.

GUIDELINES FOR THE FINANCIAL MANAGEMENT OF RESIDENTS' COMMITTEES AND CLUBS

Over the years, members have asked RRVV to recommend guidelines for the financial management of resident committees and clubs. There are guidelines for clubs available on the internet (search for "financial management for clubs"), but most of these guidelines are more detailed than required in retirement villages and do not answer all the questions members have asked.

RRVV suggests that committees with custody of resident contributed money and items purchased with that money need to recognise that they have the following responsibilities:

1. The club or committee raised the money in your custody for a purpose so you have a responsibility to use it only for that purpose unless club members, or residents in the case of committees running village-wide activities, authorise you to put it to some other defined use.
2. You have a responsibility to account for your actions to the residents who contributed the money. Amongst other things, to:

- a. keep good records of the money you receive and the money you spend
- b. keep good records of equipment the club or committee holds.
- c. report regularly to the contributors
- d. make the records available for inspection on reasonable request

Committees often have difficulty maintaining good financial records. You should consider using a computer app such as Microsoft Money, a free and easy to use cashbook system. You can download Money from www.microsoft.com/en-au/download/details.aspx?id=20738.

Officeholders and ordinary committee members of resident bodies are volunteers. RRVV defines volunteering an altruistic activity where an individual or group provides services for no financial or material gain. The inherent selfless nature of volunteering creates a responsibility to ensure you do not receive any benefit or privilege not available to the other contributors of the funds. It is, however, appropriate for volunteers to receive reimbursement for out of pocket expenses. For example, a club or committee might reimburse a volunteer for printer consumables used in preparing meeting notice papers.

Mary and Tom (see sidebar A donation to charity) in our opinion failed in their responsibility to use the money only for the purpose for which members contributed it. If however, their members had approved the proposal by majority, the donation would be acceptable

We believe the social committee (see sidebar Secret committee business) failed in their responsibility to the residents of the village by not:

- maintaining good records of money received and spent
- maintaining good records of the equipment it holds
- regularly reporting to residents on its financial affairs

The bar staff (see sidebar –A hard earned thirst) helped themselves to benefits not available

to all the residents of the village. They might work harder or raise more money than other residents. RRVV disagrees that their hard work entitles them to some perks because we do not believe volunteers are entitled to financial or material rewards for their efforts.

All three of the sidebar items raise thorny issues. RRVV has expressed opinions and made suggestions but it is up to the residents of each village to make their own decisions.

Sidebar items

A donation to a charity

Mary and Tom are the President and Treasurer respectively of a village card club and signatories to the club cheque account. Members pay a small annual fee to cover incidental expenses. Over the years the club accumulated over a thousand dollars in its bank account. A club member active in the local hospital's auxiliary pressed Mary and Tom to donate \$500 towards the purchase of equipment for the maternity ward. They wrote a cheque on the spot; after all, that is what they have always done for purchases.

Secret committee business

The social committee in a long established village operates independently from the residents' committee. It raises money by running raffles and putting on entertainment. It uses some of the surpluses it generates to buy equipment to support other activities. Everything goes through the bank account, but it does not maintain any other records. By long tradition, the committee never reveals how much money it has in the bank.

A hard earned thirst

The social committee in a large village runs a very profitable bar. At closing time the volunteer bar staff shout themselves a drink or three on the house, and at Christmas time shout themselves dinner at a fancy restaurant, also on the house. The volunteers argue they work harder and raise more money for the social committee than other residents and are therefore entitled to some perks.