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tenants union of victoria

annual report

2008-2009



TENANTS UNION
of Victoria Ltd

Tenants Union of Victoria
Annual Report 2008-2009

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Contents

Major Achievements 2008/09	3
Chairperson’s Report	5
Chief Executive Officer’s Report	6
Strategic Direction	7
Social Change	10
Legitimacy	10
Accessibility	11
Affordability	11
Appropriateness	11
Community Education	13
Special Projects	13
Outreach	13
Publications	14
Training	15
Advice & Advocacy	16
Advice	16
Advocacy & Casework	17
Legal Service	19
Administration Services	21
Personnel	22
Staff	22
Financial Statements	24
Directors’ Report	24
Auditor’s Independence Declaration	29
Income Statement	30
Balance Sheet	31
Statement of Recognised Income and Expenditure	32
Statement of Cash Flows	33
Notes to Financial Statements	34
Directors’ Declaration	43
Independent Audit Report to the Members	44
Compilation Report for the Directors	46
Detailed Operating Statement	47

Vision

Genuine housing choice without social or economic disadvantage

Mission

To promote and protect the rights and interests of all residential tenants in Victoria



Major Achievements 2008/09

- > **15,000+** clients overall
- > **1400+** clients assisted with advocacy
- > **400+** appearances at VCAT (Residential Tenancies List)
- > A commitment by the Victorian Government to improvements in private rooming house regulation and monitoring
- > Improvements to the legal protections for residents of student accommodation
- > Formal submissions and presentations to:
 - > Australian Energy Market Commission, Review of the Effectiveness of Competition in Gas and Electricity Retail Markets (August 2008)
 - > Department of Human Services, Review of the Regulation of Supported Residential Services in Victoria (August 2008)
 - > Department of Families, Housing, Community Services and Indigenous Affairs Pension Review (September 2008)
 - > Department of Innovation, Industry and Regional Development Overseas Student Experience Taskforce (October 2008)
 - > Inquiry into the National Rental Affordability Scheme Bill 2008 and the National Rental Affordability Scheme (Consequential Amendments) Bill 2008 (November 2008)
 - > Consumer Affairs Victoria, Legislation Modernisation Project Landlord and Tenant Act Consultation (November 2008)
 - > Department of Human Services, Proposed Health (Prescribed Accommodation) Regulations 2008 Regulatory Impact Statement (October 2009)
 - > Department of Justice, Draft Model Spent Convictions Bill Consultation (January 2009)
 - > Estate Agents Council, Modernising the Estate Agents Act 1980 (March 2009)
 - > Department of Justice, Review of Non-family Violence Intervention Order System (April 2009)
 - > National Alternative Dispute Resolution Advisory Council, ADR in the Civil Justice System (May 2009)
 - > Victorian Civil and Administrative Tribunal Review (June 2009)
 - > National Human Rights Consultation (June 2009)
- > Research papers about:
 - > Comparison of legal protections for caravan park residents
 - > Leasing processes and problems
- > **160+** articles or appearances in statewide and local media highlighting residential tenancies issues
- > Outreach visits to more than **140** rooming houses and caravan parks
- > Review and publication of:
 - > **32** fact sheets on common residential tenancy and rooming houses problems
 - > **8** fact sheets on common residential tenancy problems for students

- > handbooks for tenants or residents in private rental, caravan parks and rooming houses
- > multilingual information in 12 community languages for residential tenants and people trying to access public housing, with the addition of 15 fact sheets
- > 3 editions of *Tenant News*, a newsletter for Victorian tenants
- > Distribution of:
 - > more than **160,000** fact sheets
 - > more than **14,000** handbooks
 - > **4,500+** copies of *Tenant News* **per edition**
- > **180,000+** visits to the Tenants Union website
 - > **120,000+** downloads of information resources
- > Delivery of training to tenancy and housing workers

Chairperson's Report

On behalf of the Board of the Tenants Union of Victoria I take great pleasure in presenting the Annual Report for 2008/09. The Annual Report documents the work of the organisation throughout the year and highlights the vital role the Tenants Union plays in protecting and promoting the rights and interests of residential tenants in Victoria.

The market conditions for residential tenants have remained difficult over the last twelve months with continuing indications of deteriorating affordability and appropriateness for private renters, particularly those on limited and low incomes.

The vacancy rate for the private rental sector has remained at historic lows making access to reasonable housing even more difficult for many tenants. The tight market has encouraged the continuation of exploitative practices such as rental bidding and the growth of marginal forms of housing such as informal rooming houses created by converting single occupancy dwellings into multiple occupancy dwellings.

We have also seen rents continue to increase at a rate much greater than the general level of inflation, with most of the affordable rental housing remaining well outside the suburbs that have reasonable access to employment, social services and transport. Concurrently, access to the social housing sector has continued to contract but should improve over the coming years as a result of the significant contribution to stock from the Commonwealth Governments economic stimulus package.

Unfortunately governments have not acted quickly despite the gathering evidence of a general problem with housing and a grave crisis in the rental sector. We continue to call on government to take a number of urgent and integrated actions to assist residential tenants.

Despite the deterioration of the market environment for many tenants, we remain pleased with the continuing implementation of our social change agenda and action plan. This year we have again made important contributions to government reviews and have worked towards implementation of significant commitments to improve legislative protection for rooming house and caravan park residents and for students of privately-operated residential accommodation.

We have continued our work to defend and extend our income particularly through the development of new services for members. This year we established a new lease advice service specifically for members.

Whilst we focus on our strategic direction we should not forget the important work undertaken on a day-to-day basis to assist so many individual tenants and households to solve their problems. The management and staff of the organisation are to be commended on their continuing efforts to improve our services and for their many individual successes.

I would like to thank all my fellow Board members for the substantial commitment and effort they have given throughout this year. We continue to have a fine range of interests and skills on our Board. It has been another difficult but effective year for the Tenants Union.



Graham Barrington

Chairperson

Chief Executive Officer's Report

Over the last twelve months, we have continued to be confronted with the many consequences of a failing rental sector. We have assisted tenants in the private market struggling with higher rents and tight vacancy rates. These market conditions have enabled the continuation of profiteering and exploitation. Unfortunately, these are conditions that generally dissuade tenants from exercising the limited rights they have. With restricted access to the social housing sector, highly disadvantaged tenants are being increasingly forced into substandard rooming houses and caravan parks.

The overall number of tenants we have assisted directly has declined over the last few years due to a reduction in our funding and resources. However, we continue to provide a very significant level of advice and advocacy assistance, primarily targeted at vulnerable and disadvantaged renters. During 2008/09 we provided advocacy assistance to almost 1,500 clients. Despite negotiated resolution of about two-thirds of these disputes, we nevertheless undertook more than 400 representations of tenants at the Victorian Civil and Administrative Tribunal (VCAT).

Consistent with empowering tenants through information, we have continued to refocus our education activities and better align them with our social change agenda. This year we successfully undertook a further extension of the resource materials available on our website. The overall number of tenants we are assisting indirectly has continued to increase through more website visits and downloads of our publications and resources. With the assistance of the Victorian Government we are gradually translating all of our residential tenancies fact sheets and other resources to improve access for tenants from non-English speaking backgrounds.

We have also continued to implement our social change agenda through the execution of our action plan. In particular, through our communications strategy we have continued to maintain a high profile in the media and in policy debate. Recently, the Victorian Government has announced some significant reforms for rooming houses.

We have experienced a modest increase in funding this year and we wish to acknowledge the contribution of the following funding bodies in enabling the Tenants Union to work towards its objectives:

- > Office of Housing, Department of Human Services
- > Victoria Legal Aid (Community Legal Services Program)
- > Commonwealth Department of Family and Community Services
(Community Legal Services Program)
- > Consumer Affairs Victoria, Department of Justice
- > Consumer Utilities Advocacy Centre

The Annual Report makes evident that the staff of the Tenants Union continue to deliver highly professional and effective services to Victorian tenants and a wide range of organisations that work with tenants. The details of the range and complexity of activities undertaken by the staff are a credit to their commitment and skills and they should be commended for another excellent year's work.



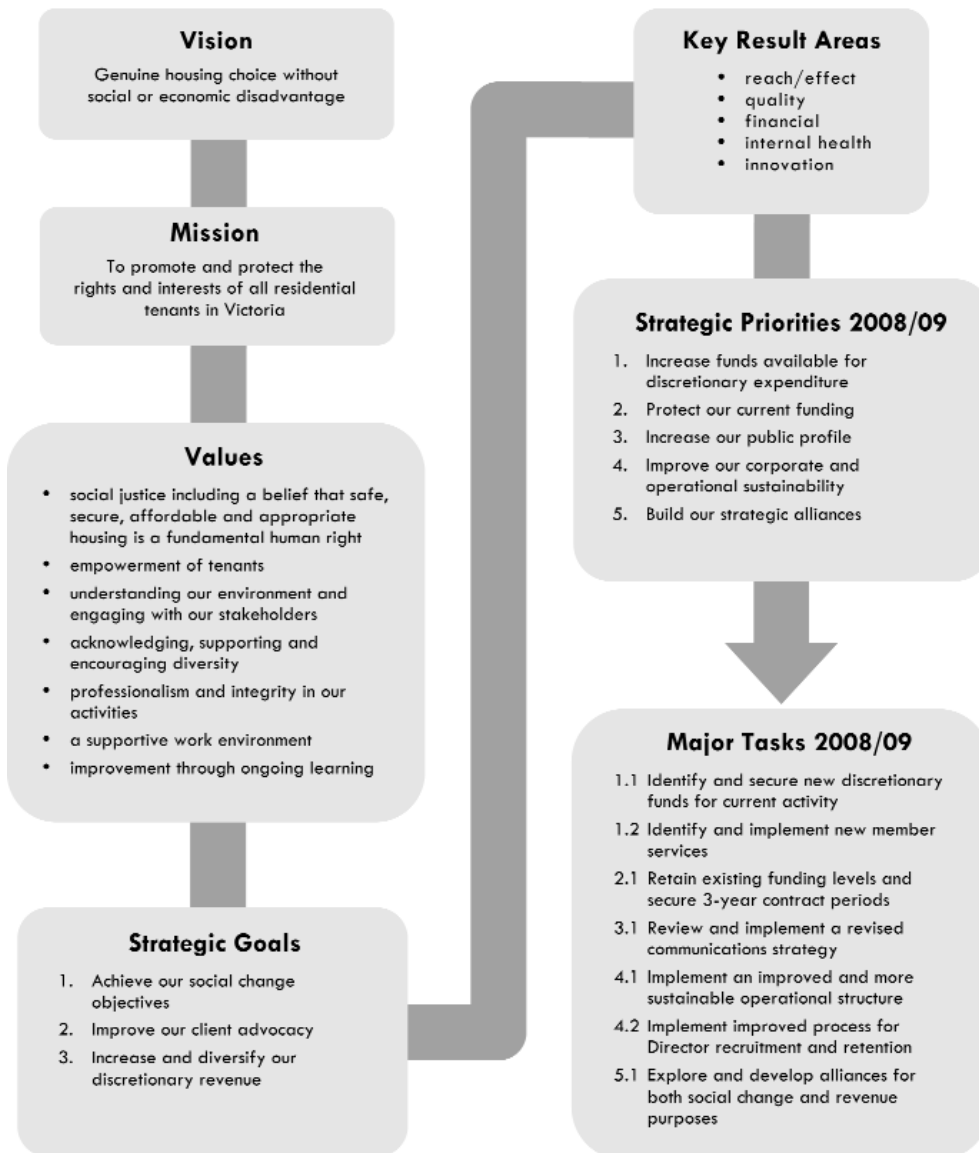
Mark O'Brien

Chief Executive Officer

Strategic Direction

The current Strategic Plan is outlined below. A status report against the Key Result Areas for the organisation for 2008/09 follows.

Tenants Union of Victoria, Strategic Plan 2008-11



Tenants Union of Victoria, Key Result Areas 2008/09

	Target	Actual	Variance	Notes	
Reach					
Advocacy					
1	No. of new clients overall	20,500	13,746	67.1%	1
2	No. of new phone clients	17,000	10,880	64.0%	2
3	No. of new drop-in clients	2,500	2,149	86.0%	3
4	No. of new email clients	1,000	717	71.7%	4
5	No. of public housing clients	750	809	>100%	
6	No. of organisational clients	1,000	590	59.0%	5
7	No. of new casework files	650	425	65.4%	6
8	No. of active casework files	800	889	>100%	
9	No. of public housing cases	50	154	>100%	
10	No. of VCAT appearances	500	413	82.6%	7
11	Amount of CAV advocacy funding	\$250,000	\$286,915	>100%	
Education					
12	No. of leaflets distributed	80,000	156,507	>100%	
13	No. of handbooks distributed	20,000	14,780	73.9%	8
14	No. of Tenant News distributed	20,000	15,219	76.1%	9
15	No. of website sessions	100,000	187,319	>100%	
16	No. of leaflet page views	20,000	44,665	>100%	
17	No. of multilingual page views	5,000	18,338	>100%	
18	No. of outreach visits	100	144	>100%	
19	No. of tenant group training	24	2	8.3%	10
20	No. of SHASP training sessions	4	4	100.0%	
21	No. of training assessments	20	4	20.0%	11
Social Change					
22	No. of media releases	12	14	>100%	
23	No. of media articles	12	164	>100%	
24	Review communications strategy	<end 02/08	16/02/2009	Yes	
25	No. of research papers/submissions	2	4	>100%	
Corporate					
26	No. of members	150	158	>100%	
27	No. of new members	50	31	62.0%	12
28	No. of AGM attendees	8	10	>100%	
Quality					
Advocacy					
29	Abandoned call rate	<20%	19.9%	No	
30	Service guidelines exceptions	None	0	No	
31	No. of complaints	None	0	No	
32	Client satisfaction rate	85%		0.0%	#
Education					
33	Training participant satisfaction rate	>85%	90%	>100%	
34	Publications vetting exceptions	None	0	No	
35	Publications satisfaction rate	>85%		0.0%	#
Social Change					
36	Project completion exceptions	None	1	Yes	13
37	Adoption of recommendations	At least 1	1	No	
Corporate					
38	No. of Director vacancies	<2	2	No	
39	Director turnover	<2	1	No	
40	Proportion of members renewed	50%	75%	>100%	
Finance					
41	Expenditure variance from Budget	±2%	1.9%	No	
42	Expenditure variance from programs	±2%	0.0%	No	
43	Proportion of discretionary income	>1%	4.3%	No	
44	Retain effective funding levels	100%	102.5%	No	
45	Reporting compliance exceptions	None	1	Yes	14
Internal Health					
46	Rate of absenteeism	<3%	2.3%	0.7%	
47	Rate of staff turnover	<5%	29.2%	(24.2%)	15
48	Staff satisfaction rate	>75%		0.0%	#
49	Staff development exceptions	None	0	No	
50	EO & OHS compliance exceptions	None	0	No	
Innovation					
51	No. of new projects	1	1	No	
	Tenancy Train the Trainer Project		30/6/2009		
52	No. of new services	1	1	No	
	i. lease advice service	<end 09/08	1/4/2009	183.0 days	16
	ii. [at least one other service]	Deferred			
53	No. of new alliances	2	1	Yes	17
	i. Call This a Home	<end 06/09	1/4/2009		
	ii. [at least one revenue alliance]	Deferred			

Notes:

- 1 New clients were considerably below target primarily due to under performance in the telephone advice service. See below for more details.
 - 2 Telephone advice clients were significantly below target due to a number of reasons including:
 - a) a long term decline in demand for the telephone service as expressed by total calls into the service at all times;
 - b) considerable recruitment, orientation and training of new advisers. See note 15 below.
 - 3 Drop in clients were below target but average interview time was 47 minutes per clients which is only slightly above expectations. This target is too ambitious for new clients.
 - 4 Email clients were below target due to limitation of the service for a significant period. We were unable to provide sufficient resources to provide the service during that time.
 - 5 We are capturing data about organisational assistance much more accurately than we have previously, so this target is probably too ambitious.
 - 6 This target is historical and we have previously counted all advocacy clients in this category. The actual results for this indicator are for casework clients only which we are now able to identify more accurately.
 - 7 VCAT appearances were below target but overall advocacy clients increased from last year.
 - 8 Handbooks were below target but this was offset by leaflets and other information being significantly over target. Overall reach for information resources exceeded expectations.
 - 9 Tenants News distribution was below target due to 3 editions only. This was offset by leaflets and other information being significantly over target. Overall reach for information resources exceeded expectations.
 - 10 Tenant group training demand was very low. This problem was addressed by renegotiating funding requirements for this service.
 - 11 Training assessments remained low but we are continuing to build or online training profile. We have secured funding for two additional projects in 2009/10.
 - 12 New members have remained low but we anticipate an improvement over time with the promotion of the lease advice service.
 - 13 We have been significantly delayed in completing a research project funded by the Consumer Utilities Advocacy Centre (CUAC). We have renegotiated the timelines for this project and anticipate completing it this year within our budgeted resources.
 - 14 We had one issue of non-compliance during this financial year relating to our Office of Housing funding.
 - 15 Staff turnover has remained very high largely attributed to turnover of casual advice staff. This level of turnover has consequences for human resources overheads and service performance and we are continuing to explore ways to minimise the turnover.
 - 16 The lease advice service implementation was delayed due to resource constraints.
 - 17 The formation of a revenue alliance was delayed in line with the deferment of consideration of new services and other income generating activities.
- # Not assessed for this financial year.

Social Change

The Tenants Union undertakes a broad range of social change activities to represent the interests of tenants and to highlight the impact of living in the rental sector. This work includes research, policy formulation, lobbying and media liaison.

One of our key strategic goals is to ensure an increased focus on our social change work. We have developed a comprehensive social change agenda based on four broad problem areas in the rental sector:

legitimacy: to address the often negative portrayal of issues affecting tenants and the rental sector in the public domain and to positively promote our agenda with government and industry decision makers

accessibility: to address non-financial barriers to housing in the rental sector including discrimination

affordability: to address the poor financial situation of many tenants, particularly in the private rental sector

appropriateness: to address the poor standard and location of rental housing, poor management practices and the limited legislative protections for tenants

We have also established an annual Action Plan to ensure that within these four broad areas we focus on addressing the problems with the most significant impact and reach.

Across the four broad areas of our social change agenda our major achievements for 2008/09 were:

Legitimacy

- > promoted residential tenancies issues in both local and statewide media with more than **160** articles or interviews in print, radio and television
- > lobbied the Victorian Government to implement its integrated housing strategy to improve the various forms of housing assistance provided by government
- > lobbied the Victorian Government to implement residential tenancies reform following the release of a residential accommodation discussion paper by Consumer Affairs Victoria (June 2007)
- > played an important leadership role in the development of a broad based community sector alliance to campaign for reform of substandard private rooming houses
- > Formal submissions to:
 - > Department of Human Services, Review of the Regulation of Supported Residential Services in Victoria (August 2008)
 - > Department of Innovation, Industry and Regional Development Overseas Student Experience Taskforce (October 2008)
 - > National Alternative Dispute Resolution Advisory Council, ADR in the Civil Justice System (May 2009)
 - > Victorian Civil and Administrative Tribunal Review (June 2009)
 - > National Human Rights Consultation (June 2009)

- > met with relevant Victorian Government Ministers to provide a broad overview of the work of the Tenants Union and our policy reform agenda
- > lobbied the Commonwealth Government to ensure that federal housing policy is responsive to the needs of tenants in the private and public sectors

Accessibility

- > Formal submissions to:
 - > Department of Justice, Draft Model Spent Convictions Bill Consultation (January 2009)
 - > Department of Justice, Review of Non-family Violence Intervention Order System (April 2009)
- > lobbied the Federal Attorney General's Department and the Victorian Government on proposed amendments to the Federal Privacy Guidelines relating to residential tenancy databases
- > developed a number of education projects targeting particular groups of tenants affected by discrimination in the private rental market including newly arrived migrants, single parents and students

Affordability

- > Formal submissions to:
 - > Department of Families, Housing, Community Services and Indigenous Affairs, Pension Review (September 2008)
 - > Inquiry into the National Rental Affordability Scheme Bill 2008 and the National Rental Affordability Scheme (Consequential Amendments) Bill 2008 (November 2008)
- > Commissioned and promoted research on relative trends in property values, rent movements, and Commonwealth Rent Assistance
- > lobbied the Victorian Government to implement its commitment in the Victorian Integrated Housing Strategy to improve affordability for private renters

Appropriateness

- > lobbied the Victorian Government to implement its commitment to improve regulation and monitoring of private rooming houses
- > lobbied the Victorian Government to implement its commitment to extend residential tenancies legislative protection to student accommodation
- > continued to lobby the Victorian Government to implement rental housing standards particularly in response to proposed significant increases in the cost of domestic energy and water
- > Formal submissions to
 - > Australian Energy Market Commission, Review of the Effectiveness of Competition in Gas and Electricity Retail Markets (August 2008)

- > Consumer Affairs Victoria, Legislation Modernisation Project Landlord and Tenant Act Consultation (November 2008)
- > Department of Human Services, Proposed Health (Prescribed Accommodation) Regulations 2008 Regulatory Impact Statement (October 2009)
- > Estate Agents Council, Modernising the Estate Agents Act 1980 (March 2009)
- > delivered research papers on:
 - > caravan park regulation: an interstate comparison
 - > residential tenancies leasing: process and problems
- > continued to lobby the Victorian Government to improve the policies and procedures for social housing
- > actively participated in the Victorian Civil & Administrative Tribunal (VCAT) Residential Tenancies List Users Group to identify systemic problems with VCAT processes and practice
- > actively participated in forums sponsored by the Director of Consumer Affairs Victoria to maintain an overview of residential tenancies and other consumer services

Social Change Case Study: Call this a home..?

Many housing and homelessness organisations have been concerned about developments in the rooming house sector over the past five years. The announcement in 2008 of a coronial inquiry into the deaths for two rooming house residents provided the catalyst for a range of organisations to develop a campaign proposing significant reform of this sector of the housing market. In late 2008 a coalition of peak bodies and more than 30 organisations was formed with a commitment to developing safe rooming houses in Victoria. The coalition was named 'Call this a home...?'

The Tenants Union played a leadership role in the campaign development and execution. The coalition developed three key areas for reform:

- > a set of comprehensive minimum standards to ensure that the basic needs of all rooming house residents are met
- > more effective registration, monitoring and enforcement to bring hundreds of unregistered rooming houses into the system and ensure compliance with standards
- > a licensing system to regulate the management of private rooming houses to prevent exploitative practices

A key feature of the campaign was the development of a dedicated campaign website and an associated social networking page with more than 1,500 members. The campaign was able to gain significant media coverage, with the Tenants Union playing a key role as a media representative.

'Call this a home...?' represents an important example of collaboration towards a key social change objective.

Community Education

Special Projects

To assist linguistically and culturally diverse tenants to better access residential tenancies services including the Tenants Union, we initiate and participate in special projects targeting specific groups of tenants.

Our major achievements for 2008/09 were:

- > the development of the Victorian Green Renters' Guide in collaboration with Environment Victoria
- > participation in a number of working groups and project steering committees with a focus on residential tenants
- > delivery of community education activities including talks and stalls at significant community events



Outreach

To assist with informing vulnerable renters and residents about their rights and responsibilities we have undertaken a broad outreach program to rooming houses and caravan parks. The outreach program also provides a valuable pathway to our advice and advocacy services.

Outreach Case Study: Fire trap rooming house

The rooming house outreach worker discovered an unregistered rooming house in North Melbourne.

This rooming house was exclusively occupied by students, mostly international students, with about 12 residents in 8 rooms. The premises was a two-storey weatherboard and brick construction with a shop front at the lower level. There appeared to be no fire safety precautions or equipment including no smoke detectors. The fire exit at the side rear of the premises had been barred and bolted, meaning that the only egress in the event of a fire would be through the narrow corridor to the front door. It would be extremely unlikely that all residents would be able to exit the building if a fire occurred.

Despite numerous discussions with the residents we were unable to convince any residents that they or the Tenants Union should notify the local government authority. All the residents cited a fear of eviction and potential homelessness.

This case study illustrates both the extreme risk posed to many residents through unsafe building and inadequate fire safety precautions and the reliance of compliance activities on individual complainants.

Our major achievements for 2008/09 were:

- > visits to more than **140** rooming houses and caravan parks
- > initial advice and information to more than 500 residents

- > ongoing cooperation with local government authorities to assist them to identify unregistered and substandard rooming houses and caravan parks
- > provision of information about systemic failures identified by the outreach program to assist the Victorian Government in developing reform options for both caravan parks and rooming houses

Publications

The Tenants Union Publications Program produces a range of publications and resources for tenants, rooming house and caravan park residents, as well as tenancy workers.

Print publications are distributed through our telephone and drop-in services, our community education program and other relevant services. Publications are available to interested organisations by order.

All publications are regularly reviewed and vetted by the Tenants Union solicitors to ensure legal currency and accuracy.

100% of respondents to our reader satisfaction survey found the information in our publications very useful and 91% of respondents found it easy to read and understand.

In 2008/09 we distributed:

- > more than **156,000** fact sheets covering 30 common residential tenancy problems now including some rooming house issues
- > more than **14,000** handbooks for public tenants and residents of rooming houses, caravan parks and transitional housing
- > **3** issues of *Tenant News*, a quarterly newsletter for tenants, to more than **4,500** readers each edition

In addition, there were more than **187,000** individual user sessions on the Tenant's Union website. Other publications downloaded from our website included:

- > more than **85,000** fact sheets
- > more than **18,000** step-by-step guides
- > more than **5,000** handbooks
- > almost **6,000** copies of *Tenant News*

'A Day at the Bench' – a 25-minute DVD and handbook designed to help tenants and residents who are going to a hearing at the Victorian Civil and Administrative Tribunal (VCAT) Residential Tenancies List is now available from the Tenants Union website.

We have also continued to translate our fact sheets into in 12 community languages. By the end of June 2009, our top 15 fact sheets had been translated and all are available from the Tenants Union website. There were more than **4,800** downloads of multilingual information in 2008/09.

Training

The Tenants Union's Training Program is designed to provide initial and ongoing training to tenancy and housing workers.

The Tenants Union of Victoria is a Registered Training Organisation and currently provides two accredited courses, Introduction to Tenancy Law and Advocate for Clients, which includes training on residential tenancy law, rooming house and caravan park law and the Victorian Civil and Administrative Tribunal (VCAT). Successful completion of these courses and their assessment activities results in participants gaining a statement of attainment for each unit successfully completed.

The following training was offered in 2008/09:

- > Introductory Tenancy Law (online)
- > Tenancy Law and the Office of Housing
- > Office of Housing Maintenance Charges
- > Renting in Victoria
- > The Charter of Human Rights and Responsibilities and the Office of Housing

Based on feedback and evaluation following each workshop, the Training Program has consistently achieved high participant satisfaction, with more than 90% of participants rating the workshops good or excellent.

A Tenancy Training Committee, comprising training staff and industry representatives, meets as required to assist the Tenants Union to develop and deliver effective training in line with the National Training Framework.

The Renting in Victoria training sessions continue to be popular, particularly with organisations dealing with newly arrived migrants. As a result, it is envisaged that this course will remain a feature of the training calendar for the coming year.

Following the success of last year's introduction of e-learning at the Tenants Union, the organisation continues its expansion into this innovative and flexible learning mode. Another accredited unit from the Community Services Training package, Advocate for Clients, has been added to our scope of registration and will be available in the online format early in 2010.

We have also commenced a project funded by Consumer Affairs Victoria (CAV) to place a training course online aimed specifically at community-based organisations across Victoria. This request for training was made to assist the many workers and volunteers dealing with the increased demands for advice and assistance in relation to tenancy matters.

To further enhance our online learning facilities we established a new, open-source Learning Management System (LMS), entitled *Moodle*, on the Tenants Union website. The LMS not only complements the revamped web page but also offers the organisation greater flexibility in its ability to reach and offer fee-free training to a wider range of participants throughout Victoria.

Advice & Advocacy

Advice

The aim of the general Advice Service is to provide accessible and effective assistance to residential tenants across Victoria, with a particular focus on metropolitan Melbourne.

The centralised phone service operates with a minimum of two advisers from 9:00am to 4:00pm weekdays except Wednesday when the service operates from 1:00pm to 8:00pm.

Drop-in services are available at our Fitzroy Office from 9:00am to 4:30pm weekdays except Wednesday when services operate from 1:00pm to 8:00pm.

The service is structured to facilitate initial contact through our centralised telephone advice service. Where necessary, referrals are made to our drop-in service or to public and private tenant services across the state. Referrals to other community service organisations are made as required.

The structure of the service enables clients with simple issues to be efficiently assisted with basic advice and information. Clients with more complex issues or those with problems requiring documents to be sighted can be referred to in-person services for follow-up assistance.

More than 80% of all clients are assisted with basic advice and information.

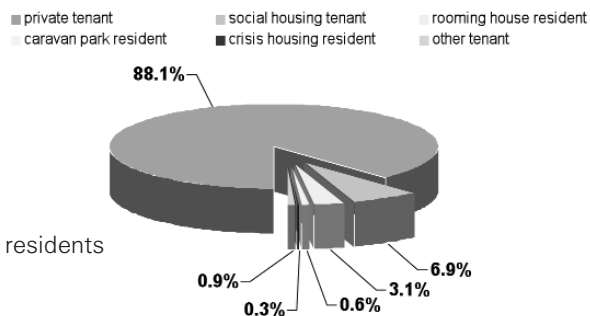
During 2008/09, through the general tenant advice service we achieved a total of **15,053** clients comprising:

- > 11,789 telephone contacts
- > 2,445 in-person contacts
- > 819 mail contacts (95% through our email service)

This was a small increase from the total clients assisted in 2007/08. Whilst in-person contacts increased significantly there was only a modest increase in telephone contacts and a decline in email contact. The decline in email contact was due to a need to close the service for a period during the year as we were unable to satisfactorily deal with increasing demand for that service.

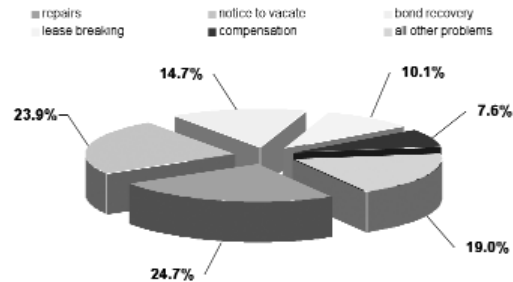
During 2008/09 our mix of client types was as follows:

- > 13,266 private rental tenants
- > 1,046 social housing tenants
- > 469 rooming house residents
- > 85 caravan park residents
- > 49 crisis and transitional housing residents



During 2008/09 we assisted tenants with a vast range of tenancy issues and problems. The five most common specific problem enquiries were:

- > 10,370 repairs
- > 10,037 notices to vacate
- > 6,160 bond recovery
- > 4,259 lease breaking
- > 3,915 compensation



During 2008/09 we also received **590 organisational** enquiries from a wide range of agencies and services across Victoria.

Advice Case Study: Failure to do repairs

The following enquiry is typical of the advice enquiries we receive:

I have been complaining to my real estate agent for the last two years about my security door needing to be fixed. I have sent one letter signed by me last year as they don't have any email facility but they did not fix the problem. Recently my house got robbed. The burglar broke my door and stole about \$10,000 worth of stuff including some cash. I have informed the police and my real estate agent as well. The day after the robbery, the real estate agent sent somebody to fix the security door.

I need to change this house ASAP because I'm not feeling secure in this house anymore and either is my wife. If I want to change this house right away do I have to let my agency know before one month? Do I have to pay one month rent extra if I leave the house right away? Please advise me. I am really stressed at the moment. I informed them formally about the security door. I have got a scanned copy of the letter that I sent them. Thank you very much for your attention to this matter.

We contacted the tenants to get some further information about their current situation and advised them about the legal requirements for vacating their property and the process for seeking compensation.

We also initiated an internal referral to our advocacy service to assist the tenants, who are from a non-English speaking background, with the service of notices and the application process to VCAT.

Advocacy & Casework

Advocacy assistance is provided to those clients who require more than basic advice and information.

Advocacy assistance includes negotiation with landlords and agents, drafting of letters or documents, preparation of submissions and where required, representation or support of clients at VCAT. Advocacy assistance is provided by paralegal advocates or legally qualified staff.

Advocacy Case Study: Head-leased rooming house in Clayton

The following case study provides a good illustration of the complexity that the advocacy service is at times required to deal with:

After moving from Melbourne to Perth, a resident went to a welfare service for assistance in finding housing. The welfare service referred the resident to “George” from “Vic Accom” at a property in Clayton for a room to rent and to another housing service for financial assistance with rent in advance. “George” showed the resident the room and the premises. Rent in advance was subsequently paid on behalf of the resident by the housing service to an entity named Accomtek.

After the resident moved in he dealt with another person, the property manager for the rooming house. Rent payments were organised through Centrelink to an entity named “Victorian Accommodation Centre, South Eastern Letting and Accommodation Service”.

The resident went away for a weekend and returned to find all his goods in the common area of the rooming house. Some goods had been stolen.

The resident was unclear about who the actual rooming house operator was. Following some advice, the resident applied to VCAT and VCAT made orders requiring the alleged rooming house operator, Victorian Accommodation Centre (VAC), to allow access to the room.

When the resident returned to the premises, his goods had again been removed to the common area and more goods had been stolen. The resident then moved out and sought compensation against VAC at VCAT.

The resident was represented by the Tenants Union to proceed with his claim for compensation for an estimated value of his stolen goods at about \$20,000. At the initial hearing, a representative for VAC and another entity called Northern Suburbs Accommodation Centre (NSAC) advised the VCAT member that VAC is simply an agent for NSAC. The matter was adjourned for further submissions.

Significant effort was made to try to determine who the actual rooming house operator was. Documents available and the behaviour of the parties suggested that the income was received by VAC. As far as the Tenants Union is able to ascertain, NSAC had no assets and no income so any order for payment against NSAC would be practically unenforceable.

The VCAT member ultimately made orders against a number of parties — essentially that the resident is entitled to \$6,000 compensation for his stolen goods for which six parties may be jointly and severally liable.

Almost six months after his goods were stolen, the resident has not been compensated. The Tenants Union is now providing assistance to enforce the outstanding debt.

During 2008/09 we assisted more than **1,489 clients** with general advocacy services.

For those advocacy clients who require ongoing assistance we open case files. Table 1 shows a comparison of our casework activity for the last two financial years.

Table 1: Comparison of Casework Activity, 2007/08 v 2008/09

	2007/08	2008/09
> No. files open at 1 July	208	366
> No. of new files	405	425
> No. of closed files	247	745
> No. of files open at 30 June	366	46

(Source: CLSIS, CMR1.1; TUV Database)

The continued refinement of our casework assistance guidelines and administrative processes has resulted in a slight overall decline in our legal casework activity over the past twelve months. The service guidelines have assisted us to target our assistance to those clients most in need.

Whilst we resolve about one-third of the matters for which we provide advocacy assistance, we are nevertheless required to appear at an increasing number of hearings at the Residential Tenancies List at the Victorian Civil & Administrative Tribunal (VCAT) to secure an outcome for our clients.

In 2008/09 we undertook **413** appearances at VCAT.

Legal Service

The Tenants Union also provides specialist legal services, through the Tenants Union Legal Service including:

- > organisational assistance to a wide range of government and non-government agencies across the state
- > specialist representation and public interest legal work in both VCAT and higher jurisdictions such as the County Court and the Supreme Court
- > legal research on tenancy and related matters

This year we initiated a number of appeals to the Supreme Court against VCAT determinations. We would like to acknowledge the assistance of the numerous schemes overseen by the Public Interest Law Clearing House (PILCH) for these actions. Without the pro bono assistance provided through PILCH we would not be able to initiate or undertake this important public interest work.

We also distributed a number of practice notes to tenancy workers across the state addressing complex legal issues or refinements in interpretation of the residential tenancies legislation.

Research into areas of legal ambiguity occurs regularly. Liaison with senior members of VCAT, particularly through participation in the VCAT Residential Tenancies List Users Group, has also assisted with clarification of some issues and improvements in the practice of the Residential Tenancies List.

Legal Service Case Study: Coroners Inquest into rooming house fire

In late 2007, the Tenants Union of Victoria, the Council to Homeless Persons, Fitzroy Legal Service, Brimbank Melton CLC, PILCH Homeless Persons' Legal Clinic and Springvale Monash CLC formed a coalition in response to the tragic deaths of two young residents in a rooming house located at 211A-213A Sydney Rd, Brunswick. At this early stage, the coalition sought access to the Coroner's brief as the Inquest was potentially a vital forum to raise concerns regarding public health and fire safety issues in rooming houses.

In July 2008, it was decided that three separate organisations from this coalition namely, the Tenants Union of Victoria, PILCH Homeless Persons' Legal Clinic (HPLC), and the Council to Homeless Persons (CHP) would apply as joint applicants for standing as interested parties at the Coronial Inquest into the deaths of Leigh Sinclair and Christopher Giorgi.

In mid-September 2008, through the pro bono services of PILCH, HPLC organised the services of Minter Ellison as our instructing solicitors and Jane Dixon SC and Sharon Moore as Counsel.

The three parties were granted joint standing on 20 October 2008 and the Tenants Union had a representative present at all 13 days of hearing, making sure our position was clearly heard. There were 30 witnesses presented and pages and pages of transcripts produced.

During the Inquest, significant legal changes occurred — the alignment of the definition of "rooming house" in the *Residential Tenancies Act 1997* was aligned with the Health (Prescribed Accommodation) Regulations 2001 (Vic). The Inquest was heavily covered by the media and many local councils were made aware of the dangers of not being informed and properly following up with potential unregistered rooming houses.

Coroner White released his findings and recommendations in September 2009 and made 18 recommendations. Seven of the eight recommendations of the joint applicants were taken up the Coroner.

The Inquest involved both legal and policy work and is an excellent example of where the two areas of activity effectively integrate.

Administration Services

Administration services are fundamental to facilitate the effective work of the Tenants Union.

In 2008/09 Administration Services:

- > provided effective financial reporting and accountability to the Board, funding bodies and the Australian Securities and Investment Commission (ASIC)
- > maintained the Tenants Union's information technology network
- > maintained the Tenants Union library and other information resources with about 2000 catalogued items
- > provided effective reception services for the registered office of the Tenants Union
- > handled **445** orders for publications with **92%** of orders filled and returned within 7 days of receipt

Personnel

Staff

Staff members at 30 June 2009 were:

Adrienne Barrett	Tenant Adviser
Alyena Mohummudally	Solicitor (Policy)
Anne Smith	Administration Worker
Anu Nager	Tenant Adviser
Bill Darling	Senior Advocate
Cassandra Laybourne	Tenant Advocate
Catherine Newton	Tenant Adviser
Christina Andrews	Rooming House Advocate
Colleen Power	Phone Adviser
Damian Stock	Senior Solicitor
David Llewellyn	Tenant Advocate
Hannah Pearson	Tenant Adviser
Helen Munro	Training Worker
James Muldoon	Tenant Adviser
Jennifer Hill	Tenant Adviser
Jenny Draffin	Librarian
Karen Bijkersma	Resources Worker
Kiri Milburn	Tenant Adviser
Lee Hansen	Solicitor (Policy)
Lyn Ryder	Legal Administration Worker
Marian Hopkins	Solicitor
Marisol Bombal	Bookkeeper
Mark O'Brien	Chief Executive Officer
Maya Narayan	Tenant Advocate
Miles Browne	Tenant Advocate
Nuwan Dias	Tenant Adviser
Retta Berryman	Tenant Adviser
Sam Szoke-Burke	Tenant Adviser
Sarah Anderson	Tenant Adviser
Tal Gory	Tenant Advocate
Toby Archer	Policy Worker
Ursula Dutkiewicz	Administration Worker
Victor Nieto	Administration and Finance Manager

The Tenants Union would like to express its thanks to its entire staff for their consistent hard work and dedication.

Our thanks also go to the following staff that left the organisation in 2008/09 for their commitment and work during their employment with the Tenants Union:

Alexandra Kingsmill	Tenant Adviser
Andrew Wilcock	Tenant Adviser
Catherine Thwaite	Tenant Adviser
Damon Keogh	Tenant Adviser
Dominik Vukovic	Tenant Adviser
Karina Bonney	Tenant Adviser
Kathy Lang	Tenant Adviser
Lawson Bayly	Tenant Adviser
Mariam Mohammed	Project Worker (Somali Women's Project)
Melinda Tew	Community Education Worker
Michelle Barnett	Tenant Adviser
Neil Farren	Phone Adviser
Oiza Ekong	Phone Adviser
Raili Sjomolki	Tenant Adviser
Sandra Wendlandt	Tenant Adviser

I would especially like to make special mention of our long term volunteer and casual adviser, Neil Farren. Neil has been a tireless and very reliable adviser over a number of years. We wish Neil all the best for the future.

Financial Statements

Directors' Report

Tenants Union of Victoria Ltd ACN 081 348 227

Your directors present their report on the company for the financial year ended 30 June 2009.

Directors

The names of directors in office at any time during or since the end of the year are:

Graham Barrington (Chairperson)
Michelle Rowland
Anthony Wing
Miriam Scurrah (appointed 18/12/2008)
Dat Nguyen (resigned 14/4/2009)
Natasha Leigh
Greg Ireton (appointed 18/12/2008)
Patricia Roake
Jacqueline Robinson (resigned 18/12/2008)
Shannon Walker
Jenny Fox (appointed 18/12/2008, resigned 16/2/2009)

Directors have been in office since the start of the financial year to the date of this report unless otherwise stated.

Principal Activities

The principal activities of the economic entity during the financial year were:

- > to represent tenants and speak for the collective interests of tenants
- > to work towards the improvement of the status and rights of tenants and to promote alternatives to the present forms of rental housing
- > to work towards more just and equitable systems of regulating both rental housing and the rights of tenants
- > to act with individual tenants and tenants as a group in order to ensure better conditions in rental housing, fairer leases and conditions of tenancy, a more equitable supply of rental housing and the prevention of deceitful, oppressive or unjust practices in the rental market
- > to promote the establishment of resource centres, advice and coordination services for tenants and to promote, as far as possible, autonomous local and regional groups of tenants, affiliated with the Tenants Union of Victoria Ltd
- > to inform and educate tenants as widely as possible as to their existing rights and of conditions in the rental market, and to conduct research about such conditions and about the specific needs and problems of tenants
- > to encourage participation by members and tenants groups in all activities concerning tenants and in the activities of the Tenants Union of Victoria Ltd

- > to ensure representation by, and participation of tenants as far as possible in law and policy making as it affects tenants or housing
- > to promote the provision of rental housing that is safe, convenient, and available to all people regardless of gender, age, religious or political beliefs, marital status and family composition, disability or sexual preference
- > to take all reasonable steps to provide equitable and accessible services to individuals from socially, culturally and linguistically diverse backgrounds and situations

There were no other significant changes in the nature of the company's principal activities during the financial year.

Operating Results

The surplus of the company for the year amounted to \$45,960 (2008: Loss \$2,483).

Dividends

The Constitution of the company specifically prohibits the payment of any dividends.

Review of Operations

Having reviewed the operations of the company the Board notes as follows:

- > service reach remains strong, particularly in the key strategic area of social change activity. There has been continued decline in overall client demand due largely to declining phone service level
- > financial health remains strong with all projects in surplus and achievement of most funding and service agreement targets
- > service quality remains strong with consistently high client satisfaction levels and no significant exceptions in service audit processes
- > internal health is adequate. Higher turnover than expected due to future funding and service uncertainty

Capital

The company is a company limited by guarantee and does not have share capital.

Significant Changes in State of Affairs

There were no significant changes in the affairs of the company during this financial year.

After Balance Date Events

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the company, the results of those operations, or the state of affairs of the company in future financial years.

Future Developments

The likely developments in the operations of the company and the expected results of those operations in future financial years are as follows:

- > work is continuing on income diversification strategies that will deliver additional discretionary income to the company
- > Consumer Affairs Victoria continues to implement changes that affect the level of grants and the process for service agreement and delivery
- > we have experienced difficulties achieving performance requirements for some Office of Housing grants and programs due to decline in demand. Funding levels may be adversely impacted if demand does not increase

The Board expects that the income diversification work will better position the company for future challenges and the delivery of its strategic goals.

Environmental Issues

The company's operations are not regulated by any significant environmental regulation under a law of the Commonwealth or a state or territory.

Proceedings on Behalf of Company

No person has applied for leave of Court to bring proceedings on behalf of the company or intervene in any proceedings to which the company is a party for the purpose of taking responsibility on behalf of the company for all or any part of those proceedings.

The Company was not a party to any such proceedings during the year.

Auditor's Independence Declaration

The lead auditor's independence declaration for the year ended 30 June 2009 has been received and forms part of the directors' report.

Information on Directors

Anthony Wing	Appointed 20/11/2006
Qualifications	LLB
Experience	Senior manager in Commonwealth regulator. Substantial experience as a government policy advisor, regulator and lawyer.
Special Responsibilities	Finance Committee
Graham Barrington	Appointed 11/11/2004
Qualifications	MB BS, MBA, MPH, M App Sc, BA, BSc, Grad Dip Hum AFCHSE
Experience	Health sector management.
Special Responsibilities	Chairperson. Strategy Committee

Greg Ireton	Appointed 18/12/2008
Qualifications	Med (Leadership & Management)
Experience	Senior policy advisor in regional development and human services.
Special Responsibilities	Strategy Committee
Michelle Rowland	Appointed 5/3/2008
Qualifications	LLB, BA (Hons)
Experience	Admitted to legal practice in 2002. Senior public servant and former policy adviser.
Special Responsibilities	Governance Committee
Miriam Scurrah	Appointed 18/12/2008
Qualifications	BEd (Hons) (Adult & Vocational Education)
Experience	Management of not for profit organisations, business development and government relations.
Special Responsibilities	Governance Committee
Natasha Leigh	Appointed 21/6/2005
Qualifications	LLB, BA (Psychology)
Experience	Admitted to legal practice in 2000, senior policy and projects solicitor with consumer specialisation
Special Responsibilities	Policy Committee
Patricia Roake	Appointed 20/11/2006
Qualifications	MA (Public Relations)
Experience	Communications, public relations and marketing. Currently senior advisor in Victorian public sector.
Special Responsibilities	Governance Committee
Shannon Walker	Appointed 18/12/2006
Qualifications	BA (Journalism & Public Relations)
Experience	Communications consultant
Special Responsibilities	Policy Committee

Information on Company Secretary

The following person held the position of company secretary at the end of the financial year:

Mark O'Brien	
Qualifications	BA
Experience	Commenced at Tenants Union of Victoria in 1991, appointed Chief Executive Officer in 1998.

Meetings of Directors

During the financial year, 16 meetings of directors (including committees of directors) were held. Attendances by each director during the year were:

	Committee Meetings									
	Directors' Meetings		Finance Committee		Governance Committee		Policy Committee		Strategy Committee	
	Number eligible to attend	Number attended	Number eligible to attend	Number attended	Number eligible to attend	Number attended	Number eligible to attend	Number attended	Number eligible to attend	Number attended
Anthony Wing	4	3	5	5						
Dat Nguyen	3	2							3	2
Graham Barrington	4	4							3	3
Greg Ireton	3	3							2	2
Jacqueline Robinson	1	-			1	1				
Jenny Fox	1	1					1	-		
Michelle Rowland	4	3			2	2				
Miriam Scurrah	3	3			2	2				
Natasha Leigh	4	3					2	2		
Patricia Roake	4	3			2	2				
Shannon Walker	4	3					2	2		

Indemnifying Officers or Auditor

During or since the end of the financial year the company has given an indemnity or entered an agreement to indemnify, or paid or agreed to pay insurance premiums as follows:

- > Directors and officers insurance is held with Victorian Managed Insurance Authority, through the Department of Human Services. Liability is limited to \$20,000,000 for any one claim and \$20,000,000 in the aggregate per organisation subject to non-accumulation. This insurance indemnifies Director(s) and/or executive officer(s) against third party claims for wrongful acts which includes actual or alleged breach of duty, breach of trust, neglect, error, misstatement, misleading statement, omission, breach of warranty of authority or other act wrongfully committed. No premium is payable by the Tenants Union of Victoria Ltd in respect of this policy.

Signed in accordance with a resolution of the Board of Directors.



Graham Barrington

Director/Chairperson

Dated this 30th day of September 2009

**Auditor's Independence Declaration under Section 307c
of the Corporations Act 2001**

Tenants Union of Victoria Ltd ACN 081 348 227

I declare that, to the best of my knowledge and belief, during the year ended 30 June 2009 there have been

- a. no contraventions of the auditor independence requirements set out in the Corporations Act 2001 in relation to the audit; and
- b. no contraventions of any applicable code of professional conduct in relation to the audit.

C.W. Stirling & Co.
Chartered Accountants



John A Phillips

Partner

Dated this 30th day of September 2009

Income Statement

Tenants Union of Victoria Ltd ACN 081 348 227

For the year ended 30 June 2009

	Note	2009 \$	2008 \$
Revenue		1,827,437	1,799,404
Employee benefits expense		(1,271,156)	(1,186,258)
Occupancy expense		(123,636)	(112,125)
Depreciation expense		(8,609)	(10,426)
Printing, publications, stationery and postage		(134,163)	(115,179)
Capital equipment	1(b)	(1,775)	(1,127)
Consultancy & subcontractor expenses		(10,740)	(121,171)
Special projects		(1,560)	(49,874)
Administration and other expenses		(229,838)	(205,727)
Surplus (deficit) before income tax	2	45,960	(2,483)
Income tax expense	1(a)	-	-
Net surplus (deficit)		45,960	(2,483)

The accompanying notes form part of these financial statements.

Balance Sheet

Tenants Union of Victoria Ltd ACN 081 348 227

As at 30 June 2009

	Note	2009 \$	2008 \$
CURRENT ASSETS			
Cash and cash equivalents	3	507,399	381,946
Trade and other receivables	4	74,324	133,713
TOTAL CURRENT ASSETS		581,723	515,659
NON-CURRENT ASSETS			
Trade and other receivables	4	4,610	4,610
Plant and equipment	5	27,086	13,414
TOTAL NON-CURRENT ASSETS		31,696	18,024
TOTAL ASSETS		613,419	533,683
CURRENT LIABILITIES			
Trade and other payables	6	58,467	90,827
Current tax liabilities	7	25,562	32,911
Short-term provisions	8	89,713	64,122
Other current liabilities	9	147,008	96,748
TOTAL CURRENT LIABILITIES		320,750	284,608
NON-CURRENT LIABILITIES			
Long-term provisions	8	19,838	22,204
TOTAL NON-CURRENT LIABILITIES		19,838	22,204
TOTAL LIABILITIES		340,588	306,812
NET ASSETS		272,831	226,871
EQUITY			
Capital reserve	10	-	13,414
Accumulated surplus		272,831	213,457
TOTAL EQUITY		272,831	226,871

The accompanying notes form part of these financial statements.

Statement of Recognised Income and Expenditure

Tenants Union of Victoria Ltd ACN 081 348 227

For the year ended 30 June 2009

	Accumulated Surplus	Capital Reserve	Total
	\$	\$	\$
Balance as at 1 July 2007	221,292	8,062	229,354
Deficit for the year	(2,483)	-	(2,483)
Transfer to reserves	(5,352)	5,352	-
Balance as at 30 June 2008	213,457	13,414	226,871
Surplus for the year	45,960	-	45,960
Transfer from reserves	13,414	(13,414)	-
Balance as at 30 June 2009	272,831	-	272,831

The accompanying notes form part of these financial statements.

Statement of Cash Flows

Tenants Union of Victoria Ltd ACN 081 348 227

For the year ended 30 June 2009

	Note	2009 \$	2008 \$
CASH FLOW FROM OPERATING ACTIVITIES			
Receipts from government and other sources		2,113,693	1,835,790
Payments to suppliers and employees		(1,980,959)	(1,903,095)
Interest received		15,547	18,222
Net cash provided by/ (used in) operating activities	13	148,281	(49,083)
CASH FLOW FROM INVESTING ACTIVITIES			
Payment for plant and equipment		(22,828)	(11,510)
Net cash used in investing activities		(22,828)	(11,510)
CASH FLOW FROM FINANCING ACTIVITIES			
Net cash provided by financing activities		-	-
Net increase (decrease) in cash held		125,453	(60,593)
Cash at beginning of year		381,946	442,539
Cash at end of year	3	507,399	381,946

The accompanying notes form part of these financial statements.

Notes to Financial Statements

Tenants Union of Victoria Ltd ACN 081 348 227

Note 1: Statement Of Significant Accounting Policies

The directors have prepared the statements on the basis that the company is a non-reporting entity because there are no users who are dependent on its general purpose financial reports. This financial report is therefore a special purpose financial report that has been prepared in order to meet the requirements of the Corporations Act 2001.

The financial report has been prepared in accordance with the mandatory Australian Accounting Standards applicable to entities reporting under the Corporations Act 2001 and the significant accounting policies disclosed below, which the directors have determined are appropriate to meet the needs of members. Such accounting policies are consistent with the previous period unless stated otherwise.

The financial statements have been prepared on an accruals basis and are based on historical costs unless otherwise stated in the notes. The accounting policies that have been adopted in the preparation of this report are as follows:

Accounting Policies

a. Income Tax

No provision for income tax has been raised, as the company is exempt from income tax.

b. Plant and Equipment

Plant and equipment are measured on the cost basis less depreciation and impairment losses.

The carrying amount of plant and equipment is reviewed annually by directors to ensure it is not in excess of the recoverable amount from these assets. The recoverable amount is assessed on the basis of the expected net cash flows that will be received from the asset's employment and subsequent disposal. The expected net cash flows have been discounted to their present values in determining recoverable amounts.

Plant and equipment that have been contributed at no cost, or for nominal cost are valued at fair value of the asset at the date it is acquired.

Depreciation

The depreciable amount of all fixed assets are depreciated on a straight line basis over their useful lives to the company commencing from the time the asset is held ready for use. All assets with a cost base of under \$1,000 are expensed on acquisition.

The depreciation rates used for plant and equipment range from 20% to 33%.

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at each balance sheet date. An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains or losses are included in the income statement.

c. Financial Instruments

Recognition and initial measurement:

Financial instruments, incorporating financial assets and financial liabilities, are recognised when the company becomes a party to the contractual provisions of the instrument. Trade date accounting is adopted for financial assets that are delivered within timeframes established by market place convention.

Financial instruments are initially measured at fair value plus transaction costs where the instrument is not classified at fair value through profit or loss. Transaction costs related to instruments classified as at fair value through profit or loss are expensed to profit or loss immediately. Financial instruments are classified and measured as set out below:

Derecognition:

Financial assets are derecognised where the contractual rights to receipt of cash flows expires or the asset is transferred to another party whereby the company no longer has any significant continuing involvement in the risks and benefits associated with the asset. Financial liabilities are derecognised where the related obligations are either discharged, cancelled or expire. The difference between the carrying value of the financial liability extinguished or transferred to another party and the fair value of consideration paid, including the transfer of non-cash assets or liabilities assumed is recognised in profit or loss.

Classification and subsequent measurement:

(i) Loans and receivables:

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost using the effective interest rate method.

(ii) Financial liabilities:

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost using the effective interest rate method.

Fair value:

Fair value is determined based on current bid prices for all quoted investments. Valuation techniques are applied to determine the fair value for all unlisted securities, including recent arm's length transactions, reference to similar instruments and option pricing models.

Impairment:

At each reporting date, the company assesses whether there is objective evidence that a financial instrument has been impaired. In the case of available-for-sale financial instruments, a prolonged decline in the value of the instrument is considered to determine whether an impairment has arisen. Impairment losses are recognised in the Income Statement.

d. Impairment of Assets

At each reporting date, the company reviews the carrying values of its tangible and intangible assets to determine whether there is any indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the asset's carrying value. Any excess of the asset's carrying value over its recoverable amount is expensed to the Income Statement.

Where the future economic benefits of the asset are not primarily dependent upon the assets ability to generate net cash inflows and when the entity would, if deprived of the asset, replace its remaining future economic benefits, value in use is depreciated replacement cost of an asset.

Where it is not possible to estimate the recoverable amount of a class of asset, the entity estimates the recoverable amount of the cash-generating unit to which the asset belongs.

e. Employee Benefits

Provision is made for the company's liability for employee benefits arising from services rendered by employees to Balance Sheet date. Employee benefits expected to be settled within one year together with benefits arising from wages, salaries and annual leave which may be settled after one year, have been measured at the amounts expected to be paid when the liability is settled, plus related on-costs. Other employee benefits payable later than one year have been measured at the present value.

Contributions are made by the company to an employee superannuation fund and are charged as expenses when incurred.

f. Unexpended Grants

The company receives grant monies to fund projects either for contracted periods of time or for specific projects irrespective of the period of time required to complete those projects. It is the policy of the company to treat grant monies as unexpended grants in the balance sheet where the entity is contractually obliged to provide the services in a subsequent financial period to when the grant is received or in the case of specific project grants where the project has not been completed.

g. Cash and Cash Equivalents

Cash and cash equivalents includes cash on hand, deposits held at-call with banks, other short-term highly liquid investments with original maturities of three months or less, and bank overdrafts.

Cash flows are presented in the cash flow statement on a gross basis, except for the GST component of investing and financing activities, which are disclosed as operating cash flows.

h. Revenue

Revenue from the sale of goods is recognised upon the delivery of goods to customers. Grant revenue is recognised in the income statement when it is controlled. When there are conditions attached to grant revenue relating to the use of those grants for specific purposes it is recognised in the balance sheet as a liability until such conditions are met or services provided. Interest revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial assets. Revenue from the rendering of a service is recognised upon the delivery of the service to the customers. All revenue is stated net of the amount of goods and services tax (GST).

i. Contributions

When the company receives non-reciprocal contributions from the Government and other parties for no or a nominal value, these contributions are recognised at the fair value on the date of acquisition upon which time an asset is taken up in the balance sheet and revenue in the income statement.

j. Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Tax Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the balance sheet are shown inclusive of GST.

k. Comparative Figures

Comparative figures have been adjusted to conform to changes in presentation for the current financial year.

l. Economic Dependence

Tenants Union of Victoria Ltd is dependent upon the Office of Housing, Victoria Legal Aid and Consumer Affairs Victoria for the majority of its revenue used to operate the business. At the date of this report the board of directors has no reason to believe that these organisations will not continue to support the company.

	2009	2008
	\$	\$
Note 2: Surplus from Ordinary Activities		
Deficit from ordinary activities before income tax expense has been determined after:		
a. Expenses		
Depreciation of plant and equipment	8,609	10,426
Remuneration of auditor		
- audit of the financial report	9,500	8,000
- other audit related services	4,075	6,050
Loss on disposal of plant and equipment	547	-
Rental expense on operating leases	84,500	75,048
Note 3: Cash and Cash Equivalents		
Cash on hand	600	600
Cash at bank	506,799	381,346
	507,399	381,946
Note 4: Trade and Other Receivables		
CURRENT		
Sundry debtors and prepayments	74,324	133,713
NON-CURRENT		
Security deposits	4,610	4,610
Note 5: Plant And Equipment		
Plant and equipment - at cost	43,037	56,383
Less accumulated depreciation	(15,951)	(42,949)
	27,086	13,414
Note 6: Trade and Other Payables		
Trade creditors	4,949	75,315
Sundry creditors and accrued expenses	53,518	15,512
	58,467	90,827
Note 7: Tax Liabilities		
Net Tax Liabilities – GST and PAYG	25,562	32,911

	2009	2008
	\$	\$
Note 8: Provisions		
SHORT-TERM		
Employee benefits	89,713	64,122
LONG TERM		
Employee benefits	19,838	22,204
Note 9: Other Liabilities		
CURRENT		
Grants received in advance	37,940	-
Project Balances:		
AAMI	-	987
CUAC	2,924	2,924
VLA	4,428	-
CAV Legal & Policy	4,974	5,027
CAV Metro Advocacy	-981	-
CAV Outreach	6,296	-
OoH HASS Accreditation	-	5,500
OoH PHIP Education	51,237	29,554
OoH PHIP Policy	4,470	4,500
OoH PHIP Special Grant	18,140	5,297
OoH PHIP Training	2,765	3,211
OoH SHASP	3,064	-
Real Estate Agents Project	11,752	24,403
Somali Women's Project	-	15,345
	<u>147,008</u>	<u>96,748</u>

Note 10: Reserves

The capital reserve was previously used to record funds set aside for return to government agencies in event of termination of funding agreements. The amount of the reserve was equal to the written down value of plant and equipment held by the company at each balance date. This reserve is no longer considered necessary as funds are only brought to account as income if there are no restrictions or conditions attaching to income and there are no remaining reserves on hand which are not the property of the company or have conditions attached. Accordingly the capital reserve has been transferred to accumulated surplus.

Note 11: Members' Guarantee

The company is limited by guarantee. If the company is wound up, the Constitution states that each member is required to contribute a maximum of \$10 each towards meeting any outstanding obligations of the company. At 30 June 2009 the number of full members was 46 (2008: 37).

Note 12: Events Subsequent to Reporting Date

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the company, the results of those operations, or the state of affairs of the company in future financial years.

	2009	2008
	\$	\$
Note 13: Cash Flow Information		
Reconciliation of cash flow from operations with surplus from ordinary activities after income tax		
Surplus (loss) from ordinary activities after income tax	45,960	(2,483)
Non-cash flows in surplus from ordinary activities		
Depreciation	8,609	10,426
Loss on disposal of plant and equipment	547	-
Non-cash contribution received	-	(4,268)
Changes in assets and liabilities		
Decrease/(increase) in receivables	59,389	(66,620)
Increase/(decrease) in payables	(32,360)	83,877
Increase/(decrease) in provisions	23,225	(1,104)
Increase/(decrease) in tax liabilities	(7,349)	(27,517)
Increase/(decrease) in other liabilities	50,260	(41,394)
Cash inflows from operations	148,281	49,083

Note 14: Leasing Commitments

Operating Lease Commitments

Non-cancellable operating leases contracted for but not capitalised in the financial statements:

Payable		
- not longer than 1 year	92,500	86,298
- longer than 1 year but not longer than 5 years	47,500	140,000
- longer than 5 years	-	-
	140,000	226,298

Details of significant leasing arrangements: The company's property lease is a non-cancellable lease with a three-year term, with rent payable monthly in advance. At the expiry of the current lease term, the company has an option to extend the lease for a further period of three years.

Note 15: Company Details

The registered office and principal place of business of the company is:
55 Johnston Street, Fitzroy, Victoria 3065.

Note 16: Contingent Liability

The company operates programs and in return receives funding under agreement with the Victorian and Commonwealth Governments. It is a condition of receipt of these grant funds that in the event of the company ceasing to operate the programs under agreement, or upon voluntary winding up of the company, the company is required to return control of the assets to the Victorian and Commonwealth Governments.

Note 17: Accounting Policies

The AASB has issued new, revised and amended standards and interpretations that have mandatory application dates for future reporting periods. The company has decided against early adoption of these standards. A discussion of those future requirements and their impact on the company is as follows:

AASB 2008-11: Amendments to Australian Accounting Standard – Business Combinations among Not-For-Profit Entities (applicable to annual reporting periods beginning on or after 1 July 2009). These amendments make the requirements in AASB 3: Business Combinations applicable to business combinations among not-for-profit entities (other than restructures of local governments) that are not commonly controlled, and to include specific recognition, measurement and disclosure requirements in AASB 3 for restructures of local governments.

AASB 101: Presentation of Financial Statements, AASB 2007-8: Amendments to Australian Accounting Standards arising from AASB 101, and AASB 2007-10: Further Amendments to Australian Accounting Standards arising from AASB 101 (all applicable to annual reporting periods commencing from 1 January 2009). The revised AASB 101 and amendments supersede the previous AASB 101 and redefines the composition of financial statements including the inclusion of a statement of comprehensive income. There will be no measurement or recognition impact on the company. If an entity has made a prior period adjustment or reclassification, a third balance sheet as at the beginning of the comparative period will be required.

AASB 2008-5: Amendments to Australian Accounting Standards arising from the Annual Improvements Project (July 2008) (AASB 2008-5) and AASB 2008-6: Further Amendments to Australian Accounting Standards arising from the Annual Improvements Project (July 2008) (AASB 2008-6) detail numerous non-urgent but necessary changes to accounting standards arising from the IASB's annual improvement project. No changes are expected to materially affect the company.

AASB 2008-13: Amendments to Australian Accounting Standards arising from AASB Interpretation 17 – Distribution of Non-cash Assets to Owners [AASB 5 and AASB 110] (applicable for annual reporting periods commencing from 1 July 2009). This amendment requires that non-current assets held for distribution to owners to be measured at the lower of carrying value and fair value less costs to distribute.

AASB Interpretation 17: Distributions of Non-cash Assets to owners (applicable to annual reporting periods commencing from 1 July 2009). This guidance applies prospectively only and clarifies that non-cash dividends payable should be measured at the fair value of the net assets to be distributed where the difference between the fair value and carrying value of the assets is recognised in profit or loss.

The company does not anticipate early adoption of any of the above reporting requirements and does not expect them to have any material effect on the company's financial statements.

Directors' Declaration

Tenants Union of Victoria Ltd ACN 081 348 227

The directors of the company declare that:

1. The financial statements and notes, are in accordance with the Corporations Act 2001 and:
 - a. comply with Accounting Standards; and
 - b. give a true and fair view of the financial position as at 30 June 2009 and of the performance for the year ended on that date of the company.
2. In the directors' opinion there are reasonable grounds to believe that the company will be able to pay its debts as and when they become due and payable.

Signed in accordance with a resolution of the Board of Directors.



Graham Barrington

Director/Chairperson

Dated this 30th day of September 2009

Independent Audit Report to the Members of the Tenants Union of Victoria Limited

Tenants Union of Victoria Ltd ACN 081 348 227

Report on the Financial Report

We have audited the accompanying financial report, being a special purpose financial report, of Tenants Union of Victoria Limited, which comprises the balance sheet as at 30 June 2009, and the income statement, statement of recognised income and expenditure and cash flow statement for the year then ended, a summary of significant accounting policies, other explanatory notes and the directors' declaration.

The Responsibility of the Directors for the Financial Report

The directors of the company are responsible for the preparation and fair presentation of the financial report and have determined that the accounting policies described in Note 1 to the financial statements which form part of the financial report, are appropriate to meet the requirements of the Corporations Act 2001 and are appropriate to meet the needs of the members. The directors' responsibility also includes establishing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. No opinion is expressed as to whether the accounting policies used, as described in Note 1, are appropriate to meet the needs of the members. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the company's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the company's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the directors, as well as evaluating the overall presentation of the financial report.

The financial report has been prepared for distribution to members for the purpose of fulfilling the directors' financial reporting requirements under the Corporations Act 2001. We disclaim any assumption of responsibility for any reliance on this report or on the financial report to which it relates to any person other than the members, or for any purpose other than that for which it was prepared.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we have complied with the independence requirements of the Corporations Act 2001. We confirm that the independence declaration required by the Corporations Act 2001, provided to the directors of Tenants Union of Victoria Limited on 30 September 2009, would be in the same terms if provided to the directors as at the date of this auditor's report.

Audit opinion

In our opinion, the financial report presents fairly, in all material respects, the financial position of Tenants Union of Victoria Limited as of 30 June 2009, and its financial performance and cash flows for the year then ended in accordance with the Corporations Act 2001, and the Australian Accounting Standards (including Australian Accounting Interpretations).

C.W. Stirling & Co.
Chartered Accountants



John A Phillips

Partner

Dated this 30th day of September 2009

Compilation Report for the Directors of the Tenants Union of Victoria Ltd

Tenants Union of Victoria Ltd ACN 081 348 227

On the basis of information provided by the Directors of Tenants Union of Victoria Limited, we have compiled in accordance with APS 9: Statement on Compilation of Financial Reports the special purpose financial report of Tenants Union of Victoria Limited for the period ended 30 June 2009 as set out on the following pages.

The specific purpose for which the special purpose financial report has been prepared is to provide private information to the directors. The extent to which Accounting Standards and other mandatory professional reporting requirements have or have not been adopted in the preparation of the special purpose financial report is set out in Note 1.

The Directors are solely responsible for the information contained in the special purpose financial report and have determined that the accounting policies used are consistent and are appropriate to satisfy the requirements of the Directors.

Our procedures use accounting expertise to collect, classify and summarise the financial information, which the Directors provided, into a financial report. Our procedures do not include verification or validation procedures. No audit or review has been performed and accordingly no assurance is expressed.

To the extent permitted by law, we do not accept liability for any loss or damage which any person, other than the company, may suffer arising from any negligence on our part. No person should rely on the special purpose financial report without having an audit or review conducted.

The special purpose financial report was prepared for the benefit of the company and its members and the purpose identified above. We do not accept responsibility to any other person for the contents of the special purpose financial report.

C.W. Stirling & Co.
Chartered Accountants



John A Phillips

Partner

Dated this 30th day of September 2009

Detailed Operating Statement
Tenants Union of Victoria Ltd ACN 081 348 227
For the year ended 30 June 2009

	2009	2008
	\$	\$
Income		
Grants – recurrent	1,651,613	1,524,036
Grants – non-recurrent	61,266	247,942
Interest earned	15,547	18,223
Membership fees	1,075	1,640
Other income	97,936	7,563
Total Income	1,827,437	1,799,404
Less Expenditure		
Accounting fees	13,575	14,050
Archiving costs	8,061	4,918
Bank charges	1,074	1,698
Capital equipment maintenance	132	489
Capital equipment	1,775	1,127
Catering – meetings	1,450	2,505
Cleaning	12,861	12,310
Computer software & consumables	2,501	2,272
Consultancy – IT support	50,951	34,630
Consultancy – other	10,740	59,268
Depreciation	8,609	10,426
Disbursements	9,331	6,814
Employment advertisements	17,624	4,135
Gas/electricity	6,194	6,866
Insurances	3,976	3,695
Library	9,210	16,332
Loss on disposal of assets	547	-
Miscellaneous	8,113	4,051
Payroll	1,164,566	1,090,719
Photocopying	6,167	6,607
Postage and freight	11,275	9,934
Practising certificates	1,280	635
Printing	20,604	24,318
Publications program	88,977	65,471

	2009	2008
	\$	\$
Publicity	8,633	486
Rent	87,398	75,048
Repairs and maintenance	7,055	10,793
Security	1,229	833
Special projects	1,560	49,874
Staff amenities	11,005	10,909
Staff development and training	9,313	8,292
Stationery	11,101	8,849
Subcontractor costs	-	61,904
Subscriptions & Memberships	22,825	18,053
Superannuation	100,321	91,615
Telephone	26,576	31,593
Travel	27,764	45,088
Waste removal	838	1,357
Workcover	6,269	3,923
Total Expenditure	1,781,477	1,801,887
SURPLUS/ (DEFICIT)	45,960	(2,483)
Transfers to capital reserve	-	(5,352)
SURPLUS/ (DEFICIT) after transfers to reserves	45,960	(7,835)

The detailed operating statement should be read in conjunction with the attached Compilation Report of C.W. Stirling & Co., Chartered Accountants.



Yes, what else but home?

Robert Frost



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