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tenants union of victoria
annual report
2009-2010

Tenants Union of Victoria
Annual Report 2009-2010

Acknowledgements

The Tenants Union of Victoria wishes to acknowledge and thank the following organisations for their contributions, financial and otherwise, to our work in 2009/10.

- > 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
- > Legal Services Board (Victoria)
- > Telematics Trust
- > Consumer Utilities Advocacy Centre
- > Blake Dawson

Contents

Acknowledgements	ii
Major Achievements 2009/10	3
Chairperson’s Report	4
Chief Executive Officer’s Report	5
Strategic Direction	6
Social Change	9
Legitimacy	9
Accessibility	10
Affordability	10
Appropriateness	11
Community Education	13
Publications	13
Training	13
Tenancy Rights & Responsibilities Training	14
Legal Services Board Project	14
e-Learning	15
Outreach	15
Community Education	16
Advice & Advocacy	17
Advice	17
Advocacy & Casework	20
Legal Service	22
Administration	24
Personnel	25
Staff	25
Financial Statements	27
Directors’ Report	27
Auditor’s Independence Declaration	32
Statement of Comprehensive Income	33
Statement of Financial Position	34
Statement of Changes in Equity	35
Statement of Cash Flows	36
Notes to Financial Statements	37
Directors’ Declaration	45
Independent Audit Report	46
Compilation Report for the Directors	48
Detailed Operating Statement	49

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 2009/10

- > Handled more than **17,500** individual tenancy advice enquiries through telephone, email, letter and in person
- > Assisted more than **14,500** clients overall
- > Provided advocacy on behalf of more than **1,421** clients including more than **390** representations at VCAT (Residential Tenancies List) or other Courts
- > Actively participated in the implementation of the Victorian Government's plan to improve private rooming house regulation and monitoring. Adoption of **21** recommendations
- > **18** formal submissions to a broad range of bodies about issues and programs affecting residential tenancies
- > Published research papers about:
 - > Private Rental Market Access [2 vols] (July 2009)
 - > Rooming House Reform Options [multiple papers prepared for the Victorian Government *Rooming House Taskforce*] (August to September 2009)
- > **189** articles or appearances in statewide and local media highlighting residential tenancies issues
- > Presentations to:
 - > Australian Residential Tenancies Conference [x3]
 - > National Housing Conference
 - > National Association of Community Legal Centres Conference
 - > Parliament of Victoria Committees [x2]
 - > Community Housing Federation of Victoria, Local Government & Affordable Housing Conference
- > Outreach visits to more than **20** rooming houses and caravan parks
- > Publication of a broad range of self-help information resources including:
 - > **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 26 fact sheets and step-by-step guides
 - > 3 editions of *Tenant News*, a newsletter for Victorian tenants
- > Distribution of:
 - > more than **192,000** fact sheets
 - > more than **15,400** handbooks
 - > more than **16,500** copies of *Tenant News*
- > More than **240,000** visits to the Tenants Union website
- > More than **124,000** downloads of information resources
- > Delivery of training projects about residential tenancies, family violence and the Victorian Charter of Human Rights to more than **600** participants.

Chairperson's Report

On behalf of the Board of the Tenants Union of Victoria I take great pleasure in presenting the Annual Report for 2009/10. 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 the creation of informal rooming houses by converting single occupancy dwellings into multiple occupancy dwellings.

We have also seen rents continue to increase at a much greater rate 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 Government's 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 continued to work towards implementation of significant commitments to improve legislative protection for rooming house and caravan park residents.

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.



Shannon Walker
Chairperson

Chief Executive Officer's Report

Over the last financial year we have continued to be confronted with the many consequences of a failing rental sector.

We have assisted many tenants in the private rental 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.

We applaud the Victorian Government's efforts to address substandard rooming houses and rogue operators through acceptance of the recommendation of the Rooming House Taskforce and look forward to the implementation of these reforms.

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 2009/10 we provided advocacy assistance to more than 1,400 clients. Despite negotiated resolution of about two-thirds of these disputes, we nevertheless undertook nearly 400 representations of tenants at VCAT.

Consistent with empowering tenants through information, we have continued to refocus our education activities and better align them with our social change agenda. The overall number of tenants we are assisting indirectly has continued to increase through more website visits and greater 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.

We have experienced another modest increase in funding this year and were able to secure some additional training-related grants. Our sincere thanks to all the organisations that have made financial or other contributions to our work.

Our 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.



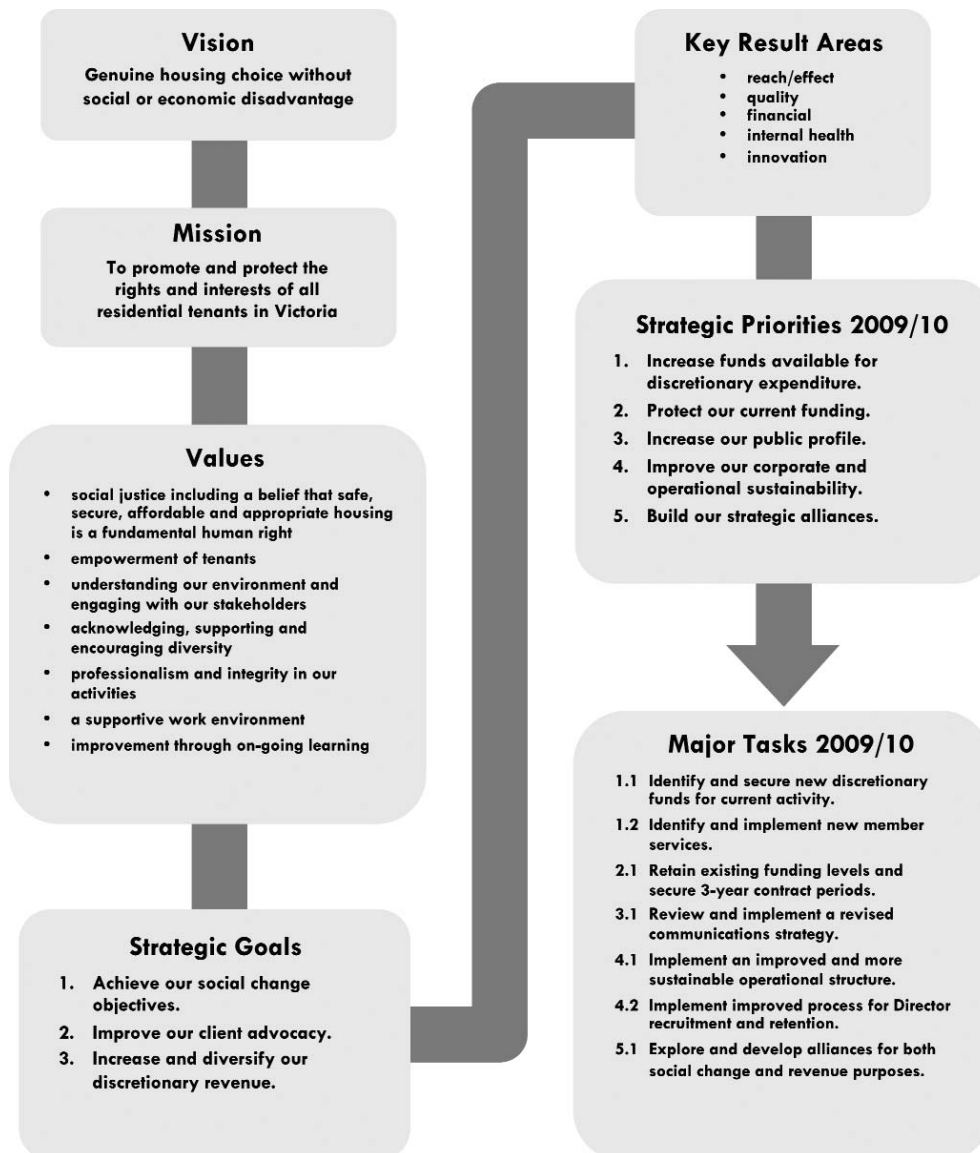
Mark O'Brien

Chief Executive Officer

Strategic Direction

The current Strategic Plan is outlined below. A status report against the Key Result Areas for the organisation for 2009/10 follows.

Tenants Union of Victoria, Strategic Plan 2008-11



Tenants Union of Victoria, Key Result Areas 2009/10

	Annual Target	YTD Actual	Variance	Notes	
Reach					
Advocacy					
1	No. of phone enquiries	17,500	12,927	73.9%	1
2	No. of drop in enquiries	2,000	2,162	>100%	
3	No. of email enquiries	1,000	1,912	>100%	
4	No. of enquiries overall	20,500	17,001	82.9%	2
5	No. of organisational enquiries	1,000	653	65.3%	3
6	No. of social housing clients	700	670	95.7%	
7	No. of new casework files	650	1,153	>100%	4
8	No. of active casework files	800	1,421	>100%	4
9	No. of social housing cases	100	151	>100%	
10	No. of VCAT appearances	400	393	98.3%	
11	Amount of advocacy \$	\$270,000	\$324,150	>100%	
Education					
12	No. of leaflets distributed	80,000	192,691	>100%	
13	No. of handbooks distributed	20,000	15,438	77.2%	5
14	No. of Tenant News distributed	20,000	16,551	82.8%	6
15	No. of website sessions	100,000	240,169	>100%	
16	No. of leaflet page views	20,000	124,214	>100%	
17	No. of multilingual page views	5,000	33,958	>100%	
18	No. of outreach visits	20	20	100.0%	
19	No. of SHASP training sessions	4	0	0.0%	7
20	No. of online training participants	20	0	0.0%	8
Social Change					
21	No. of media releases	12	12	100.0%	
22	No. of media articles	12	189	>100%	
23	Review communications strategy	<end Feb 2010	27/4/2010	58.0 days	
24	No. of research papers/submissions	2	4	>100%	
Corporate					
25	No. of members	150	111	74.0%	9
26	No. of new members	50	22	44.0%	10
27	No. of AGM attendees	8	10	No	
Quality					
Advocacy					
28	Abandoned call rate	<20%	44.0%	24.0%	11
29	Service guidelines exceptions	None	0	No	
30	No. of unresolved complaints	None	0	No	
31	Client satisfaction rate	85%	87%	>100%	
Education					
32	Training participant satisfaction rate	>85%	90%	>100%	
33	Publications vetting exceptions	None	0	No	
34	Publications satisfaction rate	>85%	99%	0.0%	
Social Change					
35	Project completion exceptions	None	1	Yes	12
36	Adoption of recommendations	>25%	75%	No	
Corporate					
37	No. of Director vacancies	<2	3	Yes	13
38	Director turnover	<2	1	No	
39	Proportion of members renewed	50%	81%	>100%	
Finance					
40	Expenditure variance from Budget	±2%	1.0%	No	
41	Expenditure variance from programs	±2%	1.0%	No	
42	Proportion of discretionary income	>1%	1.0%	No	
43	Retain effective funding levels	100%	104%	No	
44	Reporting compliance exceptions	None	1	Yes	14
Internal Health					
45	Rate of absenteeism	<3%	2.5%	No	
46	Rate of staff turnover	<10%	17%	(7.0%)	15
47	Staff satisfaction rate	>75%			16
48	Staff development exceptions	None	0	No	
49	EO & OHS compliance exceptions	None	0	No	
Innovation					
50	No. of new projects	0	2	No	
51	No. of new services	0	0	No	
52	No. of new alliances	0	1	No	

Notes:

- 1 The number of phone enquires is increasing but below target due to difficulties with reducing call times.
Call time reduction is limited by both the increasing complexity of enquiries and staff turnover and training.
- 2 The number of enquiries overall is below target due to lower phone enquiries.
- 3 Organisational enquiries were below target. We have undertaken further promotion to increase enquiries.
- 4 New and active casework files increased significantly due to better internal accounting for advocacy clients.
- 5 Handbook distribution remains below target but is offset by leaflet distribution which is significantly over target.
- 6 Tenants News distribution has increased over 2008/09 but reduced per edition.
This target will need to be reviewed.
- 7 This includes training sessions provided under special purpose grants.
- 8 Online training was below target due to a stronger focus on face-to-face training across the state this year.
- 9 Overall member numbers were down due to lower than anticipated new members. See below.
- 10 New members have continued to decline but we are anticipating this will be addressed by promotion through our upgraded website.
- 11 The abandoned call rate remained high this year due to the difficulties reducing call times.
We will be assessing the call back rate to determine what proportion of abandoned calls are “lost” clients.
- 12 We are still to complete a CUAC funded project and have been required to renegotiate our project timelines.
- 13 We are currently carrying an additional Director vacancy which the Board is addressing through recruitment.
- 14 We were again delayed submitting our reports to VLA due to audit timing.
We have addressed this problem with our Auditors and expect this situation to be resolved.
- 15 All staff turnover was significantly reduced from 2008/09 but remains above target.
We are addressing this problem through changes to job roles.
- 16 Not assessed during 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 2009/10 were:

Legitimacy

- > promoted residential tenancies issues in both local and statewide media with **189** articles or interviews in print, radio and television including **68** in statewide or national media
- > 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
- > 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
- > lobbied the Commonwealth Government to ensure federal environment and climate change policy acknowledged the needs of tenants in the private and public sectors

> Made formal submissions to:

- > Parliament of Australia, Senate Education, Employment and Workplace Relations Committee; International Student Welfare Inquiry (August 2009)
- > Parliament of Australia, Standing Committee on Family, Community, Housing and Youth; Homelessness Legislation Inquiry (August 2009)
- > Department of Human Services; Homelessness 2020 Strategy Discussion Paper (November 2009)
- > Parliament of Australia, Senate Environment, Communications and the Arts Committee; Inquiry into the Energy Efficient Homes Package (ceiling insulation) (December 2009)
- > Parliament of Victoria; Inquiry into the Adequacy and Future of Public Housing in Victoria (February 2010)

Accessibility

- > lobbied the Federal Attorney General's Department and the Victorian Government on proposed amendments to the Federal Privacy Guidelines relating to residential tenancies 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
- > made formal submissions to:
 - > Parliament of Victoria, Scrutiny of Acts & Regulation Committee; Review of the Equal Opportunity Act (July 2009)
 - > Consumer Affairs Victoria; Residential Tenancy Databases Consultation (December 2009)
 - > Parliament of Victoria, Scrutiny of Acts & Regulation Committee; Equal Opportunity Bill 2010 (March 2010)

Affordability

- > commissioned and promoted research on relative trends in property values, rent movements, and Commonwealth Rent Assistance (CRA)
- > lobbied the Victorian Government to implement its commitment in the Victorian Integrated Housing Strategy to improve affordability for private renters
- > made formal submissions to:
 - > Parliament of Victoria, Economic Development and Infrastructure Committee; Inquiry into State Government Taxation and Debt (November 2009)

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
- > 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
- > made formal submissions to:
 - > Consumer Affairs Victoria; Residential Parks Options Paper (July 2009)
 - > Premier of Victoria; Victorian Climate Change Green Paper (September 2009)
 - > Department of Health; Regulatory Impact Statement – Public Health and Wellbeing Regulations (October 2009)
 - > Essential Services Commission; Local Government Performance Monitoring Framework (December 2009)
 - > Parliament of Australia, Senate Standing Committee on Environment; Inquiry into the Energy Efficient Homes Package (December 2009)
 - > Department of Justice; Judicial Conduct and Complaints Review, particularly focussing on the conduct of VCAT Members (December 2009)
 - > Department of Planning and Community Development; Regulatory Impact Statement – Residential Tenancies (Caravan Parks and Moveable Dwellings Registration and Standards) Regulations 2010 (April 2010)
 - > Australian Competition & Consumer Commission; Consultation on the National Unfair Contract Terms Guide (April 2010)
 - > Commonwealth Department of Climate Change and Energy Efficiency; Prime Minister’s Task Group on Energy Efficiency (May 2010)
 - > Commonwealth Department of Families, Community Services, Housing and Indigenous Affairs; Not-For-Profit Housing Sector Regulation Discussion Paper (June 2010)

> made presentations to:

- > Australian Residential Tenancies Conference [x3]; Improving tenant access to VCAT; Charter of Human Rights and tenancy law; and Protecting tenants from climate change
- > National Housing Conference [x2]; Private rental market conditions; and Protecting tenants from climate change
- > National Association of Community Legal Centres Conference
- > Parliament of Victoria; Committee of Inquiry into the Adequacy and Future of Public Housing
- > Community Housing Federation of Victoria, Local Government & Affordable Housing Conference; Rooming house regulation

Social Change Case Study: Rooming House Standards Taskforce

The Tenants Union played a leadership role in the ‘Call this a home...?’ community campaign to reform the rooming house sector in Victoria. The campaign culminated in the Victorian Government establishing the Rooming House Standards Taskforce chaired by Martin Foley MLA including industry, local government and community sector stakeholders.

The Taskforce was established in July 2009 and met on a weekly basis until September 2009. The Tenants Union was an active participant in the process, presenting a detailed package of 22 reform options for the taskforce to consider, including detailed papers providing legislative, regulatory and programmatic responses to key issues.

The Taskforce delivered a report to the Victorian Government in September 2009. The report contained 32 recommendations in four key areas including:

- > improving standards of safety and amenity
- > mandatory registration of operators and premises
- > strengthening compliance and enforcement
- > increasing the supply of affordable rental housing

The input of the Tenants Union proved to be influential, with each of the 22 recommendations being accepted in one form or another.

The Victorian Government announced that they accepted each of the Taskforce recommendations in October 2009 and that implementation would commence immediately.

Community Education

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 more than 90% of respondents found our publications easy to read and understand.

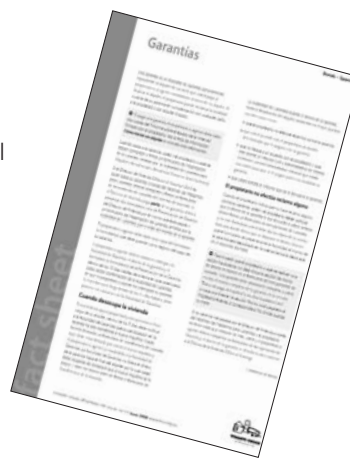
In 2009/10 we distributed:

- > more than **192,690** fact sheets covering 30 common residential tenancy problems now including some rooming house issues
- > more than **15,430** 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 **16,550** readers.

In addition, there were more than **240,160** individual user sessions on the Tenant's Union website.

English language publications downloaded from our website included:

- > more than **99,380** fact sheets
- > more than **24,820** step-by-step guides
- > more than **6,320** handbooks



We have continued to translate our tenant information resources into relevant community languages. By the end of June 2010, almost all of our fact sheets and a number of step-by-step guides had been translated.

During 2009/10, there were more than **33,950** downloads of multilingual information.

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 include 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.

Tenancy Rights and Responsibilities Training

In 2009 the Tenants Union completed a project on behalf of Consumer Affairs Victoria (CAV) to place a training course online that was aimed specifically at employees and volunteers from community-based organisations across Victoria. The training was designed to provide basic knowledge of tenants' and landlords' rights and responsibilities under the *Residential Tenancies Act (RTA) 1997*.

As a result of that work, CAV requested that the Tenants Union, in conjunction with Community Information Victoria, extend the training to include a face-to-face component of the project to be delivered across Victoria throughout 2010. To date approximately 9 of the 18 sessions scheduled to take place in metropolitan and regional Victoria have been completed.

Participation has been excellent with attendances regularly reaching mid to high twenties. The diversity of participants has been a positive for the project, with volunteers and employees from a wide range of community sector organisations attending.

Most of the volunteers have stated that they are unfamiliar with the RTA, making them keen to take part. Many have been housing sector workers who are either new to the industry or who have not previously had the opportunity to engage in RTA training.

Feedback from organisations involved has been very encouraging and has resulted in one company requesting an additional one-off training session specifically for their staff. Evaluation responses also indicate that networking opportunities are of particular importance for the participants.

The project has now been extended into 2010/11.

Legal Services Board Project

As well as providing training on the basics of the RTA, the Tenants Union embarked on an educational program for the Legal Services Board (LSB) that also entailed delivering training throughout the state. The purpose of the training was to promote best practice advocacy skills and to improve knowledge in the areas of *The Charter of Human Rights and Responsibilities Act 2006 (Vic)* and the *Family Violence Protection Act 2008 (Vic)* as they impact on the RTA.

The training sessions were conducted by one of the Tenants Union's solicitors, Alyena Mohummadally, who first became familiar with the Charter while working in the disability sector. In a five-month period, the Tenants Union delivered over 40 sessions throughout Victoria. In total, 220 people attended the *Family Violence Protection Act* training and 213 were present for the *Charter of Human Rights and Responsibilities Act* presentations.

The 63.7% of training participants who responded to our participant survey said that the Charter was very or highly important to them in their day-to-day work.

Similar responses were received from the Family Violence Protection Act 2008 (Vic) training. Here 85.2% of respondents stated that FVPA training had provided them with additional tools with which to assist and advise their clients.

e-Learning

The e-learning section of the training unit continues to grow. The Tenants Union has added a podcasting facility in addition to the two student learner management systems it runs for both accredited and non-accredited training. At present the organisation has one podcast which is a discussion on the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*. This podcast is available via Moodle, which is located on the Tenants Union's website.

Plans for further podcasts include recording Tenants Union practice notes so they may be freely available to interested parties. The system used to create and publish the podcasts is freeware entitled PodOmatic.



Major benefits of using this product include the ability to host on the PodOmatic website so the podcasts do not take up valuable Tenants Union server space. Importantly, using freeware ensures there is reduced cost to the organisation in the production of these valuable training tools. The podcasts may be accessed on the website or downloaded to be used at the convenience of the listener.

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.

Our major achievements for 2009/10 were:

- > visits to more than **20** rooming houses and caravan parks
- > initial advice and information to more than **100** residents
- > ongoing cooperation with local government authorities to assist them to identify unregistered and substandard rooming houses and caravans parks
- > provision of information about systemic failures identified by the outreach program to assist the State Government in developing reform options for both caravan parks and rooming houses

Outreach Case Study: Head lease termination

A resident rented a bungalow at the rear of a rooming house housing three other residents. The rooming house was operated under a head lease from the property owner. The rooming house operator informed the resident that they would soon have to vacate the property for a new property because the property owner/landlord wanted to reoccupy the premises. The resident was also told that the local council had rejected an application to register the rooming house and that this meant the property could not be occupied. The council had in fact issued a building compliance notice to the operators, giving them 60 days to make the necessary changes to comply with the Building Act.

The resident was also told that a van would be sent to the property to move him and his possessions to the new property. If he didn't vacate then his goods would be disposed of immediately. He sought advice from the Tenants Union and made a successful claim to the Victorian Civil and Administrative Tribunal (VCAT) for an interim restraining order. Shortly afterward, the operator called the resident telling him that he must vacate the property immediately as the landlord had obtained a possession order from VCAT. VCAT confirmed that no such application or order had been made. The resident secured a restraining order from VCAT preventing the operator from illegally evicting him and from disconnecting the electricity, but three of the four residents were moved out of the rooming house.

Once the rooming house operator abandoned the property, then any right to reside for the resident ceased and he could be evicted without any further notice. However with our assistance the resident eventually entered into an agreement with the property owner to lease the bungalow in his own right.

Community Education

Community education remains a feature of the Tenants Union's training. Presentations have been delivered to newly arrived migrants, overseas students and those considered to youth at risk of homelessness.

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 2009/10 were:

- > 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

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 it operates from 1:00pm to 8:00pm.

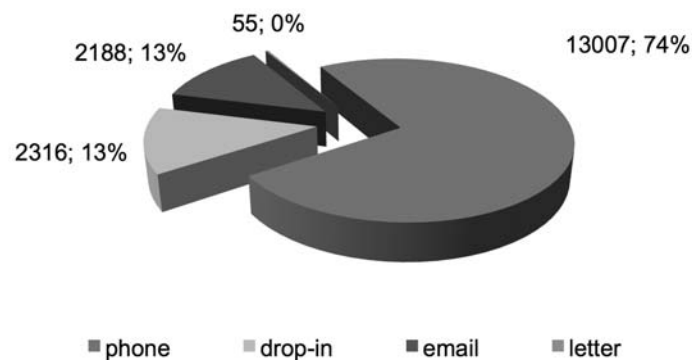
Drop-in services are available at our Fitzroy Office from 9:00am to 4:30pm weekdays except Wednesday, when services operate from 1:00pm to 8:00pm.

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.

During 2009/10, through the advice service we handled **17,566** advice enquiries. Figure 1 shows a breakdown of the method of contact for advice enquiries.

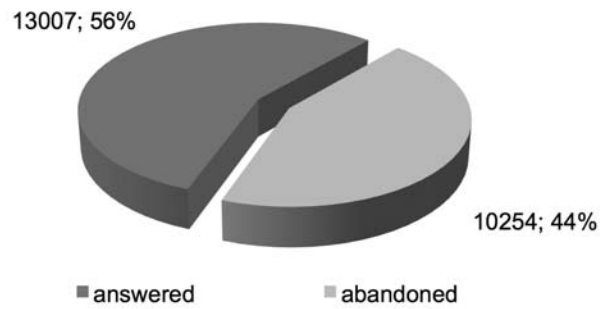
Figure 1: 2009/10 Enquiries by Method of Contact



During 2009/10 we also received **653 organisational** enquiries from a wide range of agencies and services across Victoria.

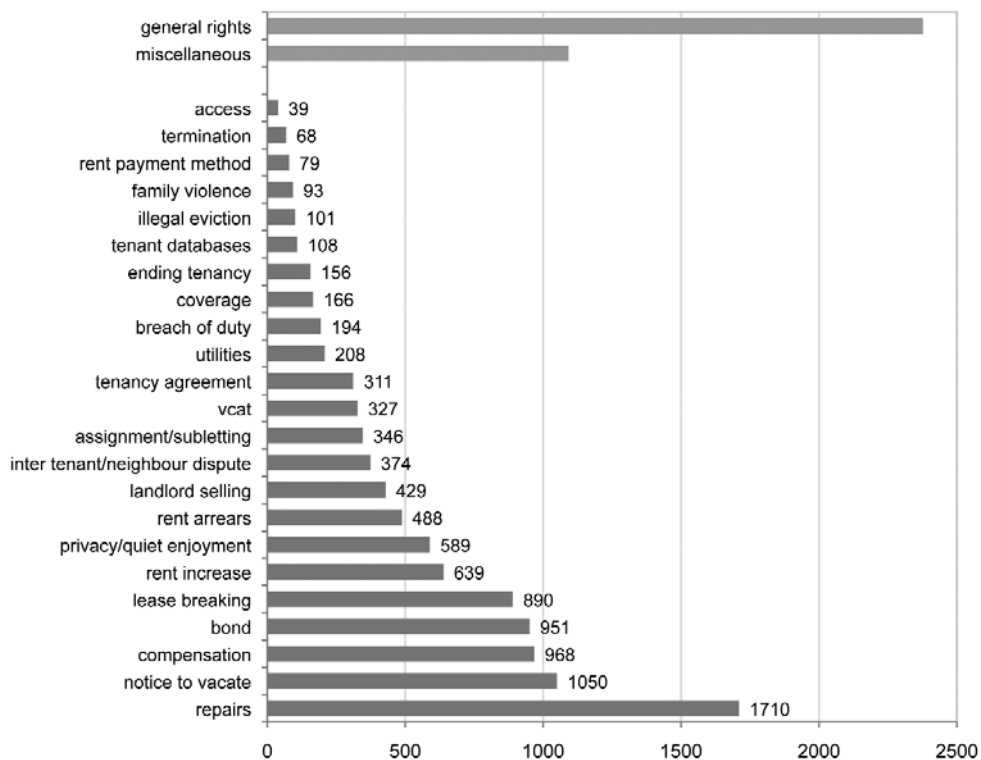
We have had difficulty with managing high demand for our telephone service, which is reflected in a high proportion of abandoned calls. Figure 2 shows the proportion of calls answered and calls abandoned during 2009/10. We are working through a range of strategies to reduce our abandoned call rate.

Figure 2: Call Answered and Calls Abandoned 2009/10



During 2009/10 we assisted tenants with a vast range of tenancy issues and problems. Figure 3 shows a breakdown of primary problem types for 2009/10 enquiries.

Figure 3: 2009/10 Enquiries by Primary Problem Type



Advice Case Study: Getting your bond back and rental bidding

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

I am about to move out of a property I have rented for a little over 5 years. Can you please tell me can the real estate withhold my bond for wear and tear on the unit? When I first moved in carpets and floors and oven area were not cleaned, I am planning on cleaning them but they are asking for everything to be steamed cleaned. Is this true?

Also the property that I have applied for was advertised at a price and an application submitted and I was offered the property, as I haven't signed a rental agreement as yet the real estate agent is now asking for an extra \$20 a week for the property and has advised that there are other people looking at the property that are willing to rent at that price. Can the agent do this?

We contacted the tenant and advised them about the legal requirements for vacating the property and the process for seeking return of their bond. Unfortunately, with the current low vacancy rate in the private rental market, sharp practices like rental bidding have emerged and are difficult to resolve without additional legal protections for tenants.

During 2009/10 the mix of tenancy types for clients was:

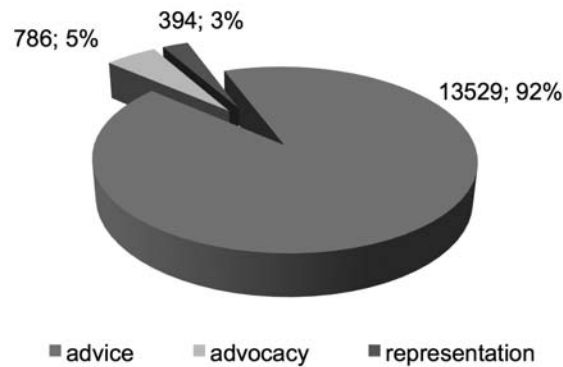
- > 13,283 private rental tenants
- > 821 social housing tenants
- > 495 rooming house residents
- > 70 caravan park residents

“many thanks for the amazing service I received over a week ago ... not only did your advice rectify the situation, I received empathy, great information and then a pack of supporting documents in the mail—impressive. A big thank you...”

(client feedback)

During 2009/10 we assisted **14,709** discrete clients, some with multiple matters. More than 90% of clients were assisted with advice and information only. The remainder of clients were provided with some form of advocacy assistance and where a dispute was unable to be resolved, assisted with representation, primarily at VCAT. Figure 4 shows the breakdown of the type of assistance provided to clients.

Figure 4: 2009/10 Clients by Type of Assistance



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.

During 2009/10 we assisted more than **1,421 clients** with general advocacy services.

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

Table 1: Comparison of Case Activity, 2008/09 v 2009/10

	2008/09	2009/10
> No. cases open at 1 July 08/09	355	268
> No. of new cases	425	1,153
> No. of closed cases	512	1,088
> No. of cases open at 30 June 09/10	268	333

(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 2009/10 we undertook **397** appearances at VCAT.

Advocacy Service Case Study: Repairs and Lease Breaking

Mr N attended our drop in service. Mr N is an elderly Italian man who speaks limited English. Mr N had lived in his rented premises for 5 months of a 12 month fixed-term tenancy agreement. The rented premises had no heating and was damp and cold.

One month into Mr N's tenancy, he noticed that the walls and ceilings were wet in a number of rooms due to a high level of humidity in the premises. Various walls in the premises had cracks and holes that let in cold air and in some rooms black mould patches were developing on the ceiling.

Mr N was in poor health and the conditions in the rented premises were aggravating some existing health problems. Mr N had asked his real estate agent to organise repairs or he would vacate the premises. The real estate agent had told Mr N that if he wanted to leave the premises he would be liable for lease breaking costs.

Mr N was allocated an advocate and with our assistance he initiated the procedure for repairs and served a Breach of Duty notice on the landlord for his failure to maintain the premises in good repair. The repairs were not completed and we assisted Mr N to request a repairs inspection from Consumer Affairs Victoria. The Consumer Affairs Victoria inspector attended the premises which he described as being in terrible condition and went immediately to discuss the problem with the real estate agent.

Mr N wanted to leave the rented premises for more suitable housing as soon as possible.

We commenced negotiation with the real estate agent to try to secure an early termination of Mr N's agreement. Following some discussion, the landlord through the real estate agent agreed to release Mr N from his fixed-term agreement and to pay him compensation equivalent to one month's rent to assist Mr N with relocation.

Vulnerable tenants like Mr N find it difficult to assert their tenancy rights without advocacy and can be subject to appalling treatment. Mr N has now successfully relocated to new premises.

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

Legal Service Case Study: Charter of Human Rights

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

Mr Sudi, an adolescent refugee of the war in Somalia, lived with his mother in public housing between 1995 and 2005. In June 2008, when his mother was diagnosed with cancer, Mr Sudi returned to the family home to provide full-time palliative care for her, having vacated his permanent housing and uprooting his three-year-old son.

When his mother eventually passed away in October of the same year, Mr Sudi continued to live at the property and pay rent to the Office of Housing until they commenced proceedings to evict him in January 2009.

As the property had been the only real home that he had known in Australia, Mr Sudi sought the assistance of the Tenants Union Legal Service to resist the Office of Housing's application for possession in the Victorian Civil and Administrative Tribunal (VCAT) and to apply for a tenancy to be created in his name.

In a landmark decision, Justice Bell, sitting as the President of VCAT, determined that the Director of Housing's application for possession constituted an unlawful interference with the right to a home enjoyed by Mr Sudi and his son under Victoria's newly-enacted human rights legislation, and that the application should accordingly be dismissed.

Run as a test case over two years, the results achieved by the Tenants Union in this matter are of immense value to all Victorian public tenants, effectively opening up the low-cost, efficient and informal jurisdiction of VCAT as a means of enforcing their human rights.

However while the decision of Justice Bell continues to inform the current practice of VCAT, the Director of Housing has initiated an appeal at the Supreme Court of Victoria. The Tenants Union Legal Service is continuing to assist Mr Sudi during the appeal.

We would like to acknowledge Mr Alistair Pound for his pro-bono assistance and the Public Interest Law Clearing House (PILCH).

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 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 Act* (RTA) 1997.

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.

Administration

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

In 2009/10 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 **403** orders for publications with **87%** of orders filled and returned within 7 days of receipt

Personnel

Staff

Staff members at 30 June 2010 were:

Adrienne Barrett	Research Assistant
Alyena Mohummudally	Solicitor (Policy & Training)
Anne Smith	Administration Worker
Anu Nager	Tenant Adviser
Bill Darling	Senior Advocate
Cassandra Laybourne	Tenant Advocate
Cate Read	Tenant Adviser
Colleen Power	Phone Adviser
Damian Stock	Senior Solicitor
David Llewellyn	Tenant Advocate
Hannah Pearson	Tenant Adviser
Helen Munro	Training Worker
James Muldoon	Tenant Adviser
Jenny Draffin	Librarian
Karen Bijkersma	Resources Worker
Lee Hansen	Solicitor (Policy)
Liz Turner	Outreach Adviser
Louisa Bassini	Tenant Advocate
Lyn Ryder	Legal Administration Worker
Marian Hopkins	Solicitor
Marisol Bombal	Bookkeeper
Mark O'Brien	Chief Executive Officer
Maya Narayan	Tenant Advocate
Melanie Cousins	Tenant Adviser
Miles Browne	Solicitor
Nuwan Dias	Tenant Adviser
Retta Berryman	Tenant Adviser
Ruth Hansen	Tenant Adviser
Toby Archer	Policy Worker
Ursula Dutkiewicz	Administration Worker
Victor Nieto	Administration and Finance Manager
Zane Lovitt	Tenant Adviser

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

Our thanks also go to the following staff that left the organisation in 2009/10 for their commitment and work during their employment with the Tenants Union:

Christina Andrews	Outreach Worker
Jennifer Hill	Tenant Adviser
Kiri Milburn	Tenant Adviser
Oleg Bydanov	Outreach Adviser
Sam Szoke-Burke	Tenant Adviser
Sarah Anderson	Tenant Adviser
Tal Gory	Tenant Advocate
Alyson Maulana	Tenant Adviser

I would especially like to acknowledge and thank **Christina Andrews**, our former Outreach Worker and Tenant Advocate. Christina provided a very important contribution to the work that ultimately led to the establishment of the Victorian Government Rooming House Standards Taskforce and the significant reforms that followed. We wish her all the best with her future endeavours.

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 2010.

Directors

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

Shannon Walker
Anthony Wing
Geoffrey Dickman – Appointed 24/8/2009
George Lioukas – Appointed 8/2/2010
Greg Ireton
Michelle Rowland
Miriam Scurrah
Natasha Leigh
Patricia Roake
Graham Barrington – Resigned 24/11/2009

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

Long-Term Objectives

The principal objective of the company is to:

- > provide advice and assistance on legal and other rights relevant to residential tenancies to socially or economically disadvantaged tenants, with the aim of providing direct relief of their poverty, helplessness or misfortune, to represent tenants and speak for the collective interests of tenants

To fulfil its principal objectives the company's principal activities are:

- > 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 orientation
- > to take all reasonable steps to provide equitable and accessible services to individuals from socially, culturally and linguistically diverse backgrounds and situations

Short-Term Objectives

The company has identified the following short-term objectives:

- > achieve our social change objectives
- > improve our direct client advocacy
- > increase and diversify our discretionary revenue

To fulfil its short-term objectives the company has undertaken the following activities:

- > maintained and implemented a comprehensive action plan approved by the Board to guide our social change activity
- > reviewed and improved our advice and advocacy policy and procedures
- > enhanced the delivery of our online client services including training delivery
- > continued to enhance membership services

The short-term objectives of the company are subject to annual review by the Board.

Review of Operations

The Board has developed a comprehensive set of indicators to monitor and review the performance of the company.

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

- > Service reach remains broad, particularly in the key strategic area of social change activity. Media profile and engagement with relevant issues has been comprehensive. Overall client services have increased and the decline in phone service levels has been reversed. New advice services through email have increased. Website access, particularly to multilingual resources has further increased.
- > Financial health remains strong with no projects in deficit after transfers from project balances. Very limited exceptions to the achievement of funding and service agreement targets. All grants confirmed for 2010/11 financial year.

- > Service quality remains strong with consistently high client satisfaction levels and no significant exceptions in service audit processes. HASS accreditation achieved.
- > Internal health is adequate. Reduced staff turnover and absenteeism following some higher results due to funding and service uncertainty.

The full set of performance indicators are provided in the Annual Report.

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 has flagged a review of some service arrangements that may affect the level of grants and the process for service agreement and delivery

The Board expects that income diversification activities will better position the company for future challenges and the delivery of its objectives.

Operating Results

The surplus of the company for the year amounted to \$20,050 (2009: Surplus \$45,960).

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

Auditor's Independence Declaration

The lead auditor's independence declaration for the year ended 30 June 2010 has been received and forms part of the Directors' Report.

Information on Directors

Anthony Wing	First 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
Geoffrey Dickman	First appointed 24/8/2009
Qualifications	Grad Dip (Bus)
Experience	Marketing and partnerships manager. Victorian public service
Special Responsibilities	Strategy Committee
George Lioukas	First appointed 8/2/2010
Qualifications	BSc, Grad Cert (Technology Management)
Experience	Telecommunications management and marketing
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
Michele 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	BA Ed (Hons) (Adult & Vocational Education)
Experience	Management of not for profit organisations, business development and government relations
Special Responsibilities	Deputy Chairperson, 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	Chairperson, Policy Committee

Meetings of Directors

During the financial year, 4 meetings of directors were held.

Attendances by each director during the year were:

	Directors' Meetings		Subcommittee 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	2	5	5						
Geoffrey Dickman	3	3							2	2
George Lioukas	2	2	2	2						
Graham Barrington	2	2								
Greg Ireton	4	3							2	2
Michelle Rowland	4	4			3	3				
Miriam Scurrah	4	3			3	3				
Natasha Leigh	4	1					2	1		
Patricia Roake	4	3			3	3				
Shannon Walker	4	3					2	2	2	2

Amount which each class of member is liable to contribute if the company is wound up

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 2010 the number of full members was 37 (2009: 46). At 30 June 2010 the collective liability of members was \$370 (2009: \$460).

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



Shannon Walker

Chairperson

Dated this 6th day of September 2010

**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 2010 there have been

- i. no contraventions of the auditor independence requirements set out in the Corporations Act 2001 in relation to the audit; and
- ii. 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 6th day of September 2010 at Melbourne

Statement of Comprehensive Income
Tenants Union of Victoria Ltd ACN 081 348 227
For the year ended 30 June 2010

	Note	2010 \$	2009 \$
Revenue		1,944,238	1,827,437
Employee benefits expense		(1,290,232)	(1,271,156)
Occupancy expense		(136,535)	(123,636)
Depreciation expense		(14,521)	(8,609)
Printing, publications, stationery and postage		(146,285)	(134,163)
Capital equipment	1(b)	(1,435)	(1,775)
Consultancy and subcontractor expenses		(29,092)	(10,740)
Special projects		(13,830)	(1,560)
Administration and other expenses		(292,258)	(229,838)
Surplus before income tax	2	20,050	45,960
Income tax expense	1(a)	-	-
Net surplus for the year		<u>20,050</u>	<u>45,960</u>
Other comprehensive income:			
Other comprehensive income for the year, net of tax		-	-
Total comprehensive income for the year		<u>20,050</u>	<u>45,960</u>

The accompanying notes form part of these financial statements.

Statement of Financial Position
Tenants Union of Victoria Ltd ACN 081 348 227
As at 30 June 2010

	Note	2010 \$	2009 \$
CURRENT ASSETS			
Cash and cash equivalents	3	488,095	507,399
Trade and other receivables	4	53,445	74,324
Other current assets	5	13,182	-
TOTAL CURRENT ASSETS		554,722	581,723
NON-CURRENT ASSETS			
Trade and other receivables	4	4,610	4,610
Plant and equipment	6	28,078	27,086
TOTAL NON-CURRENT ASSETS		32,688	31,696
TOTAL ASSETS		587,410	613,419
CURRENT LIABILITIES			
Trade and other payables	7	46,588	58,467
Current tax liabilities	8	1,365	25,562
Short-term provisions	9	116,864	89,713
Other current liabilities	10	124,359	147,008
TOTAL CURRENT LIABILITIES		289,176	320,750
NON-CURRENT LIABILITIES			
Long-term provisions	9	5,353	19,838
TOTAL NON-CURRENT LIABILITIES		5,353	19,838
TOTAL LIABILITIES		294,529	340,588
NET ASSETS		292,881	272,831
EQUITY			
Accumulated surplus		292,881	272,831
TOTAL EQUITY		292,881	272,831

The accompanying notes form part of these financial statements.

Statement of Changes in Equity

Tenants Union of Victoria Ltd ACN 081 348 227

For the year ended 30 June 2010

	Accumulated Surplus	Capital Reserve	Total
	\$	\$	\$
Balance as at 1 July 2008	213,457	13,414	226,871
Surplus for the year	45,960	-	45,960
Transfer to reserves	13,414	(13,414)	-
Balance as at 30 June 2009	272,831	-	272,831
Surplus for the year	20,050	-	20,050
Balance as at 30 June 2010	292,881	-	292,881

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 2010

	Note	2010 \$	2009 \$
CASH FLOW FROM OPERATING ACTIVITIES			
Receipts from government and other sources		2,121,076	2,113,693
Payments to suppliers and employees		(2,138,967)	(1,980,959)
Interest received		14,217	15,547
Net cash provided by/ (used in) operating activities	13	(3,674)	148,281
CASH FLOW FROM INVESTING ACTIVITIES			
Payment for plant and equipment		(15,630)	(22,828)
Net cash used in investing activities		(15,630)	(22,828)
CASH FLOW FROM FINANCING ACTIVITIES			
Net cash provided by financing activities		-	-
Net increase (decrease) in cash held		(19,304)	125,453
Cash at beginning of year		507,399	381,946
Cash at end of year	3	488,095	507,399

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 asset's 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 asset's 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.

	2010	2009
	\$	\$
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	14,521	8,609
Remuneration of auditor		
- audit of the financial report	9,000	9,500
- other audit related services	2,000	4,075
Loss on disposal of plant and equipment	117	547
Rental expense on operating leases	92,500	84,500
Note 3: Cash and Cash Equivalents		
Cash on hand	680	600
Cash at bank	487,415	506,799
	488,095	507,399
Note 4: Trade and Other Receivables		
CURRENT		
Sundry debtors and prepayments	53,445	74,324
NON-CURRENT		
Security deposits	4,610	4,610
Note 5: Other Current Assets		
Prepayments	13,182	-
Note 6: Plant And Equipment		
Plant and equipment – at cost	58,551	43,037
Less accumulated depreciation	(30,473)	(15,951)
	28,078	27,086
Note 7: Trade and Other Payables		
Trade creditors	10,943	4,949
Sundry creditors and accrued expenses	35,645	53,518
	46,588	58,467
Note 8: Tax Liabilities		
Net Tax Liabilities – GST and PAYG	1,365	25,562

	2010	2009
	\$	\$
Note 9: Provisions		
SHORT-TERM		
Employee benefits	116,864	89,713
LONG-TERM		
Employee benefits	5,353	19,838
Note 10: Other Liabilities		
CURRENT		
Grants received in advance	35,845	37,940
Project Balances:		
CUAC	2,924	2,924
VLA	-	4,428
CAV – Legal & Policy	3,995	4,974
CAV – Metro Advocacy	-	(981)
CAV – Outreach	24,249	6,296
OoH PHIP – Education	36,059	51,237
OoH PHIP – Policy	1,452	4,470
OoH PHIP – Special Grant	18,140	18,140
OoH PHIP – Training	1,695	2,765
OoH PHIP – SHASP	-	3,064
Real Estate Agents Project	-	11,751
	<u>124,359</u>	<u>147,008</u>

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 2010 the number of full members was 37 (2009: 46).

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.

	2010	2009
	\$	\$
Note 13: Cash Flow Information		
Reconciliation of cash flow from operations with surplus from ordinary activities after income tax		
Surplus from ordinary activities after income tax	20,050	45,960
Non-cash flows in surplus from ordinary activities		
Depreciation	14,521	8,609
Loss on disposal of plant and equipment	117	547
Changes in assets and liabilities		
Decrease/(increase) in receivables	20,879	59,389
Decrease/(increase) in other current assets	(13,182)	-
Increase/(decrease) in payables	(11,879)	(32,360)
Increase/(decrease) in provisions	12,666	23,225
Increase/(decrease) in tax liabilities	(24,197)	(7,349)
Increase/(decrease) in other liabilities	(22,649)	50,260
Cash inflows (outflows) from operations	(3,674)	148,281

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	47,500	92,500
- longer than 1 year but not longer than 5 years	-	47,500
- longer than 5 years	-	-
	47,500	140,000

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 following amendments have been identified which may impact the entity in the period of initial application. These are available for early adoption at 30 June 2010, but have not been applied in preparing these financial statements:

AASB 1053 Application of Tiers of Australian Accounting Standards includes traditional provisions for various different situations including for entities that previously prepared special purpose financial statements and are now required to prepare financial statements under either Tier 1 or 2 as well as for those entities transitioning between the different tiers. AASB 1053 will become mandatory for the year ended 30 June 2014. The company has not yet determined the potential effect of the standard.

AASB 9 Financial Instruments includes requirements for the classification and measurement of financial assets resulting from the first Phase 1 of the project to replace AASB 139 Financial Instruments: Recognition and Measurement. AASB 9 will become mandatory for the entity 30 June 2014 financial statements. Retrospective application is generally required, although there are exceptions, particularly if the entity adopts the standard for the year ended 30 June 2012 or earlier. The company has not yet determined the potential effect of the standard.

AASB 124 Related Party Disclosures (revised December 2009) simplifies and clarifies the intended meaning of the definition of a related party and provides a partial exemption from the disclosure requirements for government-related entities. The amendments, which will become mandatory for Company's 30 June 2012 financial statements, are not expected to have any impact on the financial statements.

AASB 2009-5 Further amendments to Australian Accounting Standards arising from the Annual Improvements Process affect various AASBs resulting in minor changes for presentation, disclosure, recognition and measurement purposes. The amendments, which become mandatory for the Company's 30 June 2011 financial statements, are not expected to have a significant impact on the 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 2010 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.



Shannon Walker

Chairperson

Dated this 6th day of September 2010 at Melbourne

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 statement of financial position as at 30 June 2010, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, a summary of significant accounting policies, other explanatory notes and the directors' declaration.

Directors' Responsibility 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 6 September 2010, 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 2010, 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) to the extent described in Note 1.

C.W. Stirling & Co.
Chartered Accountants



John A Phillips

Partner

Dated this 6th day of September 2010 at Melbourne

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 2010 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

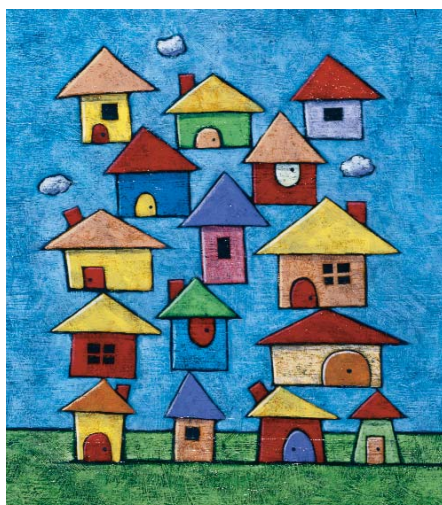
Dated this 6th day of September 2010 at Melbourne

Detailed Operating Statement
Tenants Union of Victoria Ltd ACN 081 348 227
For the year ended 30 June 2010

	2010	2009
	\$	\$
Income		
Grants – recurrent	1,701,958	1,651,613
Grants – non-recurrent	117,207	61,266
Interest earned	14,981	15,547
Membership fees	1,535	1,075
Other income	108,557	97,936
Total Income	1,944,238	1,827,437
Less Expenditure		
Accounting and audit fees	11,000	13,575
Archiving costs	7,105	8,061
Bank charges	951	1,074
Capital equipment maintenance	-	132
Capital equipment	1,435	1,775
Catering – meetings	1,814	1,450
Cleaning	13,227	12,861
Computer software and consumables	6,722	2,501
Consultancy – IT support	102,587	50,951
Consultancy – other	29,092	10,740
Depreciation	14,521	8,609
Disbursements	9,806	9,331
Employment advertisements	1,031	17,624
Gas/electricity	6,756	6,194
Insurances	813	3,976
Library	19,368	9,210
Loss on disposal of assets	117	547
Miscellaneous	5,498	8,113
Payroll	1,170,997	1,164,566
Photocopying	7,863	6,167
Postage and freight	9,054	11,275
Practising certificates	1,801	1,280
Printing	33,813	20,604
Publications program	91,462	88,977

	2010	2009
	\$	\$
Publicity	20,840	8,633
Rent	92,929	87,398
Repairs and maintenance	13,450	7,055
Security	1,565	1,229
Special projects	13,830	1,560
Staff amenities	12,145	11,005
Staff development and training	22,936	9,313
Stationery	10,630	11,101
Subscriptions and memberships	14,773	22,825
Superannuation	113,631	100,321
Telephone	27,028	26,576
Travel	26,401	27,764
Waste removal	1,593	838
Workcover	5,604	6,269
Total Expenses	1,924,188	1,781,477
Surplus for the Year	20,050	45,960

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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