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Tenants Advice Service (Inc.) WA

Vision, Values, Mission

Vision

A society where the rights of tenants are respected, protected and encouraged.



Values

TAS acts within a human rights and community development framework.



Mission

To provide quality information and education for the benefits of tenants.

Strategic Plan Objectives 2004/05

1. To provide timely, quality and accessible advice and information services on tenancy.
 2. To provide timely, quality and accessible community education and training services.
 3. To take a lead role in policy and law reform on tenancy issues.
 4. To operate responsively, effectively and efficiently as a viable non-government organisation.
 5. To provide leadership in best practice service delivery, development, resourcing and support.
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about TAS

Background

Tenants Advice Service (Inc) is the oldest specialist community legal centre in Western Australia. TAS has a history spanning some 26 years of being the only community based, not for profit residential tenants' organisation in WA.

TAS first opened in 1979 under the auspices of Shelter WA through funds provided by the Commonwealth government. The funds were made available in response to recommendations in two main reports of the Commission of Inquiry into Poverty.

In 1999 the WA Tenancy Network was established under the Tenancy Advice and Education Program funded by the Department of Consumer and Employment Protection. Although the network model has resulted in changes to the way TAS provides services to residential tenants, the ultimate goal of promoting the interests of tenants has not varied.

TAS currently functions as a specialist community legal centre, and as the central resource unit for the WA Tenancy Network. TAS provides a state-wide residential tenancy telephone advice service and TAS is also a Registered Training Organisation delivering nationally recognised training.

Services

Tenancy Advice and Education

- Provision of state-wide tenancy telephone advice for tenants
- Provision of state-wide advice and assistance to tenancy workers
- Provision of education and training to people who work with and/or assist tenants
- Provision of information, education and training directly to consumers

Publications

- Development and distribution of the Tenants Rights Manual for use by community workers and legal workers
- Development and distribution of tenancy related publications which target specific tenant sub-groups and specific tenancy issues
- Maintenance of a website which provides the facility of publication download for users

Policy and Law Reform

- Proactive lobbying for law and policy reform on residential tenancy matters
- Provision of advice to Government on tenancy related matters
- Direct assistance to tenants where casework may result in policy and/or law reform

performance at a glance

Tenancy Advice and Education

- 8,669 tenancy information sheets distributed to callers
- 2,125 direct tenant telephone advice activities
- 321 community worker phone advice activities

Publications

- 166,165 pages downloaded from the TAS website
- 155,112 tenancy publications downloaded from the TAS website
- 26,149 tenancy publications distributed
- 2 editions of TAS Talk published and 679 distributed
- 31 Tenants Rights Manuals purchased by community agencies
- 6 tenancy columns published in "The West Australian"

Policy and Law Reform

- Contributed to the Shadow Report to the Committee on the Elimination of Racial Discrimination which was presented to the United Nations High Commissioner for Human Rights in Geneva.
- Ongoing input into the review of the Residential Tenancies Act.
- Initiated research into the unmet tenancy legal need in WA and consumer protection options for boarders and lodgers in WA.
- Active lobbying and input on a range of public housing issues.

Community Legal Education

- 230 consumers provided with tenancy law training
- 288 community workers provided with tenancy law or related professional development training
- 46 distinct community legal education events delivered



TAS Executive Officer Rob Spinks accepting a finalist award for Organisational Excellence from DoCEP, in Nov 2004.

chairperson's report

2004/05 has been an especially successful year under the stewardship of our Executive Officer Rob Spinks and I congratulate all TAS staff for their excellent work ethic and their outputs during this year. My thanks also go to the dedicated members of the Executive Committee who give their time, energy and support to this dynamic organisation.



The next twelve months will be an exciting time for TAS as there are plans to expand the current telephone advice service. This expansion will allow a greater number of tenants to receive information on their tenancy issues. Currently, a large percentage of these calls go unanswered due to the lack of resources. There are also plans for a move to larger premises in the very near future. This will allow TAS to pick up on service delivery opportunities which it currently must pass on, due to its limited office space. These include volunteer programs, taking social work students and other projects that arise from time to time.

The Executive Committee and TAS staff look forward to the challenges 2005/06 will bring to the organisation and will confidently deal with them by way of enthusiasm and determination.

Marie Austen
Acting Chairperson

Executive Committee

Marie Austen	Individual member	Chair
Paul Pendergast	Shelter WA	Treasurer
Ian Main	Life member	Executive Member
Katie Culkin	CYTS	Executive Member
Kerry Morgan	City of Belmont	Executive Member
JD Roussety	Individual member	Executive Member
Helen Crew	Outcare	Executive Member
Marie-Anne Deighton	Anglicare	Executive Member
Rob Spinks	TAS	Ex-officio
Helen Feasey	TAS	Staff representative July - Jan
Michelle Burgermeister	TAS	Staff representative Feb - June

executive officer's report

For TAS, the period 2004/05 has been devoted largely to consolidating strong working relationships with key stakeholders, taking steps to ensure TAS' services are effective and as relevant as possible to the target groups and building infrastructure and a work team that is both cohesive and effective.



A concerted effort has been made in the last year to strengthen links with key government departments, peak bodies and Local Service Units as well as various other individual organisations. Strategies to achieve this have included interagency meetings, consultations and collaboration on joint projects. Consultations with Local Service Unit personnel led to a fine tuning of the ways TAS delivers its services and supports the network.

Highlights of the year included: being a finalist in the DoCEP Consumer Protection Awards; contributing to the United Nations Shadow Report to the Committee on the Elimination of Racial Discrimination; contributing chapters to two published legal practice manuals; implementing a framework for community legal education; publishing a monthly tenancy column in The West Australian newspaper; implementing electronic payroll and other bookkeeping systems; and successfully negotiating significant funding to be directed to the tenancy network from the Aboriginal Housing Infrastructure Directorate.

The main service delivery challenge still facing TAS is the high number of unanswered calls from tenants seeking assistance. This was confirmed in an independent evaluation of the year's operations. Provisions have been made to increase the capacity of this section of the service by 70% in the forthcoming year.

There are many exciting opportunities and events on the horizon for 2005/06. These include: a proposed move to more suitable premises; an expansion of the telephone advice line; the release of at least two significant pieces of research; the introduction of a volunteer program; the National Housing Conference; the completion of the review of the Residential Tenancies Act and the passage of the Residential Parks (Long stay Tenants) Bill through Parliament.

I believe there is good reason for TAS to look to 2005/06 as a year when further significant achievements and innovations in service delivery will be made. My sincere thanks go to the Executive Committee and all staff for their support and dedication during the year.

Rob Spinks
Executive Officer

staffing

Staff at 30 June 2005

Permanent Staff

Donna Bannister	Policy Officer
Michelle Burgermeister	Community Legal Education Coordinator
Dee DaSilva	Research Officer (on secondment from DoCEP)
Helen Feasey	Administrator
Pamela Howatson	Tenant Advocate (part time)
Toby King	Administrative Assistant
Rob Spinks	Executive Officer
Debra Wardle	Tenant Advocate (part time)
Ann-Margaret Walsh	Solicitor

Casual and Temporary Staff

James D'Erinlea	Telephone Advice Line Worker
Paul Harrison	Telephone Advice Line Worker
Sam Hastings	Telephone Advice Line Worker
Lee MacLeay	Telephone Advice Line Worker
Alicia Maher	Telephone Advice Line Worker

Past Staff

Maxine Bell	Administrative support
Gillian Carter	Publications and Promotions Officer
Luke Russell	Telephone Advice Line Worker
Rod Tomkyns	Administrative support
Nicolette Ward	Publications and Promotions Officer
Robyn Watson	Trainee Telephone Advice Worker
Serena Williams	Trainee Telephone Advice Worker

Staff Training and Development

Type	Training/Development	No. attended
Outsourced training	Computer Training	3
	Workplace Trainer Assessor Cert IV	1
	Work Cover seminar	2
	WACOSS Training	4
	Legal Seminar	1
	Others including: ATO seminars, Indigenous Perspectives Workshop, National Law Society Database training	7
	In-house training	Telephone Advice Line Training
Conferences	National CLC conference	3
	State Training Conference	1
	State CLC conference	5
	Youth Affairs Conference	1
	FCAWA Conference	1

funding

Cooperation between the separate State and Commonwealth departments administering TAS' funding has enabled TAS to take a whole of organisation approach to service delivery.

Commonwealth Community Legal Service Program Funding

The Commonwealth operates the Commonwealth Community Legal Service Program (CCLSP) which aims to facilitate access to high quality community legal services for the disadvantaged in the Australian community. The CCLSP provides 23% of TAS' funding.

Tenancy Advice and Education Program Funding

The WA Department of Consumer and Employment Protection administers 72% of TAS' funding through the Tenancy Advice and Education Program (TAEP). The Program funds the WA Tenancy Network which is a network of twelve locally based tenancy services in several regional and metropolitan areas in Western Australia. The role of the funded Local Service Units (LSUs) is to provide advice and education services directly to tenants. TAS' role as a Central Resource Unit (CRU) to the Network, is to resource and support both funded and unfunded services working with tenants throughout the state. In addition, this program also funds TAS to provide a state-wide telephone advice service, education and training services, policy and law reform activities and a publications service.

The funding for the Tenancy Advice and Education Program is generated by the Rental Accommodation Fund (RAF) which consists of tenants' bond monies and the interest accrued on those monies. The interest from this fund may only be spent on specific purposes, one of which is the funding of non-government agencies which provide tenancy advice and education.

Currently there are a number of options for depositing bonds, and the RAF is just one of these. Many private landlords do not deposit bonds in the RAF, while real estate agents usually deposit bonds into a trust account and then transfer the interest to the RAF. Homeswest is not required to deposit the bonds it collects with the RAF, nor is it required to pass on the interest to the RAF. An option being considered in the current review of the Residential Tenancies Act is to require all bond monies (private landlords, real estate agents and the public housing provider) to be lodged with the Bond Administrator in the RAF. TAS supports this option as it will lead to a greater proportion of money already derived from tenants being used for services that benefit tenants.



tenancy advice and education program

Central Resource Unit / Local Service Units

The Tenants Advice Service is the Central Resource Unit (CRU) for the WA tenancy network. The network is comprised of 12 community centres across Western Australia, each of which employs a tenancy worker. As the CRU, it is TAS' role to assist and support tenancy workers, operate a state-wide telephone advice line, develop and distribute tenancy publications, advise government on tenancy and deliver tenancy related training. While TAS' main service demand is from funded Local Service Units (LSUs), TAS also supports community workers and agencies outside the funding of the Tenancy Advice and Education Program (TAEP).

Target groups under the program for the Local Service Units are those residential tenants (private and public) most disadvantaged in the rental market, these include those who:

- are on low incomes
- speak a language other than English
- are Aboriginal
- are unemployed and aged 15 – 24 years.

The target group for the CRU are people working with and assisting tenants. This opens TAS' support for services outside the funding of the TAEP. However, TAS' main service demand comes from funded LSUs.

Regional Tenancy Services

Region	Local Service Unit	Office Location
Kimberley	Kimberley Community Legal Services	Kununurra
South West	Tenancy Advocacy South West	Bunbury
Mid West	Geraldton Resource Centre	Geraldton & Carnarvon
Goldfields	Goldfields Community Legal Centre	Kalgoorlie
Pilbara	Pilbara Community Legal Service	South Hedland, Roebourne, Newman, and Karratha

Metropolitan Tenancy Services

Local Service Unit	Office Location
Northern Suburbs Community Legal Centre	Mirrabooka
Welfare Rights and Advocacy Service (WRAS)	Perth
Fremantle Community Legal Centre	Fremantle
Gosnells Community Legal Centre	Gosnells
Midland Information, Debt and Legal Advice Service (MIDLAS)	Midland
Sussex Street Community Law Service	East Victoria Park

tenancy advice and education program

Tenant Telephone Advice

One of the main forms of TAS' direct service delivery is the provision of telephone advice to both tenants and those who work with tenants. TAS has two telephone advice lines for tenants, and the general administration line for community workers, existing clients and all other callers.

TAS Telephone Advice Line Workers and Tenant Advocates receive extensive in-house training and are closely supervised by TAS' Solicitor.

Tenants living in the Perth metropolitan area can ring **9221 0088** for advice. The line operates from **8.30am to 12noon, Monday to Friday**. The line is also open for an additional period from **2.30pm to 7.30pm on Wednesdays**.

Country tenants can ring for advice on TAS' toll-free line **1800 621 888** which operates from **1.00pm to 2.30pm, Monday to Friday**. Regional callers can leave a message on the country-line answering machine, and calls are returned by the Telephone Advice Line Worker within the specified time for the line.

Where possible, it is TAS' practice to follow up each enquiry by mailing the caller one or more of TAS' fifty Tenancy Information Sheets and any other material relevant to their tenancy situation.

While evaluations show very high consumer satisfaction with this service, a longstanding issue for TAS has been the inability of this service to meet demand, as demonstrated by telecommunications statistics and consumer feedback. It is planned to direct further resources towards this service in 2005/6.



Tenancy Worker Advice and Assistance

In addition to TAS' role as the CRU for the LSUs, TAS provides assistance, training and publications to other service providers who assist tenants in their work but are not funded under the TAEP. These services include, but are not limited to:

- many of the 32 Community Legal Centres in WA
- Aboriginal services
- women's refuges
- financial counsellors
- youth services
- University and other student services
- migrant resource centres
- Parliamentarians' offices
- housing support workers
- mental health workers
- workers who assist ex-offenders.

Calls received from community workers are dealt with as promptly as possible by one of TAS' Tenant Advocates. If an enquiry cannot be dealt with immediately, it is TAS' aim to return community worker calls within 24 hours.

For the period 2004/05, 321 community worker calls were dealt with. The average duration for these calls was 44 minutes. Many of these calls also involved extensive research and legal checks.

tenancy issues

During 2004/05 TAS dealt with 4297 identifiable tenancy problems. Many individuals seeking assistance presented with more than one identifiable problem. While TAS uses 105 categories to track problem types, the following 10 high-level categories provide an indication of the problems faced by tenants seeking assistance.

Problem Type	Examples	No. of enquiries	%
Tenancy Other	Public housing matters Neighbour disputes Indigenous issues Penalties	536	12.5
Tenancy agreements	Contracting out Sale of premises Assign/sublet/transfer No copy supplied	528	12.3
Rights and responsibilities	Compensation/damages claims Other legislation Discrimination	521	12.1
Repairs	Mould or Vermin Non-urgent repairs Urgent repairs	447	10.4
Bonds	Transfer of bond Non-lodgement Blank form Receipts	424	9.9
Privacy	Entry without notice Quiet enjoyment Locks and keys Harassment Nuisance	285	6.6
Termination by lessor	Breach by tenant Sale of premises Without ground Hardship	280	6.5
Rent	Excessive Receipts Dispute	274	6.4
Termination by tenant	Breaking agreement early Breach by landlord Without ground	242	5.6
Ending tenancies	Recovery of possessions Abandoned goods Duty to mitigate loss	210	4.9
All other		550	12.8
		Total	4297
			100%

publications

The production and distribution of tenancy and tenancy-related publications plays a significant role in TAS' mission to provide quality information and education for the benefit of tenants. TAS' publications fall into two categories: tenancy publications, and 'policy and other papers'.

Tenancy publications are designed for tenants and those who work with tenants. While some of these are general introductions to tenancy and tenancy law, others deal with specific issues or are directed to particular groups. TAS' tenancy publications have been carefully constructed to present legal issues as simply and plainly as possible, and all are regularly revised to ensure that the information remains accurate and up-to-date. Aside from the Tenants Rights Manual and the Tenants Rights Manual for Homeswest Tenants, all TAS' publications are free.

'Policy and other papers' broadly classifies those publications not intended for tenants specifically. These range from the biannual newsletter TAS Talk, to policy reports, investigations and submissions, and best practice models for publications and Community Legal Education.

All TAS' publications, unless otherwise specified, can be directly downloaded and print copies ordered electronically from TAS' website – www.taswa.org. In addition to the publication download facility, the website contains TAS' CLE training calendar, contact details for related community, legal and government organisations, links to relevant Western Australian, Australian and international sites, and answers to some of the most frequently asked questions on the Telephone Advice Lines.

Tenancy Publications

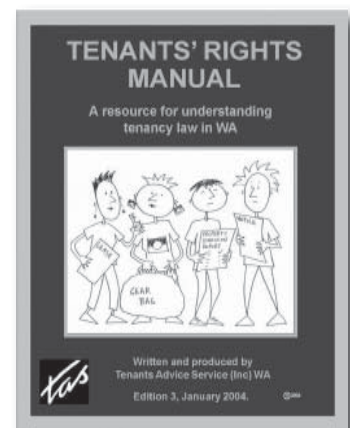
While Tenants Advice Service publishes a number of tenancy publications, the four most significant ones are described below:

First published in 1993, **The Tenants' Rights Manual** is still the only comprehensive resource manual on private housing tenancy rights in Western Australia. The 2004 third edition has been updated and expanded to include new information on changes to tenancy policies and practices. It has fifty cross-referenced chapters, each presenting a different aspect of the issues involved in private residential tenancies. The manual is in a loose-leaf format designed for workers to make copies of relevant chapters to give to their clients. TAS' fifty Tenancy Information Sheets are taken from the Manual for this purpose and mailed to callers on the Advice Line.

The **Tenants' Rights Manual for Homeswest Tenants (2002)** is designed as a resource for tenant advocates and paralegals assisting Homeswest tenants. With each chapter focusing on different aspects of Homeswest tenancies – including resolving disputes, the Homeswest Appeals Mechanism, and going to court – it is a useful aid for navigating Homeswest's policies and procedures.

A **Guide to Renting in Western Australia** is aimed at those new to tenancy. It combines practical advice about renting with simplified explanations of the main legal rights and responsibilities of a residential tenancy. The booklet is also available in a limited number of translated versions suitable for people from a non-English speaking background.

Tenants and the Law in WA is a plain English, user-friendly booklet providing basic up-to-date information on tenants' rights and responsibilities under the Residential Tenancies Act (1987). The WA Association for the Blind's guidelines for printing materials for people who are vision impaired were followed in the development of the A4, large print version of Tenants and the Law in WA (2002). The simplified presentation of the plain English text has also made the publication more accessible for people with low literacy or who are from a non-English speaking background.



publications

Contributions to Legal Practice Manuals

A 62 page chapter on Tenancy Law was developed by Ann-Margaret Walsh, with assistance from the TAS team, and submitted to SCALES and the Thomson Law Book Co, who subsequently published this material in the LAWYERS PRACTICE MANUAL Western Australia – the first edition of which was released in early 2005.

Ann-Margaret Walsh also updated the tenancy section of the chapter on Housing in THE LAW HANDBOOK WA, published by Sussex Street Community Law Service in readiness for the release of the fifth edition later in 2005.

Distribution 2004/05

The table of distribution figures below is divided into the two main classifications. While all of TAS' tenancy publications have been included, only the most recent and/or relevant promotional and policy documents are represented. Distribution figures for TAS Talk Issue 10 (June 2005) are not yet available and will be included in the TAS Annual Report 2005/06.

The figures remain consistently high in both print and electronic mediums, with the number of downloads significantly higher than the print equivalent for almost every publication. This indicates that the website is a popular medium for the distribution of information, and the download facility provides both tenants and workers with quick, direct access to information. However, the larger printed copy distribution of three key tenancy publications - Tenants and the Law in WA, Share Housing and the Law, and When Violence Affects a Tenancy - confirms that the print medium is still the most effective means for reaching those residential tenants most disadvantaged in the rental market.

Tenancy Publications	Print copies	TAS website Downloads
Tenants Rights Manual	25	N/A
Tenants rights Manual for Homeswest Tenants	6	19876
Tenancy information sheets	8669	122 403
Tenants and the Law in WA	7594	2524
Tenants and the Law in WA (large print)	242	N/A
Guide to Renting in WA	3072	3414
Share Housing and the Law	2986	1017
When Violence Affects a Tenancy	1238	291
Guide to Renting Translation	159	N/A
Promotional and Policy Publications		
Network poster	1479	4428
TAS Talk (issue 9, Feb 05)	388	223
TAS Talk (issue 8, Jul 04)	291	936
Totals	26149	155112

* chapters from both Manuals are downloaded as information sheets

policy and law reform

The commitment to progressing and promoting the rights of tenants and prospective tenants in Western Australia is the underlying purpose of TAS' policy and law reform work. The identification of policy and law reform issues at the ground level is enabled by tenants themselves through TAS' tenant advice lines, TAS' community legal education work, and daily contact with the range of people and organisations who work with tenants. Input from tenant advocates and community workers, both within the WA Tenancy Network and in the broader community, plays a fundamental role in TAS' policy and law-reform activities.

TAS has sought input into policy and law reform issues from tenant advocates in the tenancy network by providing bi-monthly policy reports at network meetings, providing opportunities for tenant advocate participation in policy matters through attendance at policy focussed meetings, delivering a policy presentation at the state tenancy network seminar and conducting a policy related survey of tenant advocates.

Research

TAS was successful in its application to Department of Consumer and Employment Protection (DoCEP) to second a policy research officer for a period of 12 months. Dee Da Silva commenced duties with TAS in February 2005. Her role is to undertake research, under the direction of a steering committee of coordinators of tenancy network agencies, into tenancy related matters that have a state-wide relevance. Dee has been working on two significant projects – Researching the *unmet tenancy advice and education needs in WA* and a review of *consumer protection options for boarders and lodgers in WA*. Both reports will be completed in the forthcoming year.

Law Reform

TAS has continued to provide ongoing clarifications and further background to DoCEP on matters related to the review of the Residential Tenancies Act 1987. It is understood this Bill will be introduced into Parliament in 2006.

TAS has also maintained pressure on the government to re-introduce the Residential Parks (Long Stay Tenants) Bill to parliament as a matter of urgency and to take steps towards the development of consumer protection measures for boarders and lodgers.



policy and law reform

Reports and Submissions

- Contributed to the Shadow Report to the Committee on the Elimination of Racial Discrimination which was presented to the United Nations High Commissioner for Human Rights in Geneva.
- Submission to the Australian Housing Urban Research Institute (AHURI) on Aboriginal Women and Adequate Housing.
- Contribution to the WACOSS Pre-budget submission

Input into Public Housing Policy

TAS has ongoing input into public housing policy through its membership of both the Housing Advisory Committee (HAC) and the Housing Operations Standing Committee (HOSC). While over 40 policy matters were dealt with by the HOSC during the year, TAS had significant input into the proposed Good Neighbour Policy, and its associated Acceptable Behaviour Agreements, and the Under-occupancy Policy. Both of these issues involved extensive resources and included participation in working parties. In the case of both these matters recommendations are currently being considered by the Minister.

The report: *Finding A Place - an inquiry into the existence of discriminatory practices in relation to the provision of public housing and related services to Aboriginal people in WA*, was released by the Equal Opportunity Commission in December 2004. TAS was a major contributor to this report and welcomed the invitation to take a place on the s.80 Implementation Committee formed to monitor and review the recommendations made in the report.

Committees and Conferences

Committee and Organisational Membership

- Equal Opportunity Commission s.80 Implementation Committee.
- Homeswest Operational Standing Committee (HOSC)
- Housing Advisory Committee (HAC)
- National Association of Tenant Organisations (NATO)
- National Housing Conference organising committee 2005
- Shelter WA
- United Nations Association of Australia (WA Division)
- WACOSS Consumer Utilities Project Reference Group
- West Australian Association for Mental Health Accommodation Standing Committee
- YACWA Youth Housing Accommodation Network

direct advocacy

TAS undertakes direct advocacy for tenants in a limited number of situations. Cases may be referred by the state-wide telephone advice line, by a Local Service Unit, by a community worker or by a direct approach from a tenant seeking help. The criteria TAS uses to decide whether to direct resources to a potential case are:

- Whether the issue or client falls within the priorities identified by TAS from time to time
- The legal merits of the case
- Whether the client is able to self advocate or seek assistance from another organisation
- The resources of TAS to properly manage the case, including availability of workers with suitable expertise.
- Other relevant issues (such as public interest or test case status.)

During 2004/5 TAS opened 8 files and closed 3 files. All of these cases involved extensive advocacy, negotiation and court appearances. TAS particularly focussed on cases with a public interest. The following two cases were amongst the more significant.

TAS provided representation to a tenant who now resides in Melbourne. This matter was referred by DoCEP. This tenant was seeking the return of his bond and also the refund of a letting fee that was unlawfully charged by the agent who was also a co-owner of the premises. While this matter was vigorously defended, the tenant was successful in obtaining his bond and the refund of the letting fee. We understand DoCEP are presently proceeding to prosecute for non-lodgement of bond and the unlawful charging of a letting fee. This case was important to demonstrate that illegal practices may lead to both redress through the courts and prosecution.

TAS provided advocacy services for a matter in which Homeswest was seeking to terminate a tenancy pursuant to s.64 of the Residential Tenancies Act 1987. Pro bono assistance was received through Freehills and seven court appearances were made. This matter was important because TAS and many other community agencies hold the view that the public housing provider should not be able to use s.64 of the Act to evict tenants. A request was made to refer the question of law relating to the legality of the public housing provider using s.64 to the Supreme Court. This request was denied. The Magistrate found however that, given the evidence, it was open for Homeswest to use s.64 in this case as the rules of natural justice had been satisfied. This decision does not mean that in all cases the use of s.64 by Homeswest may be appropriate. Each case must be looked at individually and the rules of natural justice must be satisfied in all cases.

TAS is grateful for the pro bono assistance received from a number of legal firms in 2004/5, especially Freehills, Minter Ellison, Blake Dawson Waldron, Phillips Fox, and Lane Buck & Higgins.

support to the local service units

As the Central Resource Unit (CRU), TAS provides services to directly support the 12 Local Service Units (LSUs) of the Tenancy Advice and Education Program (TAEP). The following is a summary of specific services provided to LSUs during 2004/5.

Seminars and Training

A state tenancy network seminar attended by representatives from all LSUs was run over two days in October 2004. DoCEP provided funding for travel and accommodation for those attending and the venue for this event. A varied program provided both professional development and networking and information sharing opportunities.

Advocates from 5 LSUs, along with other community workers, attended structured training delivered by TAS during the year. Courses attended included Tenants and the Law for Community Workers, Tenancy Law (Homeswest) and Court Advocacy. Training was also delivered in Carnarvon over a 5 day period in November.

Network Meetings

TAS continued to facilitate and provide secretariat support to the bi-monthly tenancy network meetings. Consultation with members and the development of a discussion paper led directly to the formalising of a set of rules covering the purpose, membership, terms of reference and structure of network meetings. This also involved the splitting of a general meeting into two distinct forums the Planning and Development Committee and the Operations Forum, enabling strategic and operational issues to be dealt with separately.

Policy Support

TAS relies heavily on LSUs for input into the policy work it undertakes. Policy updates, documenting the policy work undertaken by TAS were provided to LSUs on a bi-monthly basis. Policy input from LSUs was achieved through network meetings, invitations to specific meetings with key stakeholders, such as DoCEP, direct contact and requests for information and feedback posted on the Bulletin Board System.

Funding Support

TAS negotiated directly with Aboriginal Housing Infrastructure Directorate (AHID) and facilitated discussions between AHID and the LSUs to secure funding to employ 4.5 Aboriginal tenant advocates in rural regional and remote areas attached directly to LSUs. While looking positive this arrangement is not expected to be formalised until late 2005.

Advocacy Support

As the experience of advocates in the LSUs varies widely, the support requirements of those advocates varies just as widely. During the year the following categories of support were provided to LSUs:

- Court support – Assistance was provided to advocates to prepare for court appearances and in some cases TAS personnel attended court to provide direct support.
- Advocacy – Both the TAS Tenant Advocates and the TAS Solicitor have provided regular telephone support, advice and assistance to LSU advocates on a range of tenancy matters.
- During periods when rural regional and remote LSUs have faced staff shortages TAS has provided a direct phone service, facilitated through the regional LSU, to clients in that region.

Publications

All LSUs have been provided with ongoing supplies of TAS tenancy publications.

community legal education

For the purposes of greater clarity and strategic directions, Community Legal Education (CLE) has now been organised into events and projects. Events being the actual delivery of education or training course, while the projects requiring on-going work to meet CLE objectives. The events have been divided into 2 main categories based on the 2 differing target groups. This distinction helps clarify the differing purposes of each and the requirement for a different approach to pedagogy.

CLE Events

Professional Development Events

These are courses or information sessions for workers within the field who provide services to consumers themselves. For this group education needs to be more detailed and technically orientated than often needed for consumers. It also may include the opportunity to augment current skills for assisting their clients. Presentations involve lecture style PowerPoint presentations along with active learning exercises if appropriate. Educating professionals has a multiplying effect in terms of access to consumers. It also ensures consumers are getting accurate, up to date and quality information and advice.

Consumer Education Events

These are for tenants or prospective tenants. Their level of knowledge may vary widely and since TAS has an interest in targeting the most disadvantaged people or vulnerable consumers in our society, they can also have some very specific information and learning requirements. The approach in education therefore needs to take this into consideration with greater emphasis on action learning approaches that empower tenants, to that of large amounts of detailed information which can often overwhelm many tenants. Most consumer education is provided through other agencies who "host" us to deliver a session through the groups they already have. However in the future TAS intends to develop CLE strategies where we are more proactive in targeting identified groups.

Professional Development*	No. Events 2004-05	No. Attended
Calendar Training Courses**	8	102
Regional Training Courses (Geraldton & Pilbara)	4	27
Requested sessions	4	59
Conference Papers	3	100
Consumer Education***		
Prisoners	15	177
New Migrants	2	25
Young people	4	12
Other	6	16
Total	46	518

* Core courses (See page 19).

** On average, 90% of participants were very satisfied with the training.

*** Hosts for consumer education included agencies such as Outcare, Youth Legal Service, African Communities Association, Communicare Community Settlement Project, Murdoch Guild; client groups of Dept of Community Development; Bayswater City Library.

community legal education

CLE Projects

Youth Consumer Radio Project

This was initiated by DOCEP to cover a range of consumer issues. Tenancy was identified as one of the key topics. TAS was involved in the early development of the project, which included educating and supporting young people in developing the content. TAS was interviewed by these young people for the program which was broadcast in a 5 part series on Groove FM (Youth Radio).

National Housing Conference 2005

This Conference is organised bi-annually and is being hosted by Perth for October 2005. It is being organised through the Dept of Housing and Works. TAS has been on the Steering Committee and had significant input into the shaping of the program

Roofs for Youth – A course for young people

TAS worked closely with Youth Affairs Council of WA (YACWA) on the development of the second phase of this project which involves educating youth workers to use the published 'Roofs for Youth Manual.'

Review of TAS publications

TAS publications were reviewed to see how effectively TAS publications meet consumer needs and are integrated with CLE events and activities. A number of changes have been implemented as a result of the review.

Review of Core Courses

The Advocacy for SDD course was reviewed in detail and redeveloped into a 3 day course which is now called *Court Advocacy (Tenancy)*. Whilst the previous course was well liked by participants, it was not long enough to really develop the students' competency or confidence to effectively undertake court work.

Feasibility of offering Certificate IV in Advocacy

TAS is a Registered Training Organisation which enables us to offer Nationally Recognised courses. In reviewing the RTO status it is apparent that it may be worthwhile to add value to the Nationally Recognised courses by offering a full qualification and thereby making it worthwhile maintaining the RTO status. A research project has been designed to consider this option.

Systems Review of CLE

A review of the administration systems to identify ways to improve output and efficiency was completed. As a result filing systems and procedures were updated and a new database to manage CLE events, registrations and certification was purchased.

TAS Calendar Training Courses

Tenancy Law for Community Workers

About understanding and interpreting the Residential Tenancy Act and ethical issues related to giving advice and information to clients.

Tenancy Law (Homeswest Issues) - Nationally Recognised

Covers Homeswest policies and processes and how to advocate for clients effectively, especially through the appeals process.

Advocacy in Small Disputes Division (SDD) - Nationally Recognised

This course equips participants to advocate on behalf of tenants in the SDD of the copurt (now known as the Magistrates' Court - minor cases).

auditor's report

Tenants Advice Service (Inc.) WA

Statement by Members of the Committee

Tenants Advice Service (Inc.) WA

Statement of Financial Position

for period 1 July 2004 to 30 June 2005

	Notes	2005 \$	2004 \$
CURRENT ASSETS			
Cash at Bank - General Cheque Account		73,189	27,812
Cash at Bank - Cash Management Account		86,951	106,729
Cash at Bank - Fixed Term Deposit		41,006	39,822
Cash on Hand - Petty Cash		200	200
Undeposited Cheques		125	-
Other Debtors & Pre-payments	2	8,639	21,424
Debtors	2	67	6,040
Total Current Assets		210,177	202,027
NON-CURRENT ASSETS			
Furniture & Fittings			
At Cost		22,402	21,385
Accumulated Depreciation	1	(9,336)	(7,646)
Net Value		13,066	13,739
Office Equipment			
At Cost		50,216	49,508
Accumulated Depreciation	1	(25,263)	(12,973)
Net Value		24,953	36,535
Total Non-Current Assets		38,019	50,274
TOTAL ASSETS		248,196	252,301
CURRENT LIABILITIES			
Creditors	2	6,238	16,237
Goods & Services Tax		1,611	6,782
Payroll Liabilities		9,793	6,621
Fringe Benefit Liabilities		387	315
Accrued Expenses	3	10,095	-
Provision for Annual Leave & Leave Loading	4	15,930	5,801
Provision for Long Service Leave	4	1,717	-
Committed Expenditure	5	-	34,142
Total Current Liabilities		45,771	69,898
NON-CURRENT LIABILITIES			
Provision for Long Service Leave	4	10,923	2,788
Provision for Severance Pay	5	-	15,787
Total Non-Current Liabilities		10,923	18,575
TOTAL LIABILITIES		56,694	88,473
NET ASSETS		191,502	163,828

Tenants Advice Service (Inc.) WA

Statement of Financial Performance

for period of July 2004 to June 2005

	Notes	2005 \$	2004 \$
OPERATING INCOME			
Community Legal Centre Grant		121,996	119,604
Resource Unit/Statewide Telephone Service - Tender (RAF/DoCEP)		387,918	376,619
Other Grant		-	67,718
Bank Interest		7,011	4,841
Sundries	6	12,009	5,429
TOTAL OPERATING INCOME		528,934	584,211
OPERATING EXPENSES			
Accounting Audit		5,435	7,432
Advertising/Publicity		2,290	2,127
Bank Charges		879	289
Depreciation		13,980	14,572
Disbursements		299	166
Employment Advertisements		-	5,710
Forum/Meeting Costs	7	8,108	1,664
Insurance	8	15,519	7,391
Library		1,439	987
Memberships		4,509	3,557
Office Supplies		8,484	6,678
Postage		5,373	8,260
Practicing Certificate		-	1,050
Premise Overheads		18,627	15,459
Provisions, Adjustments and Write-offs	5	(11,254)	12,372
Publications/Photocopying		28,129	33,411
Repairs and Maintenance		10,471	5,650
Staff Development		3,567	3,605
Telephone/Fax		10,527	8,167
Travel	8	15,580	9,949
Other Expenses		4,108	2,337
Wages and Salaries		323,887	314,752
Superannuation		31,303	31,128
TOTAL OPERATING EXPENSES	2	501,260	496,713
OPERATING EXCESS/(DEFICIT)		27,674	87,498
Accumulated funds at beginning of year		163,828	76,330
SURPLUS FOR THE YEAR		27,674	87,498
Accumulated funds at end of year		191,502	163,828

Tenants Advice Service (Inc.) WA

Statement of Cashflows

for period of July 2004 to June 2005

	Notes	2005 \$	2004 \$
Cash Flow from Operating Activities			
Receipts from Government Grants		509,914	561,970
Receipts from Other Sources		12,009	11,214
Interest Received		6,567	4,842
Payments to Suppliers and Employees		(499,857)	(512,849)
Net cash provided by Operating Activities	A	28,632	65,177
Cashflows from Investing Activities			
Purchase of Non-Current Assets		(1,725)	(62,341)
Net cash provided by Investing Activities		(1,725)	(62,341)
Net Increase in Cash Held		26,907	2,836
Cash at Beginning of Reporting Period		174,564	171,728
Cash at the end of the Reporting Period	B	201,471	174,564
A. Reconciliation of Net Cash Used in Operating Activities to Operating Results			
Operating Result		27,674	87,498
Depreciation of Plant & Equipment		13,980	14,572
Changes In Assets and Liabilities		12,785	3,350
Prepayments		10,093	8,154
Accruals		4,194	(39,353)
Employee Entitlements		(11,925)	(2,856)
Creditors		5,973	(4,216)
Debtors		-	(1,972)
Income in Advance		(34,142)	-
Net Cash provided by/(used in) Operating Activities		28,632	65,177
B. Reconciliation of Cash			
Cash on Hand		200	200
Cash at Bank		160,265	134,541
Term Deposits		41,006	39,822
		201,471	174,564

Tenants Advice Service (Inc.) WA

Notes to Financial Statements

for period of July 2004 to June 2005

1. Significant Accounting Policies:

The financial statements constitute a special purpose financial report, which has been prepared for funding bodies to enable compliance with the funding conditions.

The statements have been prepared on the accrual basis of accounting using the historical cost convention.

Depreciation has been calculated on a straight line basis, with the exception of three items which were purchased prior to 2002, these have been depreciated using the reducing-balance method.

Expected useful lives for each class of depreciable assets are:

Furniture and Fittings	13.3 years
Office and IT Equipment	3 to 4

2. Decrease in debtors & prepayments due to clean up of large portion of debtors and creditors.

3. Expenses incurred but no invoice received as at 30 June 2005.

4. Staff provisions adjusted to account for staff changes, corrections and on-costs such as superannuation.

5. Committed expenditure and provision for severance pay has been written back into the statement of financial performance.

6. Includes income for membership fees, donations, HACC sitting fees, postage and handling charges and the sale of publications such as Tenants Rights manual, Tenants Rights Manual – Homeswest and other publications.

7. TAS hosted the Tenancy Network Seminar during October 2004, funds were received from the Department of Consumer Protection to cover the costs of the seminar.

8. Insurance costs have risen due to an increase in workers compensation insurance.

membership

Membership of Tenants Advice Service is open to all individuals and organisations who agree to support TAS' objectives as set out in the Constitution. TAS members receive a free subscription to the newsletter, TAS Talk, and discount rates on the Tenants Rights Manual and Tenants Rights Manual for Homeswest Tenants. Members are entitled to provide input into the role and direction of TAS, and may nominate for TAS' Executive Committee.

TAS' annual membership fees are: \$22 Organisation (includes GST), \$10 Individual (GST free), and \$5 Unwaged/Student (GST free).

Tenants Advice Service would like to thank the following members for their continued support:

Individual Members

Denise Adams	Gloria Hacket	Brent Meertens	Mclean Sloma
Kathryn Allen	Kristine Hall	Patrick Melling	Tammy Solanec
J J Ashby	Anne Hawkins	Gary Mullarkey	Shirley Southgate
Marie Austen	Colleen Hayward	Clive Munro	Sandra Stone
Anne Bartz	Jeanne Howard	Therese O'Malley	Tracey Summerfield
Sue Cannell	Peter Kepa	Damon Parsons	Danielle Tilbrook
Christine Douglas	Christopher Lesiter	Caroline Powell-Pepperw	Daisy Van Doorn
Anne Elder	Pauline Logan	Jeannine Purdy	Carolyn Van Eede
Lois Gatley	Ian Main	Rob Ramsay	Violet Webb
Leslie Gevers	Jan Mangano	L F Richardson	Mr BW White
Lynette Gillam	Elizabeth Manna	JD Roussety	Kathy Willis
Terri Godden	Jack Mansveld	Karen Savage	
K & B Grant	Maxina Martellotta	Esther Shortland	

John Kobelke, Member for Nollamara
Alannah MacTiernan, Member for Armadale
Ed Dermer, Member of the Legislative Council

Organisational Members

Aboriginal Legal Service	Busselton Anglicare Financial Counselling Service
Albany Community Legal Centre	Calvary Youth Services
Albany Youth Support Association	Catherine McAuley Family Centre
Anglican Social Responsibilities Commission	Chesterfield House - Anglicare
Anglicare, Albany	Citizens Advice Bureau - Esperance
Anglicare Financial Counselling	Citizens Advice Bureau - Kwinana
Anglicare SHAP	Citizens Advice Bureau - Mandurah
Anglicare WA, Mandurah	Citizens Advice Bureau - Perth
Armadale Information & Referral Service	City of Belmont
ASWA	City of Stirling Financial Counselling Service
Bankwest, Perth	City of Wanneroo - Financial Counselling Service
Bentley Health Service	Cockburn Youth Services
Blue Sky Community Group	Communicare Inc.
Broome Circle Financial Counselling Service	Coogee Resort Permanent Residents Association
Bunbury Housing Association Inc	Country Arts
Bunbury Pathways	Crossroads West - Salvation Army

membership

Curtin Student Guild
Curtin University Housing Advisory Service
CYTS
Derbal Yerrigan Health Service
Edith Cowan University - Student Housing
ESCARE Inc
Financial Counsellors Resource Project
Fremantle Community Legal Centre
Fremantle Community Youth Service
Fremantle DV Regional Coordinating Council
Fremantle Housing Association
Frontier Services - MFAS
Gawooleng Yawoodeng Aboriginal Corp
Geraldton Aboriginal Medical Service
Geraldton Resource Centre
Goldfields Community Legal Centre
Goldfields Womens Refuge
Gosnells Community Legal Centre
Gowrie Community Centre
Graceville Womens Centre
Granny Spiers Community House
Hedland Womens Refuge
Human Services Dept., Mt Lawley TAFE
Jacaranda Community Centre
Joondalup Youth Support Services
Kalgoorlie Accomodation Support Service
Karratha Youth Housing Project
Kimberley Community Legal Services
King Edward Memorial Hospital
Kuwinywardy Aboriginal Resource Unit
L.I.N.K.
Lucy Saw Centre
Manjimup Financial Counselling Service
Marnja Jarndu Womens Refuge
Member for Albany
Member for Southwest Region
Mercy Community Services
MIDLAS
Milligan Foundation
Multicultural Services Centre
Murdoch University Guild of Students
Nardine Wimmins Refuge
Ngaringga Ngurra Aboriginal Corp
Northern Suburbs CLC
Northside Housing Association
Orana House Inc
Outcare
Outcare Family Support Centres
Park Home Owners Association WA
Pat Thomas Memorial House Inc
Patricia Giles Centre Inc.
Peel Community Legal Service
Perth Inner City Youth Service
Pilbara CLS - South Hedland
Rockingham Youth External Accommodation Project
Roeburne Safe House
Ruah Community Services
Ruah Refuge
Ruah Tenancy Support
S.T.A.R.
Salvation Army Balga
Salvation Army Kalgoorlie
Salvation Army Morley
SCALES
SHAP - Anglicare WA
Shelter WA (Inc.)
Shire of Brookton
South Metro Migrant Resource Centre
South West Aboriginal Medical Service
Southcare Inc.
St Nicholas Financial Counselling
St Patricks Support Services
Starick Services
Stirling Womens Refuge
Supported Housing Assistance Programme
Tanderra Hostel - Salvation Army
Trinity Youth Options
UWA Student Support Services
WA AIDS Council
Warrawee Womens Refuge
Welfare Rights & Advocacy Service
Wesley Homelink
WestAus Crisis & Welfare Services
Womens Council for Domestic & Family Violence Serv
Wyndham Family Support Inc.
Yahning Aboriginal Corporation
Youth Affairs Council of WA
Youth Involvement Council