

EDITORIAL

JOHN PERRETT - EXECUTIVE OFFICER



The recent announcement and approval of the Gorgon Gas Project is good news for the Australian economy and Western Australia. Being a resource rich state that is geared towards mining and exporting its mineral wealth such projects are essential for the long term good of the community.

However, TAS would argue that governments should not necessarily pursue resource development at the expense of fulfilling its many social obligations to the disadvantaged in the community. With an enormous effort going into building new residential accommodation units throughout the state TAS is concerned that government priorities associated with resource development could cause a redirection of funds away from social housing.

While the stimulus package monies being invested in new houses is good news but there continues to be an unacceptable number of people on the Department of Housing waiting list who need access to housing in a timely manner.

TENANCY TALK

TENANCY RELATED NEWS & UPDATES

Residential Tenancies Conference 2009

The 9th Australian Residential Tenancies Conference for 2009 will be held on the Gold Coast from the 9th to the 11th of September. This is a biennial conference that provides stakeholders from across Australia with the opportunity to meet each other and share information and experiences on the various issues affecting tenants around the country. The theme for 2009 is "Rental Realities – Under the Spotlight" and will explore the challenges currently facing the residential tenancy sector in Australia and new approaches to meeting these challenges. The Conference expects about 300 delegates to attend this year. Tenants Advice Service's policy officer will be attending the Conference and will provide a brief report on the Conference in the next TAS Talk.

Department of Housing Property Sales

TAS notes that the two Department properties in the western suburbs were sold in the last weekend of August, raising \$2.14 million. These are among nine properties in the western and coastal suburbs that will be sold over the next two months valued at around \$10 million in total. TAS looks forward to the proceeds of the sales of these properties being invested in new social housing. It will help in reducing the Department's waiting list and so enable more families access to long-term housing. TAS however has concerns about the reduction in social housing in suburbs which have closer access to facilities, infrastructure and work places.

NETWORK NEWS

FROM YOUR TENANCY NETWORK

The regular Operations Forum meetings conducted by TAS have seen a number of points and concerns raised by tenant advocates. Three of most pressing include:

The Department of Housing's restructure to its appeals policy has caused a number of headaches and uncertainty amongst the network. A number of urgent tier three appeals were held in abeyance as a result of direction by the Minister for Housing suspending and eventually disbanding the Housing Appeals tribunal formed earlier this year. While these appeals are now being resolved by the Department, there is still uncertainty and a lack of direction by the Department on the direction and policy that the new Appeals process will follow, and the applicability of the Housing Appeals Mechanism (HAM).

Also the Department's recent tough stance on Anti-social behaviour amongst departmental tenants has raised some eyebrows from tenant advocates in affected areas. There has been a marked increase in cases where the Department have been taking an increasingly hard line approach to alleged incidents of antisocial behaviour.

TAS has dealt with a number of Superior Tile (Mortgagee in possession) claims in recent months. These claims involve invariably convoluted and often conflicting areas of law and legislation and as yet no clear direction has emerged from the few test cases TAS have assisted with that has served to clarify a tenant or owners legal rights and responsibilities in relation to these claims.



Protecting
Tenants' Rights

www.taswa.org

COMMUNITY LEGAL EDUCATION

ALL THE LATEST COURSE & EVENT INFORMATION

Upcoming TAS Training Courses

- 📌 Court Advocacy (Tenancy) 4, 5 & 6 November
- 📌 Tenancy Law for Community Workers 16 & 17 November
- 📌 Public Housing Advocacy 2 & 3 December

To book for these courses fill out the registration form in the current TAS Training Calendar found here: www.taswa.org/trainingcalendar

Tenancy Week (29th September to 6th October)

Tenancy week is about promoting the issues, needs and rights of those who rent in WA. Many agencies organise something in there area, so keep an eye out on the calendar on the web site, like the Tenancy Week Seminar.

State Tenancy Conference (8 & 9 December)

This two day conference is a must for any one who works with tenants or housing. It will be an opportunity to hear news from around the sector, pick up new skills and learn more about current issues and law. Mark it in your diary as more information will be available soon.

Update on Government Initiatives in Affordable Housing Forum (5th October 9 – 12:30)

This Forum will have 5 speakers, from Government and non-Government, talking about how the new National Housing Agreements on social housing, homelessness and indigenous housing, will be implemented in WA. Contact TAS (08 9221 9499) or Shelter (08 9325 6660) for more info.

TENANCY TIPS

MINIMISE RISK DURING YOUR TENANCY

Many pitfalls can be avoided by using the following guidelines for the duration of your lease agreement and tenancy.

A lease agreement is a legal relationship between two parties. As with most relationships communication, honesty and awareness of the ground rules is essential for them to work. Being aware of the requirements expected of you before signing the lease agreement will enable you to assess your ability to meet these obligations. Maintaining a good working relationship with the agent/owner will almost always be beneficial. Be polite and courteous in your dealings with them and try to arrive at mutually agreeable solutions if problems should arise.

An important requirement for maintaining a positive tenancy is to pay your rent on time. Your lease agreement contains the date on which rent must be received. If you miss the due date you have not performed your side of the bargain, and as such, you may be putting your tenancy at risk. If you think you will not be able to pay rent on time contact the owner/agent as soon as possible and try to reach an arrangement for postponing payment. Ensure any agreement you make is in writing and signed by both parties.

Be aware that you are responsible for the behavior and actions of anyone you invite onto the property. If you have a party at your house, or invite some friends over, you are responsible for any damage they might cause to the property, or disruption your neighbours may experience. You may be in breach of your tenancy agreement and could risk losing your tenancy.

Aiming to keep your property neat, clean and in good repair is also good practice for a trouble free stay. Failure to maintain the property in good order will more than likely be a breach of your agreement. This risk can be avoided by cleaning the premises on a regular basis and – whomever is at fault – advising the real estate agent of any damage to the property as soon as it happens. It is a good idea to take photographs both before you move in, and when you move out. They provide a clear record and can help avoid disagreements over the condition of the property. Photographs are especially useful should there be a dispute over recovering your bond.

Be sure to keep all receipts, correspondence and other documents relating to your tenancy in a safe and readily accessible place. This includes a copy of your lease agreement and property condition report with photographs. In this way you can quickly find any document you may need to reinforce your claims about the lease or the property or a decision by the real estate agent.

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