

# About the Tenants' Union of Queensland



## Introduction

The Tenants' Union of Queensland Inc. is the only state-wide community based organisation that provides services for, and seeks to represent the interests of all residential tenants in Queensland. Over the past twenty years, the Tenants' Union has provided a range of services to tenants, and has undertaken a number of other activities that aim to improve and promote tenants' rights.

## Organisational and Management Structure of the Tenants' Union

The Tenants' Union of Queensland is a non-profit organisation incorporated under the Queensland *Associations Incorporation Act 1981*. The Tenants' Union was formed in 1986.

The Organisation's mission is to provide services for and to seek to represent the interests of residential tenants throughout Queensland. The constitutional objectives of the Tenants' Union are:

- to improve residential tenants' conditions;
- to enhance and protect residential tenants' rights;
- to organise about common issues affecting residential tenants; and
- to educate the community about residential tenancy law and tenants' rights.

The Tenants' Union has offices located in Brisbane and Cairns and operates a range of services aimed at assisting tenants.

The Tenants' Union is formally managed by a Steering Committee of volunteer members of the organisation, elected each year at the Annual General Meeting. The Steering Committee meets monthly and is responsible for a range of matters in managing the organisation, in addition to delegating roles to subcommittees to fulfil its obligations. The work of the Steering Committee focuses on several key areas including:

- ensuring the organisation's mission and objectives are being achieved;
- ensuring that appropriate policies and procedures exist for staff to perform the work of service delivery and administration;
- undertaking the role and responsibilities as an employer;
- ensuring accountability to members, staff, funding bodies, volunteers and tenants when making decisions; and
- ensuring that the Tenants' Union remains an active and responsible member of the community-based housing sector.

Tenants' Union staff are accountable to the Steering Committee and are required to report on the outcomes of their work each month.

The Steering Committee delegates various roles to other subcommittees and working groups to undertake some of the day to day tasks of the organisation. Subcommittee members include staff, committee and other volunteers of the Tenants' Union.

Various Subcommittees operate according to need. These include:

- **Finance Subcommittee** which supports staff in monitoring the Tenants' Union's income, expenditure and budgeting;
- **Law Reform Subcommittee** which works towards achieving better legislative protection and improved conditions for tenants;
- **Community Education Subcommittee** which supports the education and publications workers and assists with projects and events;
- **Training Reference Group** which provides input and advice concerning the Tenants' Union's training work plan;
- **Industrial Relations Subcommittee** which works with staff to ensure a fair, safe workplace; and
- **Residential Tenancies Authority Board Reference Group** which supports the Tenants' Union's representative on the Board of the Residential Tenancies Authority.

The Tenants Union's organisational structure also recognises the importance of its general membership base. Membership of the Tenants' Union encourages tenants to become aware of their rights and provides opportunities for tenants to become more actively involved in the organisation. Currently there are around 400 members of the Tenants' Union.

## **Current funding and staffing arrangements**

The Tenants' Union receives recurrent funding from two main sources: the Queensland Department of Housing, under the Tenants' Advice and Advocacy Service Program, and Legal Aid Queensland under the Community Legal Centres Program. Most funding from the Department of Housing is generated from the interest made on tenants' bond monies. Those funds provide for the following staff positions:

- Statewide Co-ordinator
- North Queensland Office Co-ordinator
- North Queensland Indigenous Tenants Education Worker
- Education & Training Worker
- Education & Publications Worker
- Phone Advice Worker (19 hours per week)
- Administrator (45 hours per week split between FinancialAdmin/Admin/NQ Admin).

Funding from Legal Aid Queensland provides for the employment of a full-time Solicitor and part-time administrative support position (18½ hours/week), both of which are based in the Brisbane office.

## **Current/recent projects and activities**

The Tenants' Union is continually undertaking a diverse and challenging organisational work schedule. Demand for all Tenants' Union services remains consistently high with the Tenants' Union striving to meet demand, subject to the level of resources it has available. The following information outlines the work and initiatives undertaken by the Tenants' Union during the last year.

### ***Statewide Telephone Advice Service***

The Tenants' Union operates a full-time telephone advice service, offering advice, information, and advocacy assistance to tenants. This service is staffed each morning by permanent project staff, and in the afternoon by the dedicated Phone Advice Worker. The North Queensland office also operates a limited telephone advice service for tenants in the North Queensland region.

Demand for these services remains high, and the Tenants' Union struggles to respond to as many enquiries as possible. The Phone Advice Service responded to approximately 7000 enquiries from tenants throughout Queensland over a twelve-month period.

The Tenants' Union is committed to delivering a quality service that is accessible to the diverse community of tenants in Queensland. The Tenants' Union provides a high level of training to all staff of the service, and has developed quality control measures to ensure consistent high quality and accurate advice to tenants.

### ***Legal Services Work***

The Tenants' Union currently employs one full-time solicitor and a part-time administrator to assist with its legal work. The service provides a legal casework service for tenants with litigation matters, including potential test cases. It also undertakes legal research, tenancy law reform and community legal education initiatives. The Solicitor generally checks all advices and Tenants' Union publications for accuracy.

A number of tenants have been advised and represented in Court by the Tenants' Union, and in the absence of Legal Aid, this service is highly valued.

Recently, the Tenants' Union ran a Legal Services Project offering a one-day per week 'Clinic' as well as carrying out legal research of possible test case matters.

### ***Support to Tenant Advice and Advocacy Service Workers***

The Tenants' Union offers an on-going support service to Tenant Advice and Advocacy Service workers across the state, through telephone contact with both the Cairns and Brisbane offices. The 'Help Desk' Service is available from 11am - 1pm and 2pm - 4pm Monday to Friday and provides an opportunity to discuss tenancy cases and legislative interpretations with Tenants' Union staff. It is often used by both newer workers to and more experienced workers dealing with complex cases. This is an essential resource to the TAAS Program and assists in on-the-job and on-going training and professional development of Tenant Advice and Advocacy Service workers. The Tenants' Union also produces a special legal and tenancy issues *Bulletin*

which keeps Tenant Advice and Advocacy Services up to date with legal developments and recent interesting cases.

### ***Representation, advocacy and reform***

The Tenants' Union aims to represent the collective interests of tenants and perform a watchdog role in areas affecting tenants' rights and responsibilities. The Tenants' Union achieves this by promoting and contributing tenants' views in a variety of forums. This includes working with government, industry and community sectors to achieve improved conditions for tenants.

In representing tenants' interests in various advisory structures, the Tenants' Union seeks to ensure that tenants' views are heard and that policy makers ensure tenants receive fair and equitable treatment. Currently, the Tenants' Union has representation on a number of bodies, including:

The Board of the Residential Tenancies Authority;  
The Department of Housing's Community Housing Standards and Accreditation Council;  
The Residential Tenancies Authority Industry Forum;  
The Residential Tenancies Authority's Residential Tenancies Act Review Working Party, and,  
The Residential Services Stakeholder Advisory Committee.

The Tenants' Union also maintains regular and high level contact with officials from the Department Housing, Legal Aid Queensland, the Residential Tenancies Authority, and other appropriate bodies and individuals.

### **Recent Law Reform Work**

The Tenants' Union has been active over the last few years in regard to tenancy rights for boarders and lodgers. Since the Residential Services (Accommodation) Act , was passed in May 2002, the Tenants' Union engaged in a year long process of monitoring its impact and implementation. Since then, we have participated in the Residential Tenancies Authority's Review working party and are currently awaiting the release of the government's policy position resulting from recent consultations.

Over a number of years, the Tenants' Union has also been at the forefront in lobbying for protection against the unfair practices of tenancy databases. The Tenants' Union was integral to the development and passage of amendments to the Residential Tenancies Act in that regard. The Tenants' Union continues to be active in monitoring the operations of tenancy databases and raising appropriate complaints.

Currently, the Tenants' Union sits on the Residential Tenancies Authority's Residential Tenancies Act review working party. The Tenants' Union provided a substantial submission to the first round of submissions in early 2006 and is currently working to assist tenants and other tenancy advice workers to effectively contribute to the next round to be called for in November.

This represents major work for the Tenants' Union through to the end of 2007.

### ***Research and tenancy issues policy development***

The Tenants' Union monitors the performance and effects of tenancy laws through daily contact with tenants and housing services. Analysing specific aspects of tenancy legislation and researching tenancy law policy issues is an ongoing component of the Tenants' Union's law reform activities.

Research is fundamental to the operations of the Tenants' Union. The provision of legal advice and advocacy services necessarily requires a current analysis and interpretation of the law. The Tenants' Union continues to conduct research on aspects of the *Residential Tenancies Act 1994*, to ensure information provided through advice, training and education materials are accurate.

### ***Tenancy Law Training***

The Tenants' Union delivers training and professional development services as a means of ensuring an appreciation and understanding of residential tenancy law amongst agencies seeking to assist tenants. The Tenants' Union is responsible for the training of Tenant Advice and Advocacy Service workers in tenancy law, as well as other community-based housing workers, relief workers, and the Tenants' Union's own project and relief staff.

During the last twelve months, the Tenants' Union has produced its inaugural training calendar. This calendar has outlined dates for introductory training in the Residential Tenancies Act, the Residential Services (Accommodation) Act, a new accredited course in advocacy in the Small Claims Tribunal, as well as a range of professional development workshops aimed at skilled workers.

The Tenants' Union has continued to develop and refine its training strategies to include innovative approaches such as interactive training methods, role plays, problem-solving tasks and exercises as well as supervised case study work and group work. The Tenants' Union continually attempts to ensure its training is well targeted and responsive to the needs of tenancy advice workers.

### ***Community Education***

One of the primary aims of the Tenants' Union is to educate tenants and the broader community about tenancy law and tenants' rights. This is achieved in a number of ways, including through:

- the telephone advice service;
- the media;
- the production of tenancy information publications;
- provision of information and training sessions for individuals and organisations such as schools and colleges, and groups of recently arrived migrants; and
- the development of special projects which seek to identify, research and address the needs of disadvantaged tenants.

With its Community Education Program, the Tenants' Union aims to assist and empower all tenants to access and maintain secure and appropriate housing in the private rental market. In addition to providing presentations to specific groups of tenants, the Tenants' Union has addressed a number of public meetings, seminars and conferences on tenancy issues.

The publishing component of the Tenants' Union's Community Education Program has produced newsletters and has continued to update and distribute the range of existing Tenants' Union publications. In particular, a reprint of the Fast Facts on Tenancy information sheet series has been undertaken, with supplies of this resource made available to all Tenants' Union clients and Tenant Advice and Advocacy Services throughout the State.

Recently, a twelve-minute video was produced with the aim of assisting tenants to understand the Small Claims Tribunal tenancy dispute resolution process. The video aims to reduce the fear of and encourage tenants to use the processes available to them to claim or respond to tenancy disputes.

## **Access and Equity Projects Activity**

The Tenants' Union has previously undertaken a number of special projects aimed at improving access to tenancy services for special interest groups, and at further developing policy responses to accommodate the needs of these groups. Past projects have included tenancy resources for young people, pilot education projects for Aboriginal and Torres Strait Islander tenants, and tenants from non-English speaking backgrounds, and legal research on tenancy legislation for boarders and lodgers.

In the coming year, the Tenants' Union will engage in a project with new and emerging migrant communities by delivering community education sessions with Tenants' Union staff and an interpreter skilled in the community's language.

### ***Aboriginals and Torres Strait Islander Education Projects***

In 1997/98, the Tenants' Union undertook targeted community education initiatives with Aboriginal and Torres Strait Islander tenants via a project funded by the Residential Tenancies Authority. This project involved working with Murri media to promote tenancy services, and the reproduction of tenant education material previously developed under an Aboriginal and Torres Strait Islander Tenant Education Pilot Project, jointly funded by the Commonwealth, State, and the Gaming Commission Community Benefit Fund.

The Tenants' Union has successfully applied for resources for subsequent projects. The Tenants' Union now runs the Indigenous Tenant Education Project, which is a direct follow on from previous work. This project is again based in North Queensland and covers the northern part of the state. This project involves identifying specific issues relevant to Indigenous housing in light of the history of some tenures, acting as a specialist advice resource to TAAS workers, and identifying and promoting policy development around Indigenous tenancy and housing issues. This work is well known in Indigenous communities in the North of the state.

The Tenants' Union has applied a number of times for resources to commence work targeting Indigenous tenancy issues in the Southern part of the State. To date, this has not been successful.

### ***Non-English speaking Background Tenancy Law Publications***

The Tenants' Union has information booklets in Arabic, Serbian, Bosnian, Tagalog, Chinese, Japanese, Somali and Somoan.