

TRANSCRIPT

STANDING COMMITTEE ON LEGAL AND SOCIAL ISSUES

Inquiry into the retirement housing sector

Mornington — 5 October 2016

Members

Mr Edward O'Donohue — Chair

Ms Nina Springle — Deputy Chair

Ms Margaret Fitzherbert

Mr Daniel Mulino

Ms Fiona Patten

Mrs Inga Peulich

Mr Adem Somyurek

Ms Jaclyn Symes

Participating Members

Ms Colleen Hartland

Mr Gordon Rich-Phillips

Staff

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Witness

Ms Angela Brown.

The CHAIR — Welcome, Ms Brown. Thanks so much for joining us today. I will just issue the standard caution. All evidence taken at this hearing is protected by parliamentary privilege as provided by the Constitution Act 1975 and further subject to the provisions of the Legislative Council standing orders. Therefore you are protected against any action for what you say here today, but any comments made outside the hearing are not afforded such privilege. Today's evidence is being recorded. You will be provided with proof versions of the transcript within the next week, and transcripts will ultimately be made public and posted on the committee's website.

We have received your submission. Thank you very much for that. We have allowed approximately half an hour for our time today, so I would invite you to make some opening remarks, and thereafter we will have questions. Thanks again for being with us today.

Ms BROWN — Thank you. Good afternoon. My name is Angela Brown, and I live at the Peninsula Holiday Park at Dromana on the Mornington Peninsula. I have lived there for the last four years. When I purchased a relocatable home in the park from the seller, who built it himself, my key issue was that there is no-one I can go to for help with my roof, which is leaking. I phoned the previous owner, and I have left messages and messages and messages, and he never gets back to me. I have had two plumbing roofers in to fix the problem, costing me a couple of hundred dollars, and the roof is still leaking. Since then I have found a plumber who has been remarkable. He told me that the roof was not up to the building standards, was not up to the code, and he fixed my roof for \$500. All in all, it has cost me \$700 to have my roof fixed. In the meantime there will be a mould problem, so now I have to find someone to help me with that, because it is very bad for your health if you have mould in your home.

At this stage in my life, well, I have lived in Australia for 16 years, previously living in England, America and Canada. I was so happy to retire here, but I have had more problems than ever. It would be nice to have an ombudsman appointed by the Parliament as a go-to. I have been to VCAT on a different matter, and when I got to VCAT I was told by the judge there that since I had signed something I knew what I was getting into — go home. End of story. I was quite shocked, and so to me, with my experience with VCAT, unless I had maybe a different judge, I do not want to go through that again. That was quite intimidating, and there was no recourse. I asked him, 'Who could I write to about this?', and he said, 'No, no, no. It's done and dusted', and then out the door. So it would be great to have an ombudsman, a decent person that we could go to with all our challenges.

Also, I had a nasty fall just before Christmas at my holiday park. It was late at night. There was one light as you come in, walking into the holiday park, but you cannot see. Here is the paved road here and then there is the grass there, so there is a high and a low. You cannot see as you are walking in, and I fell, twisted my ankle and twisted both knees. Thank goodness I had a friend with me who helped me get to my home. I iced my knees, and 2 hours later I had to present to the emergency department; I was in excruciating pain. They told me I had sprained my ankle. They put me on crutches, and they put a cast on my foot. I was on that for six weeks, all by myself, and I had no-one to help me because I am single, I live alone. I then wrote a letter to the owner of the holiday park, which I gave to the manager. I also photocopied it for my own purposes.

Nothing was done. Nobody came, knocked on my door, saying, 'Can we help you with anything — with shopping, with anything?' Also, if I do not have my car and I have to walk into my holiday park at night — until two days ago one of the lights down our street was out for two months, and the road is like 'this' because of the tree roots coming through the road, which makes it undulate like that — I have to have a torch, otherwise I am going to trip and fall again. So twice I asked the managers when they could put a new light into the lamppost, and twice I was told, 'Soon, soon', and I could say that was two months ago, and I finally saw it the other night. Also I asked when the road is going to be fixed, and they said, 'Oh, in two years time'. So that means I would have been living there for six years with that road and those conditions.

I pay \$128 per week. I own my home, and I rent the land. The \$128 per week is for the maintenance. It goes up every year. It has only gone up for me every year \$3; for some other people it has gone up even higher. And our pension — I am on a single pension — does not go up. So I am quite concerned. I am young enough now to make some more money. I am quite that kind of person that can think, 'Okay, I'll do that'. But when I'm 80, I am thinking, what will my pension be like and the rent each week keeps going up? That is a scary thought.

So I would like to see my pension go up with CPI. I think recently we were given a pension increase of \$1.25 a month. They should not have bothered, should not have bothered. I cannot even buy a packet of chewing gum for that price. We are lucky that we do have a lease, but it is only a five-year lease, and no security of tenure.

We are at the mercy of the owners of the park, or management. If we complain, we can receive a notice to vacate within one year, for no known reason. So I would like to see the Residential Tenancies Act, part 4A — it needs a significant review — I need to see that changed with input from residents.

To sum up, we would like a retirement ombudsman, we would like increased pension, to the CPI, and we want housing built to code and the builders act. I also belong to a large group on the Mornington Peninsula called PRPVG, meaning the Peninsula Residential Parks and Villages Group. We have been meeting now for the last five years at the shire offices, the library in the Mornington offices. We have had lots of support from the shire, but their hands are tied. Every time we ask a question on the matters I have just brought up, it is, 'It's still with Parliament. The shire's hands are tied'. I would like to say a big thank-you to Shanny Gordon from HAAG. She has been tremendous in helping us with the questions that other residents and I have. One of the residents I know was sworn at a couple of times in the park he lived in in Mornington over the fact that he was liable to pay the plumber for a blocked drain. Shanny was able to say, 'No, it's your land, management', or owner, 'you pay'. So she sent a letter to the manager/owner, and this resident did not have to pay. Since then the management have treated him with more respect.

Like I said, we have been meeting for five years and we really do go the extra mile for residents of holiday parks on the Mornington Peninsula to help them with any challenges or problems they might have and to let them know that they are not alone. As I heard before, a lot of the speakers have said that they have been intimidated. We have had four managers within four years. Some of them have not known what they are doing, and some of them could not care less. The managers that we have now are excellent. I can go to them and talk and not feel intimidated at all. I would be open to any questions you have.

The CHAIR — Thanks very much, Ms Brown, for those comments and observations and your recommendations to us. I am interested to know: where you reside at the Dromana holiday park, are most of the other residents permanent full-time residents, or is there an element of weekenders or short-term accommodation?

Ms BROWN — It is mixed. We have 40 permanent residents and the rest are annuals — we call them annuals. They come down when there are holidays.

Ms SPRINGLE — My question pertains to your fall. You talked at length about your medical situation and how you reported it to management and they did not act. In your contract is there provision for emergency, duress-type services?

Ms BROWN — None.

Ms SPRINGLE — There are none?

Ms BROWN — None.

Ms SPRINGLE — And that is not offered as part of any kind of package that they would contract into the lease?

Ms BROWN — No.

Mrs PEULICH — You may not be able to answer this, Ms Brown, but how big is the land at the caravan park?

Ms BROWN — Sorry, I cannot answer that.

Mrs PEULICH — It does not matter; we can find that out. And the total cost of charges annually, just to understand the returns they are getting?

Ms BROWN — The annuals; I think it is roughly \$4000. They buy their home, they buy their cabins or their caravans, and then I think they pay \$4000 annually, and they have stipulations. They can only come down on a long weekend and I think they can only have so many nights there, or weeks there. They cannot be there all the time.

Mrs PEULICH — So these are the part-timers, the \$4000 annually?

Ms BROWN — Yes.

Mrs PEULICH — And how about a permanent resident? How much?

Ms BROWN — We pay \$128 per week.

Mrs PEULICH — Is that a set price for everyone who is permanent?

Ms BROWN — Yes.

Mr MULINO — Thanks very much for coming to provide some evidence. I just have a question in relation to a comment that you made around the fear of eviction making a lot of people unwilling to make complaints. I am just wondering, given your own experiences and those of people you have talked to in your role on the Peninsula Residential Parks and Villages Group, how widespread do you think that fear is?

Ms BROWN — I would say almost 100 per cent. There are a lot of people who live in holiday parks because there is not enough public housing on the peninsula. A lot of the people there too are on fixed incomes. There are some younger people, permanents, in our park. Some people are still working, but they cannot afford the rents.

I remember when I first came here, 16 years ago, from Canada. I had a beautiful house in Canada; it cost me \$300 000 and it was on 3 acres. I had it built. I came here, looked at the prices and thought, 'Oh my goodness! It's one and a half times the price here', and I have always thought these last 16 years, 'How do ordinary people manage?'. It is really tough.

I had to find somewhere to live. They gave me the keys at a real estate agent. I was working part-time at a spa, and I could only afford about \$500 rent. They gave me these keys. I came back, I did not want to say a word because I was so shocked, and the receptionist at the desk called out, 'Come back. Could you give me some feedback on where you went and what you saw?'. And I said, 'I wouldn't leave my dog in a place like that'.

So then with the help of a friend we looked at so many different holiday parks around. Some I could not afford to buy outright because they were quite expensive, but the one I found — thank goodness — I spent about a quarter of the price. I have been relatively happy there because I can stick up for myself, but I have heard from a lot of the residents. One man in particular had a tree fell down. We have got loads of trees; it is beautiful and they give shade in the summer. But one fell on his cabin. Through insurance he got his cabin fixed, but now he does not have any shade and has to run his air con all through the summer, day and night, because the roofs are all tin. So he asked the park managers if they could somehow move him to a different site where there were some trees. He would pay to move. 'No'. Could they put in another tree? 'Of course.' They put in a little tree, a seedling, where it is going to take years and years and years. I think he will be dead by then. So it is simple little things like that.

Mr MULINO — Thank you; I appreciate it.

Ms SPRINGLE — Just one more quick question. You mentioned you have been to VCAT?

Ms BROWN — Yes.

Ms SPRINGLE — Was that about this situation?

Ms BROWN — No.

Ms SPRINGLE — That was about a different — —

Ms BROWN — It was about a holiday, almost like this retirement thing. You do not know what you have gotten into until you join and then they tell you this, this, this and this. So what happened was — do you want me to tell you briefly?

Ms SPRINGLE — No, I was more interested in whether the case was relational to this particular issue.

Ms BROWN — No, it was about a holiday. That was something different.

Ms SPRINGLE — Right. But obviously it was a bad experience for you, so you would be reticent to go back.

Ms BROWN — It was. Definitely.

Ms SPRINGLE — That was what I was getting at. Thank you very much.

Ms BROWN — He did not even give me a chance to speak. ‘Can you sign that?’.

Ms SPRINGLE — Thank you for sharing that.

Ms BROWN — Thank you.

The CHAIR — Thank you, Ms Brown, for your evidence today and your preparedness to be with us. As I said in my introduction, a draft version of the transcript will be with you in the next week or so.

Ms BROWN — Thank you.

Witness withdrew.