

[REDACTED]

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**From:** Inquiry into the Retirement Housing Sector POV eSubmission Form  
**Sent:** Thursday, 16 June 2016 5:25 PM  
**To:** LSIC  
**Subject:** New Submission to Inquiry into the Retirement Housing Sector  
**Attachments:** [REDACTED]-rails attachment.docx; [REDACTED]-Factsheet attachment.docx

Inquiry Name: Inquiry into the Retirement Housing Sector

Ms Kaye Cole  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

## **SUBMISSION CONTENT:**

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THIS SUBMISSION REFLECTS THE EXPERIENCES AND VIEWS OF THE RESIDENTS OF [REDACTED]

It addresses terms of reference (1)(b),(1)(c),(3)and(4)

We recommend that the Inquiry support the following actions:

1. That a Charter or Residents' Rights be developed
2. That the implementation of accreditation standards for retirement housing be strongly encouraged
3. That a Retirement Housing Ombudsman be appointed
4. That there be a significant increase in numbers and specialist training of Consumer Affairs Victoria [CAV] staff, about retirement housing and the relevant legislation, to enable provision of a better-informed advisory service and more effective promotion and dissemination of information to residents and managers
5. That research be undertaken into the staff qualifications and training needed in the retirement housing sector, and the appropriate standards be specified
6. That an in-depth segment on retirement housing law be included in the initial education and ongoing professional development of the legal profession, and that CAV promote workshops on retirement housing law for legal practitioners
7. That retirement housing developers and planners be required to use professional ergonomic advice on the placement and height of appliances in relation to the physical capabilities of the ageing population
8. That greater encouragement and support be given for the formation of residents' committees in retirement housing establishments
9. That CAV, with input from experienced residents, produce and promote information on how to set up and run effective residents' committees
10. That CAV produce and promote information for residents' families on the arrangements involved in

leaving retirement housing and the sources of information available to them

**WE STRONGLY RECOMMEND THAT THE INQUIRY SUPPORT THE FOLLOWING**

11. That retirement housing owners and managers support the installation and retention of grab-rails in showers: SEE ATTACHMENT A

12. That the wording in the two mandatory documents, the Factsheet and the Disclosure Statement, be amended to improve clarity as outlined in ATTACHMENT B

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File1: [5762545b54571-rails attachment.docx](#)

File2: [5762545b54b4d-Factsheet attachment.docx](#)

File3:

## ATTACHMENT A: RE GRAB RAILS IN SHOWERS

[REDACTED]

***That the Inquiry strongly recommend to retirement housing owners and managers that they support the installation and retention of grab rails in showers.***

## THE IMPORTANCE OF FALLS-PREVENTION IN OLDER PEOPLE

It is well established that falls and fractures are the most common preventable major health problems among the older population, are a leading cause of injury-related hospitalisation in this age group and are a significant cost to the whole health care system. Government funding of falls-prevention programs underlines the importance of this issue. The provision of grab rails in showers is one major falls-prevention strategy. The installation of such rails is recommended for hotels, which serve the entire population.

## THE ATTITUDE OF REDMOND PARK MANAGEMENT

[REDACTED], who are the owners and managers of [REDACTED], require residents who wish to install grab rails in their showers to undertake in writing that they will remove those rails and completely re-tile the shower walls at their own expense, when they vacate their apartment for sale. [REDACTED] take the view that the presence of grab rails detracts from the re-sale value of apartment leases and so require them to be removed. They further argue that rails need to be designed and fitted differently for each individual, and therefore cannot be allowed to remain in place for the next leaseholder.

## THE VIEWS OF RESIDENTS

A poll of all residents indicated that residents feel strongly that the [REDACTED]' position is misguided, and indeed breaches their duty of care towards residents, which includes the provision of a safe environment. Given the adoption of the Ageing in Place policy and the older age at which people now enter retirement housing, a need for the installation and retention of shower rails seems self-evident. Advice from the Victorian Division of the Occupational Therapy Association indicates that in general it is not necessary for rails to be individually designed, so they can safely be retained when an apartment is sold. This same position is implicit in the government's recommendation that rails be installed in hotel showers.

## DISINCENTIVE OFFERED BY MANAGEMENT'S ATTITUDE

Some residents, many of whom are part-pensioners, may very well be reluctant to install much-needed rails because of the potential charge to them or their estate, by the requirement they remove rails and completely re-tile entire shower walls when they leave. We should not have to wait until a serious fall in the shower demonstrates that [REDACTED]' current policy is inappropriate. For that reason we bring this matter to your attention.

ATTACHMENT B: RE WORDING OF DISCLOSURE STATEMENT  
AND FACTSHEET:



*We recommend that wording in two mandatory documents (the Disclosure Statement and Factsheet) be amended along the lines suggested below, to improve clarity for intending residents of retirement housing*

1. THE VERSIONS CURRENTLY IN USE BY THE

The Factsheet in use is version 4: 3 February 2016, while the Disclosure Statement is version 2: May 2014. These documents are templates provided on CAV's website and require to be customised by each owner or manager for mandatory provision to potential residents.

2. PROPOSAL FOR EXPLANATORY HEADING FOR BOTH DOCUMENTS

Most people expect the property transaction which takes place when purchasing retirement village accommodation will be the same as when buying an ordinary house or apartment. Given this expectation it would be helpful to alert purchasers early in the process that this is not so. We suggest that a bolded statement be inserted at the head of page one of both these mandatory documents, quoting the Property Council of Australia as follows:

**"For people moving from their own home into a retirement village, the contract and financial model used can seem unusual or complex. A retirement village contract is different to contracts used to purchase a regular residential home or apartment".**

**You are advised to ask the sales person for a full explanation of the process.**

3. DISCLOSURE STATEMENT ISSUE

- Items 5.3, 5.4, Capital gains and Capital losses. In response to the answer 'yes, you will be entitled to share in any capital gain on your unit, in this proportion' places the figure '100%'. We believe this is misleading. The problem would be overcome if the answer 'yes ... capital gain on your unit' was followed by the words 'in the proportion shown in the included Estimated Departure Entitlements Table. Item 5.4 could be similarly amended.

4. FACTSHEET ISSUES

- Item 9, Entry costs and departure entitlement. This whole section would be much clearer if reference was made to the Estimated Departure Entitlements Table, a copy of which is attached to the Disclosure statement.
- Item 12, Capital Gains and Losses. The same defect occurs here as in the Disclosure Statement and we suggest the same remedy should be applied.
- We note in passing that we could not find version 4 of the Factsheet on the CAV website