

From: [Inquiry into the Retirement Housing Sector POV eSubmission Form](#)
To: [LSIC](#)
Subject: New Submission to Inquiry into the Retirement Housing Sector
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Inquiry Name: Inquiry into the Retirement Housing Sector

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[REDACTED]

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SUBMISSION CONTENT:

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I am a resident living in a retirement Village and these are the matters I wish to bring to your attention as to what us as residents have had to endure over the years.

If there had been an ombudsman in the industry many of these things would not have happened or they would have been resolved quicker and at far less cost.

Redevelopment and Body Corporate issues

From 2006 till 2014 I have lived with fear and uncertainty of my share of the costs associated with a legal battle we had to undertake. The village during this time had to live with an eyesore and put up with large trucks and traffic throughout the village. My Levy was being increased due to the costs forced onto residents. I was fearful of squatters settling into an empty building neglected in the middle of the village. I either walked past or looked out over the building, it was such a mess it made me feel unhappy as it was an eyesore. Constant updates by the Committee, were good but they just made me fearful for the future of the village. The outcome after years of fighting have meant that the Association has managed to win and the building has been sold and redeveloped with tight restrictions on [REDACTED] on the build and after it opened. We were lucky to have legal, Consultant and Manager to fight on our behalf but we should never have had to spend the money we did on something we are not a party too. Two developers making decisions that impacted on us. We are retired and elderly we should never have had to deal with the matter. The whole redevelopment and years leading up to it put me under pressure and affected by Health and Wellbeing.

Stormwater drains and pits – Contract ambiguity

Structure has not been done correctly when you remove the lid there are no bottoms on the pits. The pits have to be rebuilt and I believe that this contributes to the flooding within the village into the units. This coupled with inadequate

drains means that my place floods. Each time I have to get my carpet dried, mildew forms and causes more issues I should not have to live this way. I am lucky that the Association has paid to fix the issues but the problem comes about because of the defective workmanship that has resulted in these problems. The village is over 38 years old the draining system is too old especially as it is an outdated plumbing system, the system needs to be renewed surely this is an Owner responsibility as the system is unable to handle the flow of water flowing through with all the development around the village.

Power boxes/Meter Boxes – Contract ambiguity

For many years the corporate owner would not replace the power box/meter boxes in the village. The Village is 38 years old. We have seen many fires within the panels residents are expected to pay out of their levy to replace. It escalated then SP AUSNET issued a defect notice and that meant that the power to the village was to be switched off. The village was set to pay to remedy this and the Committee had to fight to get the Corporate Owner to pay by threatening them with VCAT. The Owner hid behind its ambiguous contract and taking the view it wasn't their responsibility. The Owner has now paid to repair but not before legal/consultancy costs were incurred by the village.

An Ombudsman would have been able to help resolve the matter in a timely manner without the need for legal costs paid to force the Owner to do what it is legally required to do.

Roads – Contract ambiguity

It is up to the village and us as residents to keep the roads repaired in the Village. Replacement Assets are the Owners Responsibility as residents in villages like this are the tenants. Why does the Association and residents have to go to such elaborate measures to get the Owner to do what it is required to do. The Committee were told by Council it had to build a roundabout in the village the owner refused to pay so the village incurred the cost of constructing a makeshift roundabout to satisfy the council request. It was an eyesore but effective and had the desired effect of getting the owner to fix and redo the section. An ombudsman would have been able to resolve this matter without the wasting money. Most of us are on fixed incomes money is important and waste is unacceptable.

Telstra Pit– Contract ambiguity

If I lived on in a residential area Telstra would attend to the repairs or issues in the pit, at their cost, alas we are not we are in a retirement village so Telstra's reply is it is private property and we must engage one of their qualified Telstra Contractors and pay for it. I'm not in a gated Community I'm on what amounts to a residential block I am disadvantaged by this line in the sand when it comes to services we have an emergency call system it is important that the pits are in good working order otherwise there will be a death. The outcome is I can't get the Manager to call and get the issue resolved I have to make the call to restore phone. An ombudsman would be able to get Telstra to do what they should do.

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File1:

File2:

File3: