

**From:** [Brenda Parker](#)  
**To:** [LSIC](#)  
**Subject:** Re: Legal & Social Issues Parliamentary Inquiry  
**Date:** Sunday, 29 May 2016 7:13:30 PM

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My name is Brenda Parker and I reside at [REDACTED], [REDACTED]. It is a leasehold contract.

My following experience here is such that I believe a dedicated ombudsman presence is essential for all retirement villages. Shortly after moving into a newly-built villa here (2011) I requested and received verbal approval for the enhancement of the rear outdoor area in the form of paving and a garden planter box. The management at that time and until recently was RCA (Retirement Communities Australia) and their shoddy construction standards soon became apparent. Not only was the builder reportedly a director of their company but there was no provision for the seven-year guarantee which covers new buildings elsewhere. By 2011 it was apparent that the land on which my villa stood had subsided; the ground outside had dropped away from the fence, which had warped and the rear gate would not open; cracks appeared in the planter box and the pavers began to move apart. RCA would do nothing to repair the damage, declining to reply to my emails requesting maintenance while claiming that they had, and claiming through the then Residents Committee that the total damage was caused by my planter box and that I would have to pay for an outside inspection. I declined as an identical box by the same constructor had been built earlier several units away on level ground and it has not depreciated. I contacted Consumer Affairs who were unable to help as the RCA person would not co-operate. RCA has now left the village and a new management has had all the repairs done except those inside the fence, which the Village Manager insists I must pay for. As CAV advised it has no "teeth" beyond bringing disputing parties together to conciliate I believe that retired people in rented or leased accommodation need a stronger voice in the form of an ombudsman rather than appeal to the perpetrator of a problem who has all the power on its side.

A second reason for an ombudsman to this industry as applying to this village is the attitude of the long-standing village manager towards residents. Unfortunately several, particularly females on their own and even some older couples, are afraid to approach the manager with any problems etc. because of her tendency to bully and control. This is a perhaps unconscious form of elder abuse towards some people who consequently feel powerless and unhappy. (I too have experienced this attitude at [REDACTED]).

#### Council Rates

A delegation of [REDACTED] residents approached the [REDACTED] approx. four years ago to request a reduction in their rates due to some duplication of rates paid to Council and maintenance fees levied by this village, explaining that street lighting, road maintenance etc. were included as expenses funded from that residents' levy. The delegation reported that their request was denied. The only Council service within this village is weekly garbage collection. As justification for rate reductions, the density of housing within most retirement villages means that the collection of rates must represent more income to councils than in a comparable area occupied by other ratepayers in private housing. Furthermore, facilities sustained by resident levies on site are a swimming pool and equipped gymnasium available for the sole use of residents and their guests, thus saving depreciation of those provided by Council in the municipality. I hope the Inquiry committee would also take into account the financial hardship exacerbating this inequality to older residents existing solely on a private aged pension. During the working life of most in the age group (including myself) superannuation existed only as a refund of the amount paid to

a particular employer until the employee left, i.e. no accumulated interest or retirement superannuation as now exists. It appears there is a strong need for legislation to introduce a rate reduction policy to provide fairness to all ratepayers who pay twice for services received only once, as in the above example. Thank you for your time. .Brenda Parker