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Attention Mr Zac Gillam
Consumer Action Law Centre
Level 6, 179 Queen Street
Melbourne
VIC 3000

Dear Zac

The Council on the Ageing Victoria (COTA Vic) is pleased to respond to the Parliamentary Inquiry into the Retirement Housing Sector. This submission forms part of a joint submission with the Consumer Action Law Centre and supports the submission from related organisations.

COTA Vic represents the interests of older people in Victoria and campaigns for change on priority issues.

Issues related to retirement village accommodation have been a significant subject of interest to older people in Victoria, many of whom have reached out to COTA Vic for assistance. The range of complaints and issues has been varied and Attachment A to this submission provides a representative sample of calls received by Seniors Information Victoria (SIV), which is hosted by COTA.

Five particular themes can be identified from COTA's work with senior Victorians:

1. **Consumer feedback:** SIV has received 955 contacts on retirement villages since mid-2012. 173 of those directly marked as residents rights/complaints issue as exemplified in Attachment A. These issues relate to concerns covered by the Inquiry's Terms of Reference including dispute resolution limitations, Contracts and Industry Standards.
2. **Standardised contracts:** Victorian seniors have reported that on the one hand contracts are long (some run into 250 pages), overly-complex and, on the other hand, contracts can be vague on specific details. Contracts should be standardised with all fees and charges clearly articulated in standard print size.
3. **Improved management standards:** COTA submits that industry standards should be elevated and the quality of services improved through the introduction of management training. COTA submits that Standardised training and certification of Retirement Village Managers should be legislated.
4. **Improved dispute resolution:** COTA supports the joint submission's call for an Ombudsman for the Retirement Village sector. In particular COTA urges that more robust consumer protections be built into a regulatory framework. In particular, change is required to the dispute resolution process as VCAT (the current option after CAV mediation) is slow, potentially costly and stressful for senior Victorians. At times, the current process can be used as a gaming strategy to delay dispute resolution.



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- 5. Deferred management and exit fees:** fees systems often seem to be opaque with questionable charges. For example, instances have been reported of a resident being required to pay full refurbishment costs of a unit on leaving, even if they have only been a short-term resident. COTA submits that all costs need to be clearly articulated in contracts or via a regulatory system.

Thank you for the opportunity to make this submission and we look forward to the deliberations and outcomes for the benefit of senior Victorians.



Jack Sach
Acting Chief Executive Officer

Parliamentary Inquiry into Retirement Housing Sector

COTA CASE STUDIES FROM SENIORS INFORMATION VICTORIA

1. Caller and householder purchased a unit in a (de-identified) retirement village. Happy here, but there is a woman resident whose behaviour is violent and threatening to other residents. Many are living in fear of her violence, especially since she attacked a male resident with her gardening fork, claiming he had walked on her garden. Management say that they have done all they can to deal with her behaviour and the fear/complaints of other residents, but the woman's behaviour continues. Caller has been consulting her doctor, who has put her onto sleeping tablets. She hopes that there is some other action to be taken. Described the role of Consumer Affairs Victoria and suggested she consult them.
2. Caller concerned that the options for payment within the retirement village have been restricted and asked if this is legal.
3. Daughter who has now died was a resident of a (de-identified) retirement village. Father is concerned how long it will take for money to be released to the estate.
4. Caller had been in contact with the retirement village regarding occupancy being conditional on sale of home. Not happy with contact with village, and feel they are "changing the rules" as they go along. Looking at alternative village/ILU.
5. Caller concerned that management are not taking notice of concerns of residents. All suggestions have already been tried. (Community Legal Centre helped and will help no further.)
6. Details of enquiry: Managers at (de-identified) units constantly harass and abuse me. Have even driven other residents away. Invasion of privacy is common and threats to send in people to rearrange belongings, spray weedkiller everywhere etc. even harassing relatives to put me in mental care. I have contacted several lawyers but received no help.
7. Problems with a retirement village following a fall due to lack of maintenance of pathway and poor lighting. Unsatisfactory response received.

8. I am trying to "unravel mystery" of (de-identified) Lodge over a number of years, in terms of owners. Have been in touch with Consumer Affairs Victoria who did not provide satisfactory assistance. Provided details for Property Council. Discussed database entry for (de-identified) Holdings. SIV undertook a number of web searches, including details of current review of sections of Legislation.
9. Visitor living in unit operated by (de-identified). Problem with ceiling which has been repaired but dust everywhere & has brought on asthma so visitor living with daughter. Contact made with management who will steam clean floor & clean blinds, but there is dust on top of cupboards, couch, etc. Can she expect them to clean the whole unit?
10. Caller said she pays a maintenance fee at the retirement village where she is living and there has been no maintenance done since she moved in. She has reported issues to the manager but nothing happens. Air conditioner dripping on veranda, has to be cleaned up every day. Said she moved to the village so there "would be no worries" but this was causing her concern. Before moving in they were told everything would be responded to quickly. What now?
11. Caller living in a retirement village and is having issues with the manager. Caller asked if she could install a satellite dish and got verbal confirmation from manager as a yes. Manager now stating no permission was given and client needs to remove dish. Caller is just out of hospital and stressed by situation