

Rec 3/6/16



30th May 2016

The Secretary
Legal and Social Issues Committee
Parliament House, Spring Street
EAST MELBOURNE VIC 3002

Dear Sir/Madam,



Early in 2012, my wife and I moved into a [REDACTED]. The enclosed letter to the CEO [REDACTED] dated 22nd June 2012, tells a very sad story.

Following my sending a reminder letter I eventually received a letter dated 2nd November 2012 nearly a 5 (five) months delay, from a [REDACTED] (a second line management position), acknowledging receipt and promising a reply to my original letter of the 22nd June 2012.

A fortnight later a letter from [REDACTED] conveyed the following:-

- (a) The long time for their response was most unsatisfactory.
- (b) The conclusion [REDACTED] had clearly underperformed relative to their standards they set for themselves.
- (c) An apology for making my experience with [REDACTED] less than satisfactory.
- (d) An appreciation for the feedback which would enable them to improve their processes and procedures.

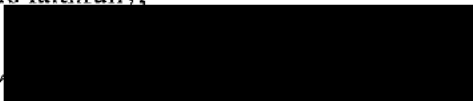
I should say, at no point have [REDACTED] satisfactorily explained the 14 (fourteen) days delay in their execution of the Loan/Lease Document.

In conclusion I believe 2 (two) new facilities need to be legislated namely:-

- (1) An entity specifically skilled in Retirement Village Issues, to which a resident, at no expense to him or her, can take a dispute with a Village Owner for arbitration. The entity to have the necessary enforcement powers.
- (2) An entity charged with the responsibility to monitor Village Owner's compliance with the Retirement Villages Act 1986 and it's amendments. In the event of noncompliance, the entity to exercise appropriate punitive powers.

My best wishes for the success of your committee. The challenges ahead are indeed considerable.

Yours faithfully,



Peter Cockburn BCE, MIEAust, CPEng.

Encl.

COPY

FILE COPY.
LETTER AS SENT.

22 June 2012

Dear Sir,

Re: Loan/Lease [REDACTED]

When my wife and I moved into the above [REDACTED] earlier this year we had had a most protracted and unpleasant dealing with the Melbourne Sales and Legal Departments of your [REDACTED] entity.

Not in fifty years as a chartered civil engineer have I encountered such unprofessional behaviour. It was untrustworthy, threatening and unbusinesslike. Some of the more significant recorded events are summarized in the attached Appendix "A" to support these assertions.

No criticism of [REDACTED] is implied. To the contrary, he was professional and helpful at all times.

On Friday 24 February 2012, simultaneous settlement was achieved concerning the above mentioned Villa and the sale of our family home in [REDACTED]

[REDACTED] my lawyer, [REDACTED] after numerous written exchanges, agreed on all issues including two issues (which had the written verification of [REDACTED]) which were to be incorporated into the Loan/Lease Document. My wife and I executed the Loan/Lease (which incorporated these two amendments) on Monday 6 February 2012 and on that date the executed documents were hand delivered by my lawyer to [REDACTED]

For reasons known only to [REDACTED] for 14 (fourteen) days they refused to execute the document, but finally did so on Monday 20 February 2012 a mere 4 (four) days before settlement. During this delay, my wife and I understandably became most distressed (sufficient to adversely affect our health) as we did not know whether we were moving to [REDACTED] or out onto the street. I would appreciate if you would explain to me exactly why [REDACTED] behaved in this unconscionable manner.

I have derived no pleasure whatever in sending you this letter, but organizations claiming to be a market leader in Retirement Villages and adopt a sales team charter of "We work with integrity, can be trusted to deliver etc." need a sharp reminder when they fail to live up to their own promotion.

You have elected to be in the business of Retirement Village ownership and it is time your organization showed some knowledge and understanding of the requirements of older members of the community who relocate to a Retirement Village.

You are also probably well aware that retired senior business executives, such as myself, and other comparable professionals in this villages' upmarket demographic, naturally discuss our experiences with [REDACTED] at length amongst ourselves, and also with friends and colleagues who ask us about our [REDACTED] experiences.

Yours faithfully,

[REDACTED]

Peter I Cockburn BCE, MIEAust, CPEng.

Encl. Appendix "A"

c.c. The President RRVV

c.c. Consumer Affairs Victoria

[REDACTED] - Village Manager.