

WARVRA Newsletter

July 2014

Vol. 14 No. 3



WARVRA

NOTICE OF GENERAL MEETING

The next General Meeting of the Association will be held at the
Piney Lakes Environmental Education Centre, Leach Highway, Winthrop
(The entry to the centre is on the south side of Leach Highway between Murdoch Drive and Winthrop Drive)

FRIDAY 8 August 2014 at 10.00 am

GUEST SPEAKER:

Penny Musgrove

Environmental Education Officer at Piney Lakes

Penny will tell us about the work of the venue where we meet

- ◇ Piney Lakes Sustainable Building Technologies
- ◇ History of the Piney Lakes Area
- ◇ The Role of Piney Lakes as an educational centre

BUSINESS:

President's Report

Treasurer's Report

Legislation Update

Seminars Committee Report

General Business

- How should WARVRA respond to the current political issues relating to Seniors such as changes to the pension arrangements and entitlement age, Medicare co-payments etc.?

Members' Issues

VILLAGE GROUP MEMBERSHIP

Numbers are strength! We need more members to be credible!

Why not join WARVRA as a Village Group Member?

Just \$2 per year per village residence

Contact Ian Nordeck (9534 7650) to arrange a presentation in your village

Western Australian Retirement Villages Residents Association Inc

ABN 31 565 412 127

PO Box 7896 Cloisters Square WA 6850

warvra.org.au warvra@gmail.com 0448 812 888

WARVRA COMMITTEE DIRECTORY 2014-15

President	Des Cousins	0448 812 888	warvra@gmail.com
Vice President	Colin Edwards	9593 9793	talworth40@gmail.com
Secretary	Denise Nicolay	9586 4288	nicolay@westnet.com.au
Treasurer/Membership	Ron Hasluck	9456 1991	rhasluck@bigpond.net.au
Membership Development	Ian Nordeck	9534 7650	ianandrae@internode.on.net
COTA Representative	Ron Lullfitz	9388 8645	lullfitz@myway.com
Legislation Convener	David Street	9586 1667	davenwen@multiline.com.au
Seminars Co-Convener	Julia Lynch	9350 6872	julialynch@westnet.com.au
Seminars Co-Convener	Brian Davies	9387 3832	brilee5@optusnet.com.au
	Patrick Gaffney	9433 4046	phyllisgaffney@gmail.com
	Verelle Ward	9204 3402	jonver2@bigpond.com

THE QUARTER'S NEWS IN SUMMARY

- We are very pleased to welcome Patrick Gaffney (Beacon Hill Village) and Verelle Ward (Parklands, Woodlands Village) to membership of the Committee. There is still one unfilled position on the Committee and interested volunteers are invited to speak with the President. Patrick and Verelle will be appointed to particular responsibilities on the Committee at our next meeting.
- More of the new legislative provisions arising from the 2012 Amendment Act have now been released—see the next page for details. The Legislation Committee and our Honorary Solicitor, Shelley Whitaker have met to review them and will complete a submission by the due date, 4 August 2014. Only one matter has been identified so far as causing concern—a proposal that advertising and marketing costs relating to the village as a whole may be included in the Village Operating Budget—it has always been WARVRA's position that advertising and marketing costs are the responsibility of the owner/developer of a village and should be met from their own resources.
- A very successful seminar (even when one of the presenters failed to arrive!) was held last week on the role and processes of the State Administrative Tribunal—Senior Member Clive Raymond explained the processes in a very easy and informal way. The Tribunal has increased jurisdiction following the Amendment Act and we need to know how to use it. We will prepare some notes about this and add them to the website. The main thing we all need to remember is to proceed logically—explain what the problem is, present evidence or other supporting materials and follow the guidance of the on-line application “wizard”.
- WARVRA has a very successful regional group meeting in the Peel Region which has provided a local opportunity for residents to be aware of what WARVRA is seeking to do on their behalf and to hear reports from the President and committee conveners about current activities. We are now planning to extend this process to two other regions—information meetings are to be held to provide an opportunity for village residents in the South West and Albany regions to decide if they would like to establish a regional group. All village residents are invited (whether you are a member or not).

South West—at Novacare Village, 502 Bussell Highway, Busselton on Tuesday 12 August 2014 at 10 am—rsvp to Gordon Douglas 9754 7376 or gandla@iinet.net.au

Albany—at St Ives Albany, 21 Brooks Garden Boulevard, Lange, Albany on Wednesday 13 August 2014 at 10 am—rsvp to Weston Bell 9842 6069 or westonbell@bigpond.com

- WARVRA has contacted the Minister for Energy to complain about the recent switch by Synergy to the non-residential tariff for electricity supplied through master meters in Retirement Villages. We suspect that they do not realise that all the electricity costs in the Village are paid by residents, either through recurrent charges or billed out by the management.

WARVRA ACTIVITIES

LEGISLATION REPORT

MORE ACTION!

The Commissioner for Consumer Protection has released “exposure drafts” of the Retirement Villages Code 2014 and Retirement Villages Regulations 2014 (Section 14A)

Comments from the stakeholders (including WARVRA) close 4 August 2014 and the new Code and Regulations are expected to be operative from 1 October 2014

This will finally complete the first part of the reform of the Act!

PROPOSALS RELATING TO THE CODE

Consultation requirements

- clarifying the matters that must, as a minimum, be included in village operating budget proposals, quarterly financial statements and annual financial statements and provided to residents.
- specifying that retirement villages with a reserve fund that residents must contribute to, must provide residents with budget proposals annually, quarterly financial statements and annual financial statements for the reserve fund.

Refurbishment

- introducing a definition of ‘refurbishment work’.
- clarifying the information that an administering body must give a resident regarding items of refurbishment work to be done.
- inserting a requirement for the former resident or their personal representative to be given a reasonable opportunity to inspect refurbishment works that they will be contributing to.
- clarifying matters to which an administering body must have regard when assessing what refurbishment work may be required.
- building upon the State Administrative Tribunal’s existing jurisdiction to deal with refurbishment disputes to ensure that the arrangements relating to the costs of refurbishment are fair for both the resident and the administering body.

Dispute resolution

- clarifying that the person nominated by the administering body to deal with the dispute must be acceptable to both the administering body and resident(s).

Financial reporting requirements

The level of disclosure will be increased by:

- replacing the model forms with a minimum level of disclosure in the form of specified line items which must be separately disclosed in the operating budget, reserve fund budget and quarterly and annual financial statements;
- requiring explanatory notes to be prepared for the budgets and financial statements where additional clarification is necessary (e.g. when actual expenditure on an item differs significantly from what was proposed in the budget).

PROPOSALS RELATING TO THE REGULATIONS

Moving material from the Code to the Regulations

- Much of the material currently in Division 4 of the Code, which sets out the matters to be contained in residence and service contracts, will be moved to the Regulations—and some of these matters will only relate to new contracts after the Regulations are enacted.

Urgent repairs

- There will be a new provision setting out when a resident is entitled to arrange for urgent repairs to the residential premises.

Refurbishment requirements in the Code

- Contracts will be required to set out who is responsible for arranging for residential premises to be refurbished and what is the basis on which any contribution is to be made by the departing resident.
- Any refurbishment that exceeds the requirements in the Code is prohibited.

Prohibited matters

- Residence contracts cannot give a power of attorney to an administering body or its close associates.
- Requiring a resident in a non-owner village to give no more than 30 days notice of an intention to terminate the residence contract or permanently vacate the residential premises.

Notes required in all residential contracts

- A clear statement on the terms of access to residential and community aged care services.
- A recommendation for a prospective resident to obtain legal and financial advice before signing a contract.
- Reminders that the State Administrative Tribunal has jurisdiction over certain matters in villages including termination of contracts and residence; that there is a limitation on the payment of recurrent charges after permanently vacating a village; and that section 25 of the Act sets out matters for which the village cannot demand or receive payment.



WARVRA

SEMINAR

UNDERSTANDING VILLAGE FINANCES AND FINANCIAL REPORTING

PRESENTERS

Melissa Rosair

Legal Policy Officer (and Accountant)
Department of Commerce, Consumer Protection Division

- Retirement Villages Code
- New Financial Reporting Requirements

Denise Nicolay

WARVRA Secretary
Resident of RAAFA Erskine Grove

- Understanding Village Finances
- Developing Village Budgets

Metro North

THURSDAY 4 SEPTEMBER 2014 10 am

Dianella Church of Christ Community Centre
68 Waverley Street, Dianella

Metro South

THURSDAY 18 SEPTEMBER 2014 10 am

Piney Lakes Environmental Education Centre
Leach Highway, Winthrop

Peel Region

WEDNESDAY 1 OCTOBER 2014 10 am

Madora Bay Hall
Orelia Street, Madora Bay

Morning Tea will be served between the two sessions