

# About the Tenants' Union of Queensland



## Introduction

The Tenants' Union of Queensland Inc. (TUQ) is the only state-wide community based organisation that provides services for, and seeks to represent the interests of all residential tenants in Queensland. Since its formation in 1986, the Tenants' Union has provided a range of services to tenants and undertaken a number of other activities that aim to improve and promote tenants' rights.

## Organisational and Management Structure of the Tenants' Union

The TUQ is a non-profit organisation incorporated under the *Queensland Associations Incorporation Act 1981*.

The constitutional objectives of the TUQ are:

- *to improve private, public and community residential tenants' conditions;*
- *to provide legal advice, advocacy and information to tenants, particularly those from disadvantaged socio-economic backgrounds in relation to their rights as residential tenants;*
- *to enhance and protect residential tenants rights, including those in private, public and marginal tenures;*
- *to research common issues affecting residential tenants;*
- *to coordinate and organise law reform activities affecting tenants' rights;*
- *to educate the community about residential tenancy law and tenants' rights;*
- *to educate residential tenants about residential tenancy law and procedures;*
- *to advocate for safe, secure and affordable housing for all tenants; and*
- *to support advice and advocacy services for tenants.'*

The TUQ has offices located in Brisbane, Cairns and Fraser Coast and operates a range of services aimed at assisting tenants.

The Statewide office located in Brisbane and the North Queensland (Cairns) provide services and resources to both tenants and tenant advocates whilst our Fraser Coast office in Hervey Bay works with tenants in that area.

The TUQ is formally managed by a Steering Committee of volunteer members of the organisation, elected each year at the Annual General Meeting. The Steering Committee meets monthly and is responsible for a range of matters in managing the organisation, in addition to delegating roles to subcommittees to fulfil its obligations. The work of the Steering Committee focuses on several key areas including:

- ensuring the organisation's mission and objectives are being achieved;
- ensuring that appropriate policies and procedures exist for staff to perform the work of service delivery and administration;
- undertaking the role and responsibilities as an employer;
- ensuring accountability to members, staff, funding bodies, volunteers and tenants when making decisions; and
- ensuring that the TUQ remains an active and responsible member of the community-based sector.

TUQ staff are accountable to the Steering Committee and are required to report on the outcomes of their work each month.

The Steering Committee delegates various roles to other subcommittees and working groups to undertake some of the day to day tasks of the organisation. Subcommittee members include staff, committee and other volunteers of the TUQ.

Various Subcommittees operate according to need. These may include:

- **Finance Subcommittee** which supports staff in monitoring the TUQ's income, expenditure and budgeting;
- **Law Reform Subcommittee** which works towards achieving better legislative protection and improved conditions for tenants;
- **Community Education Subcommittee** which supports the education and publications workers and assists with projects and events;
- **Training Reference Group** which provides input and advice concerning the TUQ's training work plan;
- **Industrial Relations Subcommittee** which works with staff to ensure a fair, safe workplace; and
- **Residential Tenancies Authority Board Reference Group** which supports the TUQ's nominee on the Board of the Residential Tenancies Authority.
- **Social Housing Tenants Reference Group** which assists the TUQ to understand the policy related issues facing public and community housing tenants.

The Tenants Union's organisational structure also recognises the importance of its general membership base. Membership of the TUQ encourages tenants to become aware of their rights and provides opportunities for tenants to become more actively involved in the organisation. Currently there are around 400 members of the TUQ.

### **Current funding and staffing arrangements**

The TUQ receives recurrent funding from three sources: the Queensland Department of Communities, under the Tenants' Advice and Advocacy Service Program (TAASQ), Legal Aid Queensland under the Community Legal Centres Program and the Residential Tenancies Authority (RTA) for its policy and law reform work. Most funding for the TAASQ program and all the money from the RTA is generated from the interest made on tenants' bond monies. Those funds provide for the following staff positions:

- Statewide Co-ordinator
- North Queensland Office Co-ordinator
- North Queensland Indigenous Tenants Education Worker
- Fraser Coast Co-ordinator
- Fraser Coast Administrative Worker
- Training & Education Worker
- Publications & Community Education Worker
- Rooming Tenants Worker
- Social Housing Worker
- Phone Advice Worker (19 hours per week); and,
- Administrators (45 hours per week split between FinancialAdmin/Admin/NQ Admin).

Funding from Legal Aid Queensland provides for the employment of a full-time Solicitor, part time Legal Services Worker and part-time administrative support position all of which are based in the Brisbane office.

## **Current/recent projects and activities**

The TUQ is continually undertaking a diverse and challenging work schedule. Demand for all TUQ services inconsistently high.. The following information outlines the recurrent work and initiatives undertaken by the TUQ during the last year.

### ***Statewide Advice Services***

The TUQ operates a full-time telephone advice service, offering advice, information, and advocacy assistance to tenants. This service is staffed each morning by permanent project staff and in the afternoon by the dedicated Phone Advice Worker. The North Queensland and Fraser Coast offices also operate a limited telephone advice service for tenants in the North Queensland and Fraser Coast region. Fraser Coast offers face to face appointment for tenants in their area.

Demand for these services remains high, and the TUQ struggles to respond to as many enquiries as possible. The Phone Advice Service responded to approximately 7000 enquiries from tenants throughout Queensland over a twelve-month period.

The TUQ is committed to delivering a quality service that is accessible to the diverse community of tenants in Queensland. The TUQ provides a high standard of training to all staff of the service, and has developed quality control measures to ensure consistent high quality and accurate advice to tenants.

### ***Legal Services***

The TUQ provides a legal casework service for tenants with litigation matters, including potential test cases and undertakes legal research, tenancy law reform and community legal education initiatives. The Solicitor generally checks all advices and TUQ publications for accuracy.

A number of tenants have been advised and represented in Court by the TUQ, and in the absence of Legal Aid, this service is highly valued.

### ***Support and Resourcing to Tenant Advocates***

The TUQ offers an on-going support service to TAASQ workers (in 22 local/regional services) and other tenant advocates across the state. The telephone based 'Help Desk' Service is available from 9.00am - 1pm and 2pm - 4pm Monday to Friday and provides an opportunity to discuss tenancy cases and legislative interpretations with trained TUQ staff. This is an essential resource to the TAAS Program and assists workers in their on-the-job and on-going training and professional development. The TUQ also produces a special legal and tenancy issues *Bulletin* which keeps TAASQ workers up to date with legal developments and interesting cases.

### ***Representation, advocacy and reform***

The TUQ aims to represent the collective interests of tenants and perform a watchdog role in areas affecting tenants' rights and responsibilities. The TUQ achieves this by promoting and contributing tenants' views in a variety of forums. This includes working with government, industry and community sectors to achieve improved conditions for tenants.

In representing tenants' interests in various advisory structures, the TUQ seeks to ensure that tenants' views are heard and that policy makers ensure tenants receive fair and equitable treatment. Currently, the TUQ has representation on a number of bodies, including:

- The Department of Housing's Community Housing Standards and Accreditation Council;
- The Residential Tenancies Authority Industry Forum;
- Housing and Homelessness Services Strengthening Social Housing Reference Group;
- Housing and Homelessness Services Transitional Housing Providers Reference Group; and,
- Has a nominee on the Board of the Residential Tenancies Authority;

The TUQ also maintains regular and high level contact with officials from the Department of Communities (Housing and Homelessness Services), Legal Aid Queensland, the Residential Tenancies Authority, and other appropriate bodies and individuals.

### **Recent Law Reform Work**

Since it was established, the TUQ has been at the forefront of lobbying for greater protection and more effective rights for tenants. Over the years, our campaigns have included working to achieve a Bond Board so that bonds would be held centrally by an independent body; changes to the Rental Bond Act to provide an effective mechanism for tenants to enforce their rights; and later, for protections against the unfair practices of tenancy database operators.

Over the last five years the TUQ has been lobbying to improve tenants rights through our involvement in the Queensland government's review of the *Residential Tenancies Act 1994* and the *Residential Services (Accommodation) Act 2002*. Those two Acts were repealed and replaced with the new *Residential Tenancies and Rooming Accommodation Act 2008* on July 1, 2009,

Throughout that Review, we have made numerous written submissions to government synthesising the issues for tenants, resourcing tenant advocates statewide to participate, lobbied government and worked to inform tenants so they themselves can take part.

The TUQ also developed a major submission for government which called for a reform of the Small Claims Tribunal process where tenancy disputes are decided. The submission called for a new amalgamated civil and administrative tribunal which would provide greater procedural fairness and consistency. Shortly after, the Queensland government announced its commitment to develop a new Queensland Civil and Administrative Tribunal with a Civil Disputes Division, providing for a more specialised method of tenancy dispute resolution. The new Tribunal will also provide recorded decisions for every matter, publicly available decisions for particular matters and extend the grounds for review or appeal to include errors of law. The TUQ has worked toward this reform for many years and is proud of the contribution we have made towards it.

### ***Research and tenancy issues policy development***

The TUQ monitors the performance and effects of tenancy laws through daily contact with tenants and housing services. Analysing specific aspects of tenancy legislation and researching tenancy law policy issues is an ongoing component of the TUQ's law reform activities.

Research is fundamental to the operations of the TUQ. The provision of legal advice and advocacy services necessarily requires a current analysis and interpretation of the law. The

TUQ continues to conduct research on aspects of the *Residential Tenancies Act 1994*, to ensure information provided through advice, training and education materials are accurate.

Through the organisation's work with community and public housing tenants, the TUQ also seeks to understand and advocate regarding social housing policy issues. Regular meetings are held with established social housing tenants groups, housing bureaucrats and housing services to identify and raise issues of concern.

### ***Tenancy Law Training***

The TUQ delivers training and professional development services as a means of ensuring an appreciation and understanding of residential tenancy law amongst agencies seeking to assist tenants. The TUQ is responsible for the training of TAASQ workers in tenancy law, as well as other community-based tenant advocates, relief workers, and the TUQ's own project and relief staff.

Annually, the TUQ produces a training calendar setting out dates for introductory tenancy law and rooming accommodation training, working in the tribunal and our series of professional development workshops aimed at more advance workers. We deliver training which is both accredited and unaccredited.

The TUQ has continued to develop and refine its training strategies to include innovative approaches such as interactive training methods, role plays, problem-solving tasks and exercises as well as supervised case study work and group work. The TUQ continually attempts to ensure its training is well targeted and responsive to the needs of tenancy advice workers.

The TUQ has been working on updating all our training products required following the commencement of the new tenancy laws in July 2009.

### ***Community Education***

One of the primary aims of the TUQ is to educate tenants and the broader community about tenancy law and tenants' rights. This is achieved in a number of ways, including through:

- the telephone advice service;
- the media;
- the production of tenancy information publications;
- provision of information and training sessions for individuals and organisations such as schools and colleges, and groups of recently arrived migrants; and
- the development of special projects which seek to identify, research and address the needs of disadvantaged tenants.

With its Community Education Program, the TUQ aims to assist and empower all tenants to access and maintain secure and appropriate housing in the residential rental market. In addition to providing presentations to specific groups of tenants, the TUQ has addressed a number of public meetings, seminars and conferences on tenancy issues.

The publishing component of the TUQ's Community Education Program has produced newsletters and has continued to update and distribute the range of existing TUQ publications. Recently, a rewrite of the series Tenancy information has been undertaken in order to update them regarding the new tenancy laws. Printed supplies of this resource will shortly be made available to all TUQ clients and Tenant Advice and Advocacy Services throughout the State. PDF copies are currently available on the TUQ's website.

Recently, a twelve-minute video was produced with the aim of assisting tenants to understand the Small Claims Tribunal tenancy dispute resolution process. The video aims to reduce the fear of and encourage tenants to use the processes available to them to claim or respond to tenancy disputes. This can also be viewed through the TUQ's website.

### **Access and Equity Projects Activity**

The TUQ has previously undertaken a number of special projects aimed at improving access to tenancy services for special interest groups, and at further developing policy responses to accommodate the needs of these groups. Past projects have included tenancy resources for young people, pilot education projects for Aboriginal and Torres Strait Islander tenants, and tenants from non-English speaking backgrounds, and legal research on tenancy legislation for boarders and lodgers.

### ***Aboriginals and Torres Strait Islander Education Work***

TUQ delivers the Indigenous Tenant Education Program through its Cairns based North Queensland office. The Project itself covers the northern part of the state from Mackay and identifies specific issues relevant to Indigenous housing in light of the history of some tenures. The Project provides a specialist support and resourcing to TAASQ workers, and identifies and promotes policy development around Indigenous tenancy and housing issues.

The TUQ has applied a number of times for resources to commence on-going work targeting Indigenous tenancy issues in the Southern part of the State. To date, this has not been successful.

However, we were successful in a funding application to the Residential Tenancies Authority which allowed us to run a project to train Indigenous people from the Greater Brisbane area in tenancy law. These trainees delivered community education sessions within Indigenous services in the area. As well as developing links with Indigenous services and aiming to increase access to our service for Indigenous tenants, the Project aimed to diversify the workforce. The TUQ would like to carry out a follow up project in the near future.

### ***Culturally and Linguistically Diverse Training Project***

In the first half of 2009, the TUQ ran a similar training project for people from culturally and linguistically diverse new and emerging communities in the greater Brisbane area. Again the idea was to diversify the workforce with the ultimate aim of reaching out to tenants within these communities with information and advice.