



The Association of Residents of
Queensland Retirement Villages Inc.
OFFICE HOURS MAY VARY
Please leave a message if ringing
Enquiries - 0437 906 074
Membership - 0429 098 417
June 2018



PRESIDENT'S PONDERINGS

Hi ARQRV Member

It seems hard to believe that we are in June and that half of the year has already gone. For those of you in the southeast corner of the State, I hope you are coping with the cold spell that has suddenly hit us, for those further north I am sure you are continuing to enjoy milder weather.

Firstly, my apologies for the confusion that resulted from the mail out of our Special Edition Newsletter. I know that some people were unsure how and why the information from COTA was sent to them, and this was because instead of inserting the application form into the Newsletter itself the form was sent as a folded insert in the envelope. The article in the Newsletter explained that we were

Links

Please click on the links below to take you directly to that page

- [ARQRV Web Site](#)
- [Dept of H & PW](#)
- [FACEBOOK Page](#)
- [ARQRV Contacts](#)

Our Features

- Presidents Ponderings
- Change of Venue for AGM
- Invitation to Provide Feedback
- Mike's Mediation
- Member Letter

IMPORTANT NOTICE
CHANGE OF VENUE
AGM

looking for Peer Educators from the ARQRV membership who were willing to be trained by COTA with the potential to stay on as Village Educators for ARQRV once the Building Consumer Confidence Project was complete. We have not received any response from anyone in the northern regions so if you are interested you have a very limited time to volunteer before all applications close.

Monday 17 September

2018

CABOOLTURE RSL

Haskings Street, Caboolture

NOT

Caboolture Sports Club

(as previously advised)

~

SAVE THE DATE

The majority of you will currently be going through the process of reviewing your village budget and finding out your new General Services Charges for next year. Please contact us if you would like us to email you a copy of our updated article on *Understanding Village Budgets*, it contains some useful information. Thanks to Hilton Conroy, who resigned from our Committee last year due to health issues, but who generously offered to update the budget information. When our new website is completed the article will be posted online, but in the meantime we are happy to email it to you.

In our upcoming print and email newsletters you will see some advertising for *GPS Investment Fund Ltd*. One of the newer members of our Committee has been dealing with them for over 20 years and he has been able to secure an advertising deal with them. These additional funds will help to offset the cost of printing and posting our newsletters. **Please note that ARQRV is not making any personal recommendation for GPS Investment Fund Ltd. you should consult a financial planner before making any financial decisions.**

Our next print Newsletter will be out towards the end of July, it will contain information about the AGM in September, please give some thought to nominating for the Committee, forms and information will be enclosed.

Building Consumer Confidence Project : this has now been re-branded

Right Where you Live; Better rights for retirement living.

ARQRV and its partner organisations will be rolling out information sessions across the State informing residents of the amendments to the RV Act and what these changes will mean. Some sessions will be conducted at individual villages, others will be held at a community venue in the local area. If you are interested in hosting a session please contact Angela, Project Officer for the program, at bccproj@arqrv.org.au who will compile a list of villages wishing to have a visit, these visits will roll out over the next 6 months

Judy Mayfield

Invitation To Provide Feedback

Retirement village residents are invited to provide their feedback on the draft version of a new national Retirement Living Code of Conduct, which all retirement community owners and operators will be encouraged to sign up for to demonstrate their commitment to residents.

The Code of Conduct intends to set standards above and beyond legal obligations, and establish a commonly accepted standard to help operators provide a trusted and high-quality service to those living in, or considering moving to, a retirement community.

The Code is supported by the three peak bodies representing retirement living owners and operators; the Property Council of Australia, Leading Age Services Australia (LASA) and Aged and Community Services Australia (ACSA).

Before the Code is officially introduced, members of the industry and the general public are invited to provide comment on the draft, which can be viewed at www.retirementliving.org.au/codeofconduct. Your local retirement village resident association can also provide you with a copy too. Feedback can be submitted via email to retirementliving@propertycouncil.com.au. You can also write to Retirement Living, Property Council of Australia, Level 7, 136 Exhibition St, Melbourne VIC 3000.

The consultation period on the Code of Conduct closes on Friday 20 July 2018, with the final Code to be launched later in the year.

MIKE'S MEDIATION

Retirement Villages Act Nov 2017 Section 63 (1) (c)

Many retirement village scheme operators have buy back provisions in their contracts to reside without having had pressure from statutory authorities to do so. It will not have escaped the notice of many perhaps cynical members that these are customarily at the beginning of contracts and could be regarded as inducements to “sign up” in order to join the happy throng of retirement village residents. But, just as in a new marriage, few if any would realise what they had let themselves in for until it was too late!

Few of us would bail out of a marriage during the honeymoon!

The November 10th 2017 introduction of the 18 month buy back clause (when leaving a village) has a sting in the tail in the form of Section 17 1A of the

revised Act. In effect this Section is a “get out of jail” provision for scheme operators. To read this in full, Google **“Queensland Retirement Villages Act”**, and go to page 109. Members may be dismayed, as were we, to find this provision inserted.

To further promote the interests of scheme operators Section 225 of the revised Act sets out that the buy-back clause must be “reviewed” starting “no later than 2 years after commencement”. This can be read in full on pages 116 and 117 of the revised Act.

Knowing that some scheme operators have been keeping families of former residents waiting (and still waiting at the time of writing) for up to five years, we had anticipated that the beginning of the 18 month wait would spur those operators to move to get these unsold units sold because of the potential outflow of their funds on 11th May 2019.

Information from members in affected villages is that no such effort has so far occurred leading us to speculate that the operators may deliberately incur a huge financial “hit” and use this as justification for the buy-back clause to be excised from the revised Act. Perhaps we are being cynical but we wait being (and hope to be) proved wrong.

We have written to the Minister and executives at the Department of Housing and Public Works expressing our concern and currently await their response.

One scheme operator has advised residents that the buy-back clause does not apply to freehold contracts. We have advice from the Dept. of H & PW that this is incorrect. Minter Ellison has incorporated this advice in a published document written by one of their associates. We have written to Minter Ellison’s Principle (with copies to the Minister and the Dept. of H & PW) advising him of this incorrect advice having been published and “suggested” that a retraction would be appropriate. At the time of writing a response is awaited.

If members share our concerns as expressed above may we suggest they put pen to paper and write to those mentioned in the text?

Mike Fairbairn Vice President

MEMBER LETTER

If a person doesn’t vote at a Special Resolution meeting is that an automatic YES vote in support of the resolution?

Sorry but **NO!**

If an eligible voter fails to vote at a Council, State or Federal election your vote is lost and most certainly does not count in favour of any candidate.

In like manner if someone fails to vote at a special resolution meeting it cannot be taken to support the resolution.

To pass a special resolution requires three-quarters (75%) of those eligible to vote to vote in favour of the motion.

A lost or informal vote does not count as a vote in favour of the resolution. If you have 100 eligible residents it would require 75 voting slips to be returned with a mark in the yes box. It's that simple.

The special resolution must be delivered to residents at least 21 days before the date set for casting a vote on the matter. Residents may vote personally, by proxy at the meeting, by postal vote or by Power of Attorney.

All postal (usually sealed in an envelope) votes should be in the hands of the presiding officer prior to the vote of voting slips from the meeting being counted.

It is usual for a cut off time for postal votes to be set ... say the day prior to the meeting.

Any eligible resident who has submitted a postal vote must not be permitted to vote at the meeting should they attend.

If a resident holds proxy votes he or she should be given his own voting slip and one for each proxy held on entering (and registering his presence at) the meeting.

A resident may not hold more than 2 proxy votes for the meeting.

I hope that the above will help you understand how a special resolution meeting should be held.

*Regards,
Mike*

PLEASE NOTE

ANYONE WANTING TO RENEW THEIR MEMBERSHIP WILL NOW HAVE TO PAY FULL PRICE OF \$50 TO RE-JOIN AS THE CUT OFF DAY FOR ANNUAL RENEWALS CLOSED ON 31 MARCH 2018.

[PAST
NEWSLETTERS](#)

[ANNUAL REPORTS](#)

[ARQRV CONTACTS](#)



The Voice of Residents in Qld Retirement Villages

[WEB SITE](#)