

# ARQRV CONNECT

ISSUE 123

AGM EDITION

AUGUST 2023

*The Association of Residents of Queensland Retirement Villages is the voice of residents in the Queensland retirement village industry*



## **PRESIDENT'S PONDERINGS...**

It's that time of the year and like many of your villages, ARQRV will be holding its annual Annual General Meeting.

As we normally alternate between the north and south sides of Brisbane, this year we will be meeting at the Kedron Wavell services club in Chermside. In this newsletter you will find all the details about the AGM, as well as the draft minutes from last year and the agenda for this year.

We are pleased to advise that once again officers from the Regulatory Services Unit within the Department of Housing will be attending. They will provide an update on any new developments with the Retirement Villages Act and on the issues they are currently addressing. This will be your opportunity to ask questions of government and to meet personally with them after the meeting.

We have also invited the new Minister to attend and give a brief presentation. Retirement Villages are now located within the Department of Housing and Meghan Scanlon MP is the new minister, however, we are still waiting on a reply to our invitation.

I look forward to seeing many of you at our AGM, please remember this meeting is not just for members, you are welcome to bring along any other guests just RSVP for catering purposes. Morning tea will be served from 9.30am and the meeting commences at 10am.

Qld Rehab will also have a display stand, and a reminder that they offer ARQRV members a discount on their purchases.

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Of course, ARQRV are also accepting nominations for the committee. If you are interested in joining us please contact me on the enquires number 0437 906 074 to discuss and I can provide you with the details of what will be required of you and answer any questions you may have. We currently do have vacancies on the committee and will be pleased to have you join us. We are a working committee so we do expect that committee members will have particular skills that will contribute to the work we do.

Inside this newsletter you will also see a summary of the results of a recent survey conducted by Catalyst Research that many of you completed. Thank you for your participation and please accept the apologies of Catalyst as they did experience some difficulties with their website not being able to manage the number of survey participants all trying to complete the survey at the same time. I am pleased to let you know that one of the iPads that was offered as a prize was won by someone in Queensland.



*Judy Mayfield*  
ARQRV President



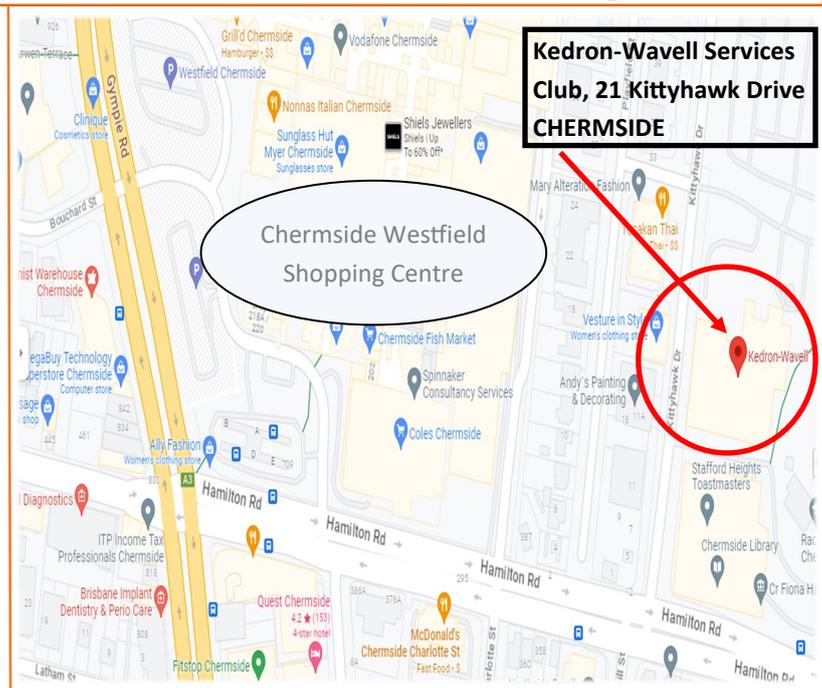
## ARQRV — 2023 Annual General Meeting

### An Invitation

The ARQRV Annual General Meeting is your opportunity to meet committee members—old and new, learn more about the work we have done over the past year and chat informally about your ideas for the Association in the next year.

### Time and place

The ARQRV Annual General Meeting will be held on **Tuesday 19th September 2023** at **Kedron-Wavell Services Club, 21 Kittyhawk Drive, Chermshire** commencing at **10am**, concluding at approximately 12:30pm. **Free on-site parking is available.** **Morning Tea will be served from 9:30am.**



### Agenda

9:30am—Morning Tea is served

10am Opening and Welcome

1. Attendance and apologies
2. Minutes of previous meeting – as circulated
3. Business arising from minutes

4. Reports:-

- President
- Treasurer - Appointment of Auditor
- Mediation and Advocacy

5. General Business

6. Election of incoming committee

7. Closure of meeting

# DRAFT MINUTES - ARQRV 2022 ANNUAL GENERAL MEETING

## Tuesday 20th September 2022 Fitzzy's Loganholme

### 1 WELCOME Judy Mayfield (Acting President)

The meeting was opened by Judy Mayfield at 10:30am

A warm welcome was extended to all members and guests present, with a special mention of the following:

6 senior officers from the Department of Communities, Housing and Digital Economy (DCHDE)

Debra Balhatchet – DSL Law

Megan Hobson – Code Administrator, Retirement Living Code Administration Pty Limited

Richard Hammett - Business Development Manager, QLD Rehab

Susie Arthur – Chairperson, Retirement Living Council (RLC), QLD Committee

### 2 ATTENDANCE: Judy Mayfield (Acting President)

*Refer to records held at the ARQRV office, Brendale*

Members – 58, Guests – 19 guests

No proxies were recorded. There were 22 apologies.

### 3 CONFIRMATION OF MINUTES: Judy Mayfield (Acting President)

The minutes of 21 September 2021 Annual General Meeting had been previously circulated to all members of ARQRV via the Connect newsletter.

MOVED by Brian McKay (Palm Lake Resort Beachmere Sands) that the minutes of 21 September 2021 Annual General Meeting, as circulated, be accepted.

SECONDED: Mike Fairbairn – Noosa Waters Retirement Estate

CARRIED

### 4 BUSINESS ARISING FROM MINUTES: Judy Mayfield (Acting President)

No business arose from the minutes of the previous AGM.

### 5 REPORTS

#### 5.1 President's report Judy Mayfield (Acting President)

*Refer to Annual Report*

Judy spoke about the following issues noted in her written report–

Impact of COVID on the work of ARQRV and village life; Regular engagement with DCHDE; Thank you to membership support officers; Zoom meetings with residents committees who subscribe to the Support desk; Thank you to former President Mel Dennison, to administration officer Carol Zelow who both resigned, to former Office manager Jan Sullivan who stayed on as volunteer appointed secretary, to new office staff Laurie Summerville and Pauline Brownlie, and to retiring committee members; Securing short-term ongoing funding from DCHDE; Entering into agreement with QLD Rehab to secure discounts for members;

#### 5.2 Treasurer's report Les Arbor (Treasurer)

*Refer to Annual Report, Financial Statements and Auditors Report*

**Independent auditors report required by legislation** –the Associations finances were audited by David Unwin Accountants CPA Pty Ltd, Morayfield Qld.

**Treasurer's Report** – Les Ambar presented a precis of the financial position of the Association. He referred to income from the COVID 19 Business Grant, Government funding (Building Consumer Confidence Project funding), generous donation from members, and member subscriptions slightly more than budgeted.

Les noted that operating expenses were slightly more than that budgeted with wages being a major item, with other notable items of IT, newsletter production and postage, and office lease.

He advised that it was necessary to withdraw from ARQRV deposits in December 2021 but, is confident that it will be redeposited in December 2022.

Les noted that the association needs to gain more members to boost income.

Les stated that, as a new committee member, the support and effort generated by staff and the association's committee is not properly recognised or understood by the residents of Queensland Villages.

#### **Acceptance of Treasurer's Report**

MOVED by Les Ambar – AVEO Albany Creek that the 2021/22 financial reports and audited statements, as circulated, be accepted.

SECONDED: Brian McKay – Beachmere Sands Retirement Resort

CARRIED

#### **Appointment of auditor 2022/23**

MOVED by Les Ambar – AVEO Albany Creek that David Unwin Accountants CPA Pty Ltd, Morayfield Qld be appointed as auditor of the association for the next financial year

SECONDED: Meg Scott – Wheller on the Park

CARRIED

#### 5.3 Mediation & Advocacy Mike Fairbairn (Vice President)

*Refer to Annual Report*

Mike spoke about the following issues noted in his written report–

Current trends in the industry; Fear of mentioning predatory behaviour; Distribution of general services charges budget surplus; Residents paying for repairs to capital items that formerly paid by Insurance; Deprivation of consumer rights; Wrong CPI increase used for budget; Contract inconsistencies; Threat of eviction; Buy back review; QCAT; Property Council Code of Conduct.

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Mike made a special mention of the positive outcomes received from officers of the Department of Communities, Housing and Digital Economy, and trusts there will be an even greater collaboration with ARQRV in the future.

## 6 GENERAL BUSINESS

Judy Mayfield (Acting President)

### Vote to increase membership fees.

Judy, in accordance with clauses 3.5 and 5.4 of the ARQRV Constitution, moved the following two motions to increase membership subscriptions,

**Motion 1** – That, from 1 Oct 2022:

subscriptions for renewal for Ordinary Members (annual members) and for Associate Members will be \$44 (inc. GST) per year; and  
subscriptions for new Ordinary Members (annual members) and for new Associate Members will be \$44 (inc. GST) per year plus a one-off \$25 administration fee.

**Motion 2** – That, from 1 Oct 2022, subscriptions for new Financial Life Members will be \$440 (inc. GST).

SECONDED: Both motions were seconded by Brian McKay

CARRIED: Both motions were passed.

Following the vote, Mike Fairbairn reiterated that the Committee had decided that current financial annual members may, until 31 March 2023, upgrade to life membership for the old rate of \$300.

## 7 GUEST SPEAKERS

### Speaker

Richard Hammett Qld Rehab

Richard announced that QLD Rehab and ARQRV have entered into an agreement whereby members will receive a 10% discount on purchases (terms and condition will apply).

He explained that QLD Rehab is a large fully Australian company which provides suitable equipment and advice to people to maintain their independent lifestyle.

### Speaker

Lisa Pollard, Manager Legislation & Reform, DCHDE

Lisa gave an insight into the many projects being undertaken by her team including–

**Exit entitlement review** – further work being conducted to finalise this project and implement decisions made by Government

**Exempt villages** – some resident-owned villages have been approved as exempt that from the buy-back arrangements

**Dispute resolution process** – conducting a review of the dispute resolution process and the role of QCAT

**Budgets and financial reporting** – drafting Regulation to improve transparency of village financial practices with an expected implementation for FY 2023

**Residence contracts** – considering content of new residence contracts including ‘included terms’ and ‘excluded terms’, and a general standard template

**Medical assessment for residents and their rights** – investigating and considering legislative changes relevant to medical assessment and the rights of affected residents. Using relevant case studies to assist analysis.

**RV accreditation** – commencing analysis of assessment requirements for accreditation of villages

**Questions** – Various questions from members were responded to.

### Speaker

Katherine Harvey, A/Team Leader Regulatory Services (RSU), DCHDE

Katherine explained that the Regulatory Services Retirement Villages (RV) team:

consists of 5 team members responsible for the regulation of retirement villages across Qld

has now recommenced site visits to villages and are speaking face to face with village managers, resident committees and residents

responds to enquiries and complaints about the Qld retirement village industry in Qld with many being very similar to those being raised with ARQRV.

Some of the issues the RV team are currently managing include –

**Rental Units** - Increasing numbers of rental units in retirement villages and some villages transitioning from a retirement village scheme to a rental village (ie closing down the retirement village scheme). There is a process a village operator must follow when deciding to wind down or deregister a retirement village scheme. The process involves engaging with residents around the closure process etc. This does not appear to be happening in some cases.

**Insurance** – RSU has received lots of enquiries around retirement village insurance – what should or should not be included in a scheme operator’s village insurance policy (paid for by residents), should residents be responsible for repair and/or replacement of capital items or parts of capital items covered by operator insurance but where the cost of the repair or replacement is less than the insurance policy excess.

**Buyback Exemptions** – RSU is currently processing applications from resident owned and operated (freehold) villages for exemption from mandatory buyback provisions. 2 applications were granted early this year and 2 more applications have been received and recommended for approval.

**Village Financial Management Issues** – RSU gets involved where financial management issues are identified within a village, and the RV team is currently managing a number of these situations. These matters can involve incorrect classification of expenditure – where the operator has used the wrong funds to pay for capital replacement or repairs etc. In other cases, issues can include operators failing to make GSF and MRF contributions for former residents whose accommodation units remain unsold, or incorrectly allocating resident fees to accounts. Matters such as these can take quite some time to rectify and require ongoing education and monitoring from RSU analysts.

**Salaries & Wages** – RSU is currently looking into the classification of village staff salaries and wages to ensure they are being treated in accordance with legislative requirements. (ie whether they are required to be classified as s106 or s107 items)

**Exit Process** – RSU often receives complaints and enquiries about exit entitlements or the exit process. Some of the more recent complaints related to early buyback offers, calculation of proportionate costs, the operator failing to negotiate and agree upon the resale value for a unit after termination, proper process not being followed in regard to seeking a valuation for a unit to determine the resale value, poor communication with former residents or their representatives, no discussion or agreement in relation to the extent and cost of renovations.

**Contract variations** – RSU have received enquiries around some contract types which we have not seen before for which we are seeking advice to determine how the legislation applies

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**Regulatory guidelines** – RSU is in the process of developing regulatory guidelines for publication. The guidelines will provide clarity around the department’s interpretation of the *Retirement Villages Act 1999* and what is required to achieve compliance with certain aspects of the legislation. They will provide information about topics raised through complaints or investigations where there is evidence of widespread non-compliance or inconsistency across industry. There are currently three guidelines awaiting publication and a further 2 in draft. These include:

- Insurance Excess Payments
- Exit Entitlements and Costs of Sale
- How to calculate Proportionate Costs
- Capital Replacement Funds (currently drafted but release has been delayed due to upcoming legislative changes)
- Staff salaries and wages - correct classification (draft underway)

Future guidelines – Treatment of surpluses and deficits, Valuations.

Guidelines will be published on the department’s website and circulated to all operators and resident committees who have provided an email address for our mailing list. If anyone would like to add a residents committee email address to our mailing list they can send their generic nominated email to [regulatoryservices@chde.qld.gov.au](mailto:regulatoryservices@chde.qld.gov.au).

**Questions** – Various questions from members were responded to.

**Speaker**

**Susie Arthur, Chairperson RLC, QLD Committee**

Susie spoke about various ‘hot spots’ within the industry, but particularly that lines are beginning to blur between RVs and aged care facilities.

She stated that the RLC is always looking to the future and are interested in encouraging an active, healthy lifestyle for retirees.

She also brought to the attention of members that the RLC provides important feedback to DCHDE about legislation review.

**8 ELECTION OF COMMITTEE FOR 2022 – 2023**

**Peter Smyth**

Judy Mayfield handed the meeting over to Peter Smyth to conduct the election.

All positions were declared vacant.

The following written nominations were received, by the Secretary, before the meeting:

- President* – Judy Mayfield
- Vice President* – Mike Fairbairn
- Vice President* – Margaret Scott
- Treasurer* – Les Ambor
- Member* – Brian McKay
- Member* – Ray Jordan
- Member* – Sam Denny
- Member* – Russell Lewis
- Member* – Roger Savage

No further nominations were received from the floor.

**Peter affirmed that each person was declared elected, uncontested.**

**Appointment of secretary**

Jan Sullivan was appointed secretary under s 66(1)(c) of the *Associations Incorporations Act 1981*.

**9 NEXT AGM**

The Chairperson advised that the next AGM would be held in September 2023 on the northside of Brisbane at Kedron Wavell Services Club.

**MEETING CLOSED**

The meeting closed at 12:30pm

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# CATALYST RESEARCH—RETIREMENT LIVING STUDY

## RESULTS OF SURVEY—July 2023

The second annual survey of retirement/lifestyle communities has confirmed that the industry is a mixed bag as far as residents are concerned.

The Catalyst Satisfaction Index sees two thirds of

residents (68%) rating their provider 8, 9 or 10 out of 10. The range of satisfaction ratings goes from a high of 86% for a leading WA operator to an underwhelming low of 39% for a SA organisation...and everything in between.

Realising the house and garden were too much to manage was the key trigger for residents making the move.

*“It became hard to look after the house and garden. The family banned me from getting up the ladder” - Male, 81*

Location was the number one factor for shortlisting sites. Then it was down to layout/floorplan, fee structure, facilities, buy-in cost and well-presented gardens as inputs to making a choice. Most residents tell us they reviewed three or more sites before making a decision.

*“It was affordable, the right size and there were activities on offer. Wonderful location. I love the design of our home” - Male, 61 - 65*



*“A new site, close to family members. A really spacious home” - Female, 71 - 75*

Most residents are happy with the sense of privacy their site offers. Two thirds are happy with gardens / open spaces their site offers. Well-kept gardens can certainly be representative of an organisation that wants to care for residents.

*“Good residents and excellent community facilities and gardens” - Male, 81+*

*“It provided us with what we needed and a village with a lot of green space at a price we could afford” - Female, 66 - 70*

The three biggest bug-bears across the industry are village management, facility maintenance and adequacy of staffing. There are far more verbatims in the survey about inadequate management than praiseworthy comments:

*“Elder abuse by management - Female, 61 – 65*

*“I’m doubting my decision to come and live here, purely based on the way residents are treated by management. They are bullies and have no public relation skills - Female, 76 – 80*

*“It’s a dictator run village. If I had known this I would not have come - Male, 81+*

Barely half (54%) compliment their provider for maintenance of facilities. Many survey respondents feel their providers do not walk the talk:

*“They do not put their residents first. They do not spend very much money on the upkeep of the facilities - Female, 71 - 75*

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*“Park owner representatives won't listen to anyone. The village is in disrepair - Male, 71 – 75*

*“They do not maintain gardens etc to standards required and village is generally looking very run down – Female, 71 – 75*

Two thirds of residents are very happy with the sense of community at their site. For many, retirement living is a great way to build a new community:

*“People are friendly and welcoming and truly allow you to be as involved or not as you choose in the life of the community” Male 71 – 75*

*“The best move I have made, interacting with like people, and you can do as much as one wants” Female 71 – 75*

Whilst the majority are positive, some respondents do not thrive on the social front:



*“It's very cliquy. If you're not with the 'in crowd' it's not a welcoming place” Female 65 – 70*

*“There are a group of older residents who dominate. Some of them are bullies acting as if the place is their domain to rule” – Male 65 – 70.*

At least eight in ten report having access to group activities and social functions. Four in ten would like more to be offered in terms of education sessions (financial planning, history, gardening) at their village. One in three would like more 'welcome events' for new residents and one in four would like sporting/games tournaments against other Retirement/Lifestyle venues.

In the general population, at least four in ten would consider Retirement/Lifestyle communities as an option. In reality, approximately 6% make this move as their needs change. The industry still has a considerable way to go to improve the simplicity and transparency of contracts. Fear of hidden expenses is a barrier, as are 'bad news' stories. Overall, six in ten would recommend their village... but, it's a mixed bag. Shoppers must undertake their own thorough research, including obtaining specialist legal advice. And speaking to current residents at a village is highly recommended as part of the research process.

Kevin McCreton is managing director of Catalyst Research and author of *The Catalyst Report*. The latest study was conducted in partnership with National Seniors and Residents Associations across Australia. 10,442 responses were received to the survey and Catalyst would like to thank all participants and Associations for their support.

Winners of the five iPad prizes are:

Eric Matthews – Brisbane

Norma Zandle – Melbourne

Susan Davies – Sydney

Murray Adams – Albany WA

Roger Wyatt – McCracken SA



If you would like to attend the meeting, please let us know by posting the RSVP form to **PO Box 5057 Brendale Qld 4500** or scan it and send by email to: [membership@arqrv.org.au](mailto:membership@arqrv.org.au)



### RSVP FORM—expression of interest to attend the ARQRV Annual General Meeting

I/We would like to attend:

\_\_\_\_\_ Village Name

Guest Name(s): \_\_\_\_\_ (Circle which applies)

\_\_\_\_\_ Member / Non Member

To appoint another member as your proxy, fill out the form below and give it to the appointee.

**The appointed member must bring the form to the meeting and register as a proxy holder.** Only financial members can be appointed and each financial member can hold no more than two (2) proxy votes.

(Do not mail this form to us unless you wish to appoint a member of the committee as your proxy).



### APPOINTMENT OF PROXY

I, \_\_\_\_\_ of \_\_\_\_\_ Village  
appoint \_\_\_\_\_ of \_\_\_\_\_ Village  
To be my proxy at the 2023 **ARQRV** Annual General Meeting on 19th September 2023.  
Signed by \_\_\_\_\_ (Member giving proxy)

If you are interested in joining the committee, please fill out the nomination form below and post it to The Secretary ARQRV PO Box 5057 Brendale Qld 4500 or scan it and send by email to: [membership@arqrv.org.au](mailto:membership@arqrv.org.au) no later than 4th September 2023.



### NOMINATION FORM

I \_\_\_\_\_ of \_\_\_\_\_ Village  
Nominate: \_\_\_\_\_ of \_\_\_\_\_ Village  
To be: President / Vice President / Treasurer / Secretary / Committee Member  
Signed by \_\_\_\_\_ (nominator) \_\_\_\_\_ (seconder)  
Accepted \_\_\_\_\_ (nominee signature)

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