

# Independent Voices

Collecting and recording the experiences of residents of Independent Living Units in Victoria



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The groundwork for 'Independent Voices' was laid by members of HAAG's Independent Living Unit Working Group, whose commitment to housing justice for older people is bringing positive change to the sector.

A special thank you to all research participants who responded to my invite and took the time to bring me into their home, often with cups of tea, and tell me about their lives.

In memory of Marie Hepburn R.I.P.

# Executive Summary



## Findings: The Views of Residents

### The Retirement Housing Sector

- The majority of residents who took part in this research are happy and comfortable in their ILU, and look to the resolution of difficulties rather than a new home.
- Some residents are ambivalent about their ILU or unhappy, but do not have other housing options.
- This research does not represent the views of older people who chose to leave ILUs in favour of an alternative housing option.
- Residents who were most satisfied with their ILU were accommodated by the same providing organisations. Those who were least happy were generally accommodated by the same providing organisations. The management and influence of the providing organisations are the most significant factors in the experiences of ILU residents.
- The not for profit status and community oriented ethos of many ILUs is popular with residents, and supports volunteerism, donations by bequest, community engagement and collaboration with other community groups.
- Long waiting lists indicate that ILUs are in high demand. This is probably due to both their popularity and a lack of other options.
- Affordability was the main reason for entry to a low cost ILU
- While there are a variety of entry criteria specific to different ILUs, many ILU providers use their discretion in applying these criteria, both to the benefit and the detriment of people looking for a home.
- Residents reported being told that their ILU did not allow pets, although there seemed to be flexibility on this in many ILU villages. Research participants reported great sadness in leaving pets when moving into their ILU, and reported that friends or family had chosen not to live there due to this stipulation.
- Few members of culturally and linguistically diverse communities appear to avail of ILUs. More research is needed to confirm if this is so, and to look at the reasons.

### Quality of Life

- Many residents expressed their relief in no longer being responsible for the maintenance of a house and garden once they had moved into an ILU, highlighting the significance of the efficient caretaking of properties.
- Irregular, non-invasive contact with staff and / or volunteers connected to the providing organisations contributed to residents' positive feelings towards their home as a site of safety, care and community.
- Residents reported having expectations of care and support which were not met by their ILU provider. These expectations were often linked to the ethos or reputation of the ILU providing organisation, rather than an agreed contract.
- The co-location of homes of a number of older people together can foster a sense of community and interaction between residents. Many residents felt they had sufficient privacy, yet conversely many ILU residents are socially isolated with few or no visitors, and rarely leave their homes.

- The lack of a communal space inhibits residents ability to socialise and build community with their neighbours.
- ILUs tend to be in locations central to the community, supporting people to access needed services, maintain personal relationships, and therefore remain independent for as long as possible as they age.

## **Legal issues**

- There is little uniformity to the content of contracts ILU residents are asked to sign on entry; ranging from clear and legally-based content to inexcusably long contracts with inappropriate content and inaccessible language. Some residents were not given any contract.
- Residents generally do not have a commitment to security of tenure. Many have trust in the organisation to continue to house them indefinitely. Where residents are asked to leave, it is therefore particularly challenging for them.
- There is a wide range of structures for fees and charges across ILUs, both affordable and unaffordable, relegating residents to a hugely diminished quality of life. Residents often found the information complex, confusing and sometimes unfair.
- Where ILU providing organisations managed repairs and maintenance effectively, residents reported relief, peace of mind, a sense of being cared for and respected.
- Unfortunately, many residents experience long delays and stalling tactics when reporting maintenance or repairs. Some residents reported that repairs were not completed by qualified tradespeople, and remained dissatisfied or nervous after the provider had considered the job completed.
- Many ILUs are repaired only when a maintenance issue becomes urgent. Residents, many of whom are former homeowners, felt that ongoing, regular maintenance is the key to the long-term suitability of this housing stock.
- Some residents struggled to get repairs effectively completed in their homes at all.

## **Governance**

- To address a problem or make a complaint, the majority of ILU residents reported that the appropriate route was to speak to a manager or a member of the providing organisation's committee of management.
- If a complaint was not addressed effectively after taking this step, the majority of residents interviewed reported being unaware of other dispute resolution options, or routes to making a formal complaint.
- Only one person had sourced the information and navigated processes to follow to arrange a VCAT hearing to address his complaint; another had contributed a lot of time and energy to do so but could not.
- The majority of residents who were experiencing difficulties reported 'not being taken seriously' by management, or being too afraid to continue 'causing a fuss.'
- The majority of ILU communities did not operate a Resident's Committee due to fear of retribution, an active the lack of support from management, or due to long-terms tension between residents after historical conflicts which were never resolved.

- In the three ILUs researched where Residents' Committees were active, they were productive. Residents in these villages generally reported a good quality of life.
- Where Residents Committee were not engaged in representing the needs of residents, there was often one community member who carried responsibility for the care and support of their neighbours. Sometimes this unofficial role included advocacy on behalf of more vulnerable residents, or mediating between residents and management in cases of disagreement.
- While residents reported that some staff and committees of management were exemplary, others bemoaned a lack of kindness, experience and expertise of their management.
- Many committees of management are made up of unpaid volunteers who add to the life of the village with passion and are committed to the provision of housing for older people, but lacking in all of the required skills to run the organisation effectively. Some committees are made up of professional people with skills in business and care services, while others are made up of a mixture of people.

### **Findings: The Housing Stock**

- We do not know how many ILU clusters and villages are in Victoria, but we do know the stock is reducing due to closures and conversion to other housing types.
- While some ILU clusters and villages are being upgraded, or additional units are being built on sites, the majority of these no longer target low income people.
- The built environment is particularly important to older people and impacts on their wellbeing. Therefore, maintenance repairs and the upkeep of the clusters and villages play a significant role in resident's wellbeing.
- Limited space in very small bedsitters or one-bedroom units is no longer suitable for many older people who continue to be busy and active as they age.
- Residents expect to live in their ILU as they age, and units must meet this need by being designed for ease of adaptation e.g. shower areas, cupboards and access through doorways.

## Recommendations

### Recommendations for Government

- Not-for-profit ILUs needs a commitment by government to support ILU providers to deliver this a successful model of older person's housing as one of a range of suitable options.
- Not-for-profit ILUs must be supported to remain affordable, secure and appropriate for the needs of low income people into the future.
- All refurbishments and new build must meet Universal Basic Design principles to cater for older people with a variety of physical needs and adaptability as residents' age. In relation to existing stock, it should be mandatory for providers to adapt or modify units and village environments on a needs basis.
- Government must financially support the costs of necessary refurbishments and the development of new stock to ensure that NFP ILUs remain available to low income people. This funding must enable ILU clusters and villages to remain in central, accessible locations despite the rising price of land, specifically in metropolitan regions.
- Given the importance of communal spaces for resident's wellbeing, quality of life and opportunities to socialise, they should be maintained effectively by ILU providers. During refurbishments and new build at ILU villages and clusters, ILU providers must include a communal space in village design.
- Government should provide capital funding to support the redevelopment of bedsitters into one bedroom units.
- There should be legislated industry standards to ensure operators and managers are appropriately trained to manage a retirement village and to interact with older people.
- Consumer Affairs Victoria should have a more active and visible enforcement and regulatory role to ensure operators and managers comply with their obligations under the law.
- There needs to be relevant, up to date information available on ILUs and vacancies in a central point that is preferably funded by government.
- Government should fund a service to provide free legal advice and support specifically for retirement village residents.
- Services providing education and advocacy supports to retirement housing tenants and residents should be resourced and expanded state-wide.
- Services which support the establishment and running of Residents Committees should be resourced and expanded state-wide.

#### *Recommendations specific to the Residential Tenancies Act*

- Standardised contracts would be beneficial.
- 5 to 10 year leases for ILUs are reasonable, with a legislated option to renew which is decided by the tenant.
- Legislation must consider the security of an ILU tenant in the event of a sale, closure or redevelopment to ensure any current agreements are honoured and the tenant is not left homeless.

- Rent increases under the RTA should be formulated according to annual CPI increases, and according to 25% of income as per the public housing formula, to ensure this remains a financially viable option for pensioners and for providers.
- The current 60 days notice period for an increase should be retained along with the prescribed form that operators must use.
- Communication processes between management and tenants and tenants and residents should be legislated for.

*Recommendations specific to the Retirement Villages Act*

- The Retirement Villages Act 1986 must be comprehensively reviewed.
- NFP retirement village operators should not be exempt from the RVA.
- Standard contracts would be beneficial.
- There needs to be a specially funded service to provide legal advice to residents of retirement villages.
- Termination provisions need to be updated but kept limited, and the termination processes need to be clearly legislated and regulated.
- Set rent and maintenance charges at levels that do not create housing affordability stress.

## **Recommendations for Providers of Independent Living Units**

- In line with requirements under the Retirement Villages Act, all ILU providers should produce a 'fact sheet' summarising the contractual arrangements regarding care services, maintenance, repair services and other services available to residents. In line with requirements for for-profit retirement villages, residents should have access to this fact sheet 21 days before accepting residency in an ILU.
- ILU providing organisations should ensure their entry process and eligibility criteria are transparent. Standardisation of some eligibility criteria is recommended e.g. that prospective tenants should be low income.
- ILU providers should ensure their financial matters are properly audited and transparent.
- ILU providers should develop a policy on pets, taking into account the strong bond and significance of pets in the lives of many older people.
- ILU providers should work with health and community based services to provide referral pathways for tenants and residents in need of social and other supports beyond the capacity of the ILU cluster or village.
- ILU providing organisations should employ qualified tradespeople to complete significant repairs and maintenance.
- Maintenance and servicing should be ongoing to maintain the housing stock e.g. painting and repairing gutters, rather than ILU providers responding solely to emergency repairs. Capital funding must be available for this to ensure that maintenance costs remain affordable to low income residents.
- Legislate clear communication processes between tenants and management. ILU providers should develop a communications policy with the following content explored: how to make

a complaint, how to make a query, who to contact in the event of names circumstance, residents' rights to information concerning their residency.

- Managers / Operators should be trained to manage ILU clusters and not-for-profit retirement villages. Training and accreditation should cover at least the following topics:
- Rights and responsibilities for managers of ILUs
- The rights of tenants and residents of retirement housing
- Communication skills
- Mediation and conflict resolution skills
- Working with older people
- Active ageing

## **Recommendations for Further Research**

- More research is needed into best practice management specifically for not-for-profit ILUs.
- Financial models and practices specifically for not-for-profit ILUs might be investigated.
- An inquiry into the apparent low number of members of culturally and linguistically diverse communities accessing ILUs and the reasons for this would support understanding about housing needs for older people from these communities.

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# Context



## About Housing for the Aged Action Group

HAAG is a member-based, not-for-profit organisation. Our members are mostly older residents and tenants from a variety of housing types across Victoria, and our committee of management is representative of the same.

HAAG operates an older persons housing information and support service, named Home At Last (HAL). HAL offers free, confidential advice, support and advocacy to older people who are homeless, at risk of homelessness, or wanting to plan their housing future.

Part of the HAL service is funded by Consumer Affairs Victoria (CAV) to provide tenancy and retirement housing information and support services to vulnerable and disadvantaged older Victorians.

The funding provided by CAV enables HAAG to assist tenants and residents living in private rental, caravan and residential parks and villages, retirement villages (mainly not-for-profit), Independent Living Units (ILUs) and rental villages throughout Victoria.

HAAG also facilitates and supports working groups made up of older residents and tenants living in caravan and residential parks and villages and ILUs. This project was instigated from the work of the Independent Living Unit Working Group.

The 'Independent Voices' research project has been supported with funding from the Lord Mayors' Charity Foundation. The Centre for Design Innovation at Swinburne University and the Consumer Action Law Centre have also given their support to this work.

## Independent Living Units

During the 1950's the Australian Government passed the *Aged Persons Homes Act 1954* (APHA) which funded churches, charities, and not-for-profit organisations to provide housing for older people. As a result 34,700 ILUs were built over a 30 year period providing affordable housing for low income older people. In Victoria approximately 9,000 units were built during this period.

During the 1980's funding provided under the APHA ceased. As a result two models of ILUs have developed over time: those covered by the *Retirement Villages Act 1986* (RVA), now known as NFP retirement villages, and those covered by the *Residential Tenancies Act 1997* (RTA), usually known as ILUs. Both models have similar characteristics, usually bedsitter or one-bedroom units in small clusters, with very limited (if any) communal facilities and spaces. The main differences lie in the financial model. This report will refer to those under the RTA as 'ILU clusters' and those under the RVA as 'ILU villages' to aid clarity. We estimate that there are upwards of 3,200 ILUs in Victoria comprising roughly 30% of the housing stock targeting older people, although these numbers are decreasing.

These small groups of units dotted around Victoria have generally been overlooked by government and policy makers in recent decades. In the retirement housing sector, there is a lack of awareness around retirement villages run on a not-for-profit basis. ILU providing organisations exhibit diverse characteristics:

- Ranging from stand-alone housing organisations to those providing a broad range of aged care services (in particular, residential aged care services);
- Ranging from small organisations to very large and diverse organisations;
- Ranging from organisations managing a couple of units on a single site, or managing 20 to 50 units on a single site, to organisations managing units over a large number of sites;
- Diverse target groups;
- Diverse management arrangements.

(McNelis, 2004)

## **Rationale for the ‘Independent Voices’ Project**

HAAG found that low-income residents of ILUs were approaching the organisation with stories of exploitation and mistreatment. We wanted to find out from residents what it’s like to live in an ILU and whether older people feel safe, secure, and fairly treated. They are a significant option for older people looking for a home, but they remain off the public radar potentially leaving people at risk. We were also looking to speak to residents who are satisfied with their living situation.

With support from the Lord Mayors’ Charitable Foundation, HAAG hired a Project Worker who developed and implemented this research project to search out residents of ILUs, who are generally not visible in the retirement housing sector.

At the end of February 2016, the Victorian parliament passed a motion to look at the legislation surrounding retirement living. The inquiry has received bi-partisan support and HAAG is hopeful that an improved retirement living sector will result. The parliamentary committee is exploring how retirement villages operate, management culture, and related legal issues including contracts, terms and conditions and fee. They will consider possible changes that would lead to improvements.

The ‘Independent Voices’ report will be submitted to the inquiry. This will go some way to represent the concerns of ILU residents. HAAG is uniquely placed to consult and engage with older people, in particular lower income Victorian residents. HAAG’s community development approach leads to successful outcomes engaging with hard-to-reach communities such as this.

## **Independent Voices Project: Collecting and recording the experiences of residents of Independent Living Units in Victoria**

Developed in consultation with the members of HAAG’s ILU Working Group, a wide spectrum of issues concerning housing-related wellbeing and consumer issues were addressed. Residents were met in their homes for a long, relaxed interview to gain an understanding of residents’ perspectives

on their housing; their sense of home and housing-related wellbeing. Researchers also compiled a photographic record of the ILU housing stock across the state, with a focus on two sample regions.

The most significant barrier to this research project resulted in great learning about residents' experiences of the culture of their ILU clusters and villages. When the researcher was inviting people to interview, many expressed fear that speaking out could compromise their relationships with management or their security of tenure,

What kind of questions are you going to ask me? Because I wouldn't want to say anything against the management. They might tell me to get out of here. Get me to leave.

I don't want to make them angry. You won't use my name?

I know three women who were turfed out. We were told non-stop 'make a wave, you're out'.

Housing provision for older people must have the wellbeing of older people at its core. This project was instigated in the spirit of recognition that older people deserve dignity and quality of life in their housing, and to live free of fear.

# Research Design and Implementation



## Identifying Independent Living Unit Villages

The scope and timeframe for this research project did not allow for the consideration of all ILUs across the state of Victoria. Therefore, a sample based on diverse geography was chosen.

Two regions were selected: the Northern and Western Metropolitan Regions of Melbourne and the Loddon / Mallee and Grampians region.

We chose the Northern Metropolitan region due to:

- the significant number of ILUs in the area
- a variety of providers
- low representation in HAAG case work
- not previously targeted by HAAG's community education staff

We also included the very small number of ILU clusters and villages in the Western Metropolitan region to give these residents a chance to have their say. The Northern Metropolitan region covers the Local Government Areas of Darebin, Banyule, Yarra and Moreland. We could not identify any ILUs in Whittlesea. The Western metropolitan region has some isolated ILU clusters and villages in Maribyrnong, Moonee Valley and Wyndham.

The Loddon / Mallee and Grampians regions were chosen as:

- they include two large regional towns i.e. Ballarat and Bendigo
- diverse rural towns.
- both disadvantaged and advantaged regions.
- accessible from Melbourne, given the short timeframe for the project
- not previously targeted by HAAG's community education staff

The Loddon / Mallee and Grampians region includes the Local Government Areas of Macedon Ranges; Ballarat; Hepburn; Moorabool; Greater Bendigo; Campaspe; Mitchell; Mount Alexander; Strathbogie.

As there is no network or formal centralised database for ILUs, finding the names and locations of ILU clusters and villages was in itself a challenge. Anecdotally, I was told that some ILUs did not 'want to be found,' i.e. they are run locally and fill vacancies informally and do not have the capacity or interest to deal with interest from housing organisations. However, there was no way to substantiate this.

To locate ILU clusters and villages, I primarily drew from the Seniors Information Victoria – online database ([www.cotavic.org/information/siv-database](http://www.cotavic.org/information/siv-database)). This list is not comprehensive and the entries are out of date, usually with the most recent update being between 2010 and 2013. Speaking to HAAGs Housing Support Officers led to the identification of a few more. 58 ILU villages or clusters were initially considered, with 51 found to be applicable after closures and affordability were taken into account. 22 of these are run under the Residential Tenancies Act, while 29 are under the Retirement Villages Act. This represents 976 individual units.

# INDEPENDENT VOICES

How did we do our research?



We started with **58** Independent Living Unit clusters or villages

But **4** HAD SHUT DOWN

And **3** WERE NOW TOO EXPENSIVE

So we visited **51**



**22** were under the RESIDENTIAL TENANCIES ACT  
**29** RETIREMENT VILLAGES ACT

**976** PEOPLE WERE INVITED TO SPEAK WITH US

Hello

WE ORGANISED **36** INTERVIEWS



**13**  
MEN



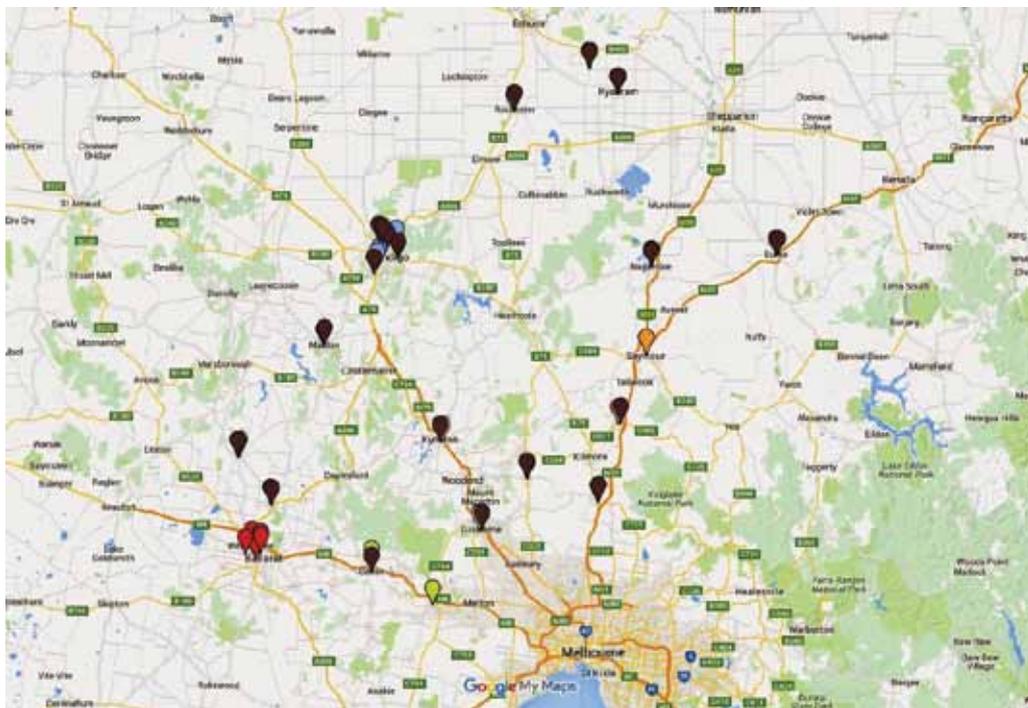
**23**  
WOMEN



## Inviting people for interview

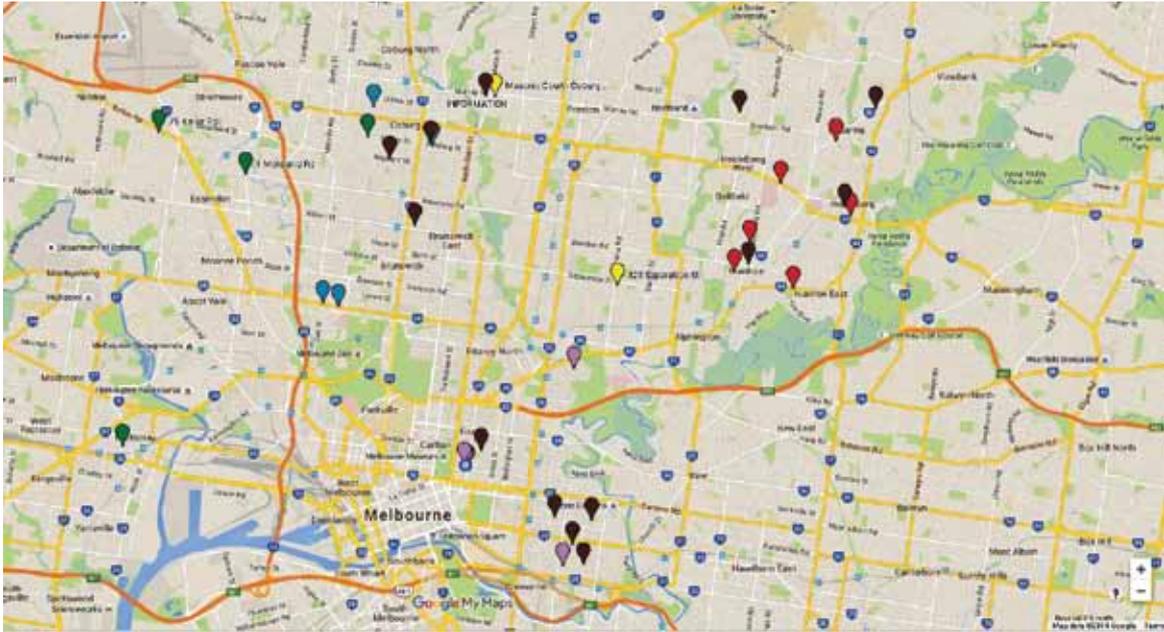
A working group of older people from HAAG, who have knowledge and / or experience of living in ILUs, contributed to drawing up a letter inviting residents of ILUs to engage with the researcher for interview. This was also developed using design principals suitable for older people.

A letter was sent to the manager or staff member of the providing organisations to let them know the purpose of the project, and as a courtesy to let them know that we would be visiting each site for letterbox drops [see Appendix 2]. The Project Officer travelled to each ILU in the chosen areas, and delivered an invite and an information leaflet on HAAG's services to each letterbox [see Appendix 1].



A number of interviewees were engaged after meeting the researcher at the letterboxes, allowing for an informal chat about the research, and respond to any initial concerns. A suitable time for interview was agreed upon.

We engaged with a number of broad reach media communications to invite individuals living in ILUs to engage with the research, hoping to connect with people in ILUs we weren't able to identify, or to reiterate the invite to people who may have already received a letter in their letterbox. We took out an advertisement in the Senior Victorian newspaper which ran for one month. The project featured on HAAG hosted 'Raise the Roof' show on 3CR community radio ([www.3cr.org.au](http://www.3cr.org.au)).



Attempts were made to recruit participants through word of mouth and professional gatekeepers. However, this did not have a significant impact on the numbers engaging. In the case of three ILU villages, the manager of all three asked that letters were distributed to each household via their internal postage system, thereby arriving with an implicit endorsement from the villages' management. Again, this did not seem to make a significant difference to the numbers of people engaging, although all who did so from these villages were overwhelmingly positive about their experiences.



## **A flexible approach**

Residents from the Northern Metropolitan Region were targeted initially. While it was assumed that the response rate to participate in interviews would be lower than the average rate of 10-15%, the response was extremely low.

Invites to participate in research were disseminated firstly in the Northern Metropolitan suburbs of Melbourne, with a slow response rate. While a number of people got in touch soon after receiving their invite, others who subsequently got in touch did so after a number of weeks.

A number of attempts were made to increase the response rate at this point in the project. The wording on the invite was tweaked slightly to address the fears of people participating. Potential research participants were reassured that that the research was solely looking for both positive and negative experiences.

Phone interviews were offered to respondents where a suitable time and date to meet in person was not available. With two arranged, neither respondent were happy to be interviewed over the phone on the date in question. Therefore, no telephone interviews were completed.

As the project progressed, we engaged with another strategy to boost the number of respondents when recruiting from the Loddon / Mallee and Grampians region. Financial incentives of \$25 vouchers for either Coles or Woolworths were offered. The response rate for this region was slightly higher, but not significantly.

By the time all interviews were completed, the response rate was 3.7%. This resulted in an acceptable numbers of participants in the project. 35 in-depth interviews were held, of roughly one and a half hours each, providing a good sample size. If we look for the numbers of ILU villages where at least one person was interviewed, then we had representation from 13 of the 16 local government areas.

## **Demographics of interviewees**

Of the 35 resident interviewees, 13 were men and 23 were women. 32 were of Anglo-Saxon background with 29 born in Australia. 3 were from culturally and linguistically diverse backgrounds. 29 were on the state pension, 2 were on partial pension, 2 were on the Totally and Permanently Incapacitated (TPI) pension and 2 were self-funded.

Short informal interviews were also conducted with one manager of a large ILU village, one staff member of Residential Aged Care co-located with an ILU village, and one volunteer member of a Committee of Management of an independently-run ILU village.

All names used in the case studies are false.

## **Fear of participation**

Some of the reasons for the low response rate speak to the issues addressed by this project. When I met with participants, I asked them their opinion on the potential interest of their neighbours. Many people reported that their neighbours were quite isolated, often by choice and a number of people were referred to as 'hermits.'

A number of people misunderstood the rationale for the interviews and suspected we had other concerns than those stated. One man from a metropolitan ILU rang the phone number provided quite aggrieved that, as he saw it, his independence was being threatened. He stated that he was not interested in 'nursing homes or moving anywhere,' and questioned repeatedly why we had gotten in touch. This indicates the fear of being moved into residential care prematurely, which is echoed in other sectors. His response echoed an explanation of a staff member at a residential aged care facility co-located with ILUs, who explained that many of the older people in their ILUs in the small rural town are regularly targeted by utilities salespeople using aggressive marketing techniques, as well as religious groups proselytising at the doorstep. Residents, she explained, did not welcome these intrusions and generally did not want strangers knocking on their doors or soliciting personal information. This indicates that some older people are being targeted for exploitation, and are responding with fear in other areas of their lives, prohibiting participation in other activities.

Fear at participating in the research project was expressed by those who indicated that their experiences of living in their ILU was not fully positive. A number of people were concerned that members of management of their providing organisations might become aware of their comments and that they would experience retribution. Some chose to continue with interviews after an explanation of the extent to which we could de-identify them and ensure confidentiality, and some chose to not engage. All participants were invited to read and sign a consent form [see Appendix 4].

One woman in her mid-70s was met with overt hostility and aggression by her neighbours in relation to the interview process. When she rang me, she asked that we meet at a café rather than her home in a small metropolitan village of ten units. She explained that when she had received my invite in her letterbox (a preliminary letter addressed to the 'residents committee' in the hope that one existed at many ILU villages), she had photocopied the letter and posted it into the letterboxes of her neighbours. A few of her neighbours responded to her with anger, stating that they didn't want anyone 'interfering.' One posted a strongly worded response into her letterbox, 'she flung it in my box.' She was very upset and confused by this response to what she saw as a very reasonable invitation to participate in an interview, and couldn't understand the resistance she encountered. She described it as a 'let's kill the messenger' approach of her neighbours.

This fear and hostility is anecdotally quite common in the context of ILU clusters and villages, according to HAAG's Retirement Housing Officer, where years of power struggles between residents, and between residents and management, have not benefitted from healthy approaches to dispute resolution.

## **Conducting the interviews**

After responding by telephone or email to the invite to participate, residents of ILUs were usually met in their home by the researcher. Most interviews were conducted with solo participants, one interview involved a married couple, four interviews involved pairs of neighbours, and three consisted of groups of three.

We took a mixed method approach. Interviews were semi-structured. In a number of locations, the research assistant completed a visual ethnography, working with research participants to photograph their homes to express how they use the space.

When visiting each ILU cluster or village, we gathered photographic data of state of ILUs, the stock, new build, closures, communal areas and visible outdoor maintenance issues. This data is not included in the main body of this report, but is available to support the work of HAAG and by request.

## **Link to other HAAG services**

The research invite included a brochure on HAAG. It explained who HAAG are and a little information about projects and services. The brochure includes images of HAAG members with whom it is hoped many low income older people can identify. While the response rate to participate in the interviews was low, the reach of the information dissemination was high and reached residents' letterboxes directly. Past experience from HAAG staff members shows that many clients have received information about HAAG a long time before they get in touch, having filed the information for use if or when needed.

This project resulted in 4 separate pieces of advocacy work referred to HAAG's Retirement Housing Officer, with more expected in the future.

After each interview, interested participants were invited to join HAAG as a member to receive the HAAG newsletter, keep up to date with developments in the Retirement Housing Sector, and to be given the opportunity to engage as a volunteer. 18 of the 35 individuals interviewed chose to do so.

# Findings



## The Retirement Housing Sector

The majority of research participants were happy with their homes, and even where they faced a significant difficulty, such as delayed maintenance or unexpected costs, most explained that they were otherwise happy and would like to stay in their current home, with this difficulty resolved. Of course, a number of residents expressed this in a context of having no or very little alternative options for housing if they wished to stay in the same proximate region.

In all cases, affordability was the most significant factor for residents in terms of why they had moved into their ILU initially, and also why they choose to stay. Unfortunately, the ingoing costs for new entrants of ILU villages are rising dramatically (McNelis, 2011), despite this segment of the housing stock being designated not-for-profit. This has implications for the sector's traditional target group who are less able to access ILUs, and also less able to find any accommodation at low cost given that ILUs are a significant proportion of older people's housing stock. As explored in detail below, affordability is the most significant factor facing potential residents searching for a home.

This section also hears from current residents concerning other issues which impact on the make-up of their neighbours in cluster and village communities, i.e. criteria for entry, rules around pets and the application of discretion. In a context of extremely limited housing stock ring-fenced for older people in the not-for-profit sector and beyond, both the underuse of ILUs, and the exclusion of applicants for arguably spurious reasons is in direct conflict with the growing need for housing for low income people. This section finishes with a question concerning the low number of members of culturally and linguistically diverse (CALD) communities residing in ILUs (White, 2015).

### General findings

The majority of research participants were happy with their ILU and the village where they lived. Many simply stated that they 'love it' for a variety of reasons which are explored in detail below. Participants had often spent many years on waiting lists in order to access their ILU and, at least initially, taking up residence there was accompanied by relief and delight.

Heaven on a stick!  
(Participant 8, F, age 75)

We had nothing else to look forward to. We'd lost all our money on the business.  
(Participant 5A, F, age 75)

I'd be a fool to move out of here. An absolute fool. The only way I'd move out is if I needed to go into care.  
(Participant 15, F)

The word I hear, and I do get around, is 'lucky'. I only know one person who wasn't happy here ... and she was very difficult. She was a poet and an artist -and even she likes it now.  
(Participant 11a, F, age 89)

If I won Tatts Lotto, I wouldn't move  
(Participant 24, F, age 76)

# Case Study



## How happy I am!

Maria is 78 and loves her little apartment in the northern suburbs of Melbourne. She's independent, but likes that there is a staff member on site, who comes every morning to check the latch outside her front door which she has engaged that morning to indicate she is well. Maria doesn't have to worry anymore about falling during the night and not being found.

She told me 'It's wonderful! Wonderful! Every day I thank god for this place, and I'm not religious. If only my mum and dad could see me now – how happy I am!' ILU villages can support people's wellbeing in simple but significant ways.

A smaller number of people were ambivalent about their accommodation. One man, for example, told me, 'I'd say it's passable' (Participant 20b, M, age 67). Of those who spoke to me who were generally unhappy with their housing for a variety of reasons, they remained living there because they did not have other options, usually linked to the unaffordability of other housing options, or because they were not yet in a position to avail of them.

You're not getting your rent's worth. I'm ashamed to bring anyone here.  
(Participant 6, M, age 72)

I haven't been happy here. I can move – that's plan B.  
(Participant 21a, M, age 70)

It is significant that where people faced a variety of difficulties living in their ILUs, even where their wellbeing was impacted and they reported stress and tension in dealing with the difficulties, many expressed that they were in suitable accommodation and did not wish to leave. However, as many residents throughout the research process spoke of their own or their neighbours' fear in speaking out and of going 'against the management' [see section 'Fear of participation'], dissatisfaction may be underreported.

HAAG social workers have regularly supported many people to move out of unsuitable ILU accommodation. This research did not interview people from this cohort, so our findings are skewed towards those who continued to live in their ILU over a period of time. Therefore, it is reasonable to suggest that some of the more negative experiences detailed in the following pages have been

shared by many others who were subsequently supported to move into public housing or other accommodation types, as well as those who moved independently.

There were discernible patterns in the levels of satisfaction expressed by residents, with villages run by certain providers receiving positive feedback and others receiving negative feedback. This tells us that the management and influence of the providing organisations are one of the most significant factors in the quality of life for ILU residents. This is addressed in detail later in this report [see section 'Governance'].

## **Affordability and Wellbeing**

### **Housing stress**

New entrants to not-for-profit villages come from a variety of financial backgrounds (Bridge et al. 2011). Some have been in the private rental market; others sell their house to pay for their ingoing contribution, similar to many residents of for-profit villages. Some come from public, social and community housing which they found unsuitable as they aged. There is wide variation of ingoing costs and also of regular fees and charges (McNelis, 2004; Bridge et al, 2011). As explained in one study,

In many villages, the amount that residents paid depended on when they had originally moved to the village and how much their initial entry fee was. For instance, some interviewees commented on the great variation in financial arrangements amongst the residents within the village that they currently resided in. (Bridge et al, 2011)

For the lower income research participants in this study, affordability is the most significant issue taken into account when moving into an ILU cluster or village. Tanton et al (2016), in their recent development of small area indicators of wellbeing, demonstrate the strong link between affordability and wellbeing for older people in Australia,

Housing stress contributed the most weight to the index, and rent assistance also had a very high weight. This has implications for income support policies and housing policies like rental assistance for older people. Older people still paying rent after retirement are some of the most vulnerable in our society to changes in circumstances, as a great deal of their income is going on housing costs, reducing their ability to deal with other costs like health or transport.

The government pension, the authors continue, is based on the broader assumption of home ownership for older people, and rental assistance does not fill the financial gap,

This leaves little money after the rent is paid for essentials like food, transport, health costs and heating, and means that older renters are forced to move to areas with lower amenity and poorer access to services. (Tanton et al. 2016)

## Income and housing costs

Where ILU providers charge rates which are affordable for residents, sometimes capped at a low percentage of their pension, residents experience relief from the stress of the private rental market, and other expensive options. However, when ILU providers charge ingoing contributions, fees, charges and other costs close to or in line with market rates, the wellbeing of residents is negatively impacted. For many residents, costs, charges and increases, often relating to maintenance issues, are introduced unexpectedly after they move in [see section 'Fees and Charges']. In this study, some of these charges are legal but communicated badly to the resident who has not, or cannot, afford to budget for them, and some are illegal and require residents to pay to appease the ILU provider, or to challenge the charge using the few legal pathways available.

Concern around fees, costs and prices featured strongly for nearly all residents of ILU villages who participated in this research. Remembering that this study looked to ILUs with either no ingoing cost on entry up to \$200,000, it is not surprising that the affordability was the predominant reason that respondents gave for their reason in moving into their current home. One woman told me of her search for a home after she had become isolated when her elderly mother had died, and felt she needed to return to Melbourne to be near her children and grandchildren. She could not live with them, and she had been relieved to find an affordable home. She was unhappy with the location and with her treatment by management, however, and explained that she was now looking for other options but could not do so, 'I've turned the internet upside down to find affordable places.'  
(Participant 3, F, age 65)

Those in the metropolitan region were less likely to have been familiar with ILUs before they began looking for a low cost home, and were open to considering any affordable option. They are one of very few choices for people who have more than the \$30,000 maximum threshold allowable for eligibility for social housing, or who feel they require housing specifically for older people but do not meet the social housing criteria.

This population group have assets below what is needed for private rental for any reasonable period of time, or to purchase a property. Paying private rental costs after retirement had drained the savings of a number of respondents who later found ILUs more affordable.

That's where all my savings went. I was married for twenty years, and then divorce. We owned the house in [a suburb] until he left. We had to sell.  
(Participant 18a, F, age 74)

My sister wanted to sell up. We had a shared house. I private rented for a year and that gobbled up my super. So I put my name down here.  
(Participant 13a, F, age 73)

Yet many ILUs, even those which are at a lower cost than most, are still financially out of reach for many.

If you didn't have any money at all, it wouldn't suit, but there's others in town. We, as a little town, are pretty well equipped.

(Participant 17, F, age 80)

I feel very privileged in that I can afford to live here. There has to be a range of housing. That kind of housing for low income people – there's just not enough.

(Participant 16, F)

Lower cost ILUs, usually ILU clusters under the RTA, sometimes cater for those who have assets of less than \$30,000 who also have eligibility for the limited social housing options. After moving into a low cost ILU, the relief for many was immense, and their financial capacity increased. Meeting basic expenses was no longer a strain, and in interviews, participants were clearly deeply relieved and pleased to have this opportunity to be financially comfortable, if still extremely modest.

You can well and truly live within your pension.

(Participant 1A, F, age 88)

I don't have the expenses I used to have. Some weeks I don't touch my pension [TPI]. Only electric, lights, gas and telephone.

(Participant 15, F)

Now I've got money to use that I never had in my life! I was one of 9 children!

(Participant 7, F, age 78)

## Case Study



### Off to the fish shop

Peter is 78, soft-spoken and wore a fisherman's cap. When I met Peter at his home at the edge of a small town. Peter had lived in a low-cost Independent Living Unit in a small country town for the last 2 years.

Peter had previously been living in private rental where his rent was \$200 a fortnight, and the place before that was 300 a fortnight. 'That got too expensive' he told me 'I tried to get cheaper and cheaper if I could – I was finding it hard.'

He told me what he ate when he was in private rental. For all his meals, he says, 'I was making sandwiches, breakfast cereal, toast. Biscuits, with vegemite and cheese – that kind of thing – cheap to buy. You couldn't buy vegetables or meat. A lot of fruit's quite expensive, particularly when it's not in season.'

Now he pays \$90 a week to a not-for-profit. So what does this mean for Peter? 'It lets you have better eating. You don't have fillet steak, that kind of thing, but you can have normal meals... it gives you a bit more luxury. Go to the fish shop. A bit of Chinese food.' He told me, 'I feel sorry for the pensioners. When they pay their rent and electricity, they've nothing left.'

## Not-for-profit community organisations

ILU providers' status as not-for-profit organisations is a source of pride for some organisations. But their practice in this regard does not always meet with residents' expectations. McNelis's 2011 study of ILU providing organisations shows that the long-term role and strategy of many are unclear. Many now charge amounts that are more closely related to prevailing property prices rather than either housing affordability for residents or the costs need to run and maintain the clusters or villages (McNelis, 2011; Bridge et al, 2011). As McNelis argues,

the change in practice necessitates a greater capital contribution from residents and/or a higher rental yield. This marks a significant change of approach in which financial management takes precedence over social objectives.

While there may be a variety of causes for this move towards higher priced ILUs, it raises the question of how ILUs are funded. Bridge et al (2011) look to age-specific housing for older people generally, but the following is also true in relation to ILU providers,

Many providers rely upon, or at least have their operations enhanced by, government subsidisation, bequests, donations, volunteer work, public appeals and philanthropic grants. The interviewed providers observed that it would be extremely difficult to expand their affordable housing provision and to cater to a greater number of low-income older people without an increase in these forms of assistance. (Bridge et al. 2011)

We spoke to residents who live in ILU villages with an income of no higher than \$200,000, which is of course far below property prices in the majority of the neighbourhoods in our sample. Therefore, this section explores the views of residents relating to the not-for-profit organisations who, we can assume, do not source their funding primarily from residents. Residents felt that the variety of sources of funding for not-for-profit ILU clusters and villages, although often ad hoc and unsustainable, had added benefits such as stakeholder engagement and community engagement. These residents feel that they are part of this community, one they wish to preserve. The not-for-profit status of ILUs carried meaning, beyond the obvious correlations with affordability.

Indeed, a number of people told me that they elected to be involved in the research as they wanted to contribute to a push for the availability of more housing of this type. Those who expressed this view generally had knowledge of the housing sector i.e. experience either living in a variety of housing types, or a professional background working in the housing sector.

This is an ideal place for an old person. You got your independence and you got your community. I love it. I've got everything I need [...] There ought to be a lot more places like these around. I don't know any other places like this.  
(Participant 15, F)

My estimation is that a well-run property in a community is worthwhile. Please don't encourage them to sell off places like this!  
(Participant 17, F, age 80)

## Values

Many expressed that they felt 'lucky' to avail of this housing option. A number of participants contrasted their experience with friends or family living in for-profit retirement villages, a situation which they felt they would find untenable.

Because it's a not for profit, everybody, the staff, are geared around the residents. It's not about shareholders. I've lived in a lot of different places, I can tell you, and this is the best [...] I've been homeless; I know what it's like.  
(Participant 8, F, age 75)

Not-for-profit, that's important for us. The difference between this and places with big swimming pools is that we have community.  
(Participant 11c, F, age 85)

We looked at so many places for mother. There's not enough variety. [...] It was all dollars for space. It was awful. Instantly you were labelled 'oh you're a 400 thousand dollar person.'  
(Participant 9, F, age 68)

The values attributed to not for profit organisations fostered a sense of community among respondents. They had a strong sense of having a shared agenda or similar perspectives on quality of life. This is evident in one woman's description of a neighbour who she feels doesn't fit with these values, describing the woman's attitude as relating to private ownership of a property rather than a more shared living experience.

She wanted to put up a screen so she couldn't see the neighbours underwear! So she doesn't fit in our kind of place. She should go off and live in one of those places full of rich people. That sense of entitlement 'this is our area.' [A neighbour] came to me and said they were cutting back her plants without asking her. That sense of ownership – it doesn't work. We're a community.  
(Participant 8, F, age 75)

## A welcoming community

A desire towards inclusion, and to increase the opportunities for older people to have pleasant, suitable housing is exemplified well by responses to a situation in one particular village. A small group of residents are unhappy with a proposed building development on the site, which would allow thirty-five new apartments in the village. Concerns have been raised about access to light, overcrowding in the village and new residents being able to see into the homes of current residents. While the researcher expected these residents, who are running an opposition campaign, to get in touch, in fact other residents did so. The protestors are a small group who did not, it was opined, represent the majority of residents. Research participants highlighted their opposition to what one described as simple 'NIMBYism,' espousing a more inclusive ethos,

I just think we're so lucky to live in a place like this, that we need to let more people take part in it. If it means another 30 people can live like us, let it happen.  
(Participant 9, F, age 68)

I don't think we should be in and draw the drawbridge after us. I really don't know what the fuss is about. It gives another 25 people houses.  
(Participant 5A, F, age 75)

### **A variety of funding sources**

As the not-for-profit retirement villages sit under the Retirement Villages Act, they have, as a defining feature, at least one resident paying an ingoing fee. Whilst ILUs have different pricing structures, some means-test residents for this ingoing. A few villages accept residents who do not have the means to pay any ingoing, whilst their neighbours have. Although it might be expected that this may lead to resentment or division, residents conversely reported that they appreciated the spirit of it,

That's the thing about paying a fee. I might only get three years out of it, but I see it as a donation to the community. I wasn't after my money's worth, but my end of life comfort.  
(Participant 17, F, age 80)

There are people who look like they're well off, but they're not. There's a couple who've been burnt out twice. Very uppity in some ways, but they've nothing. There are plenty of people who haven't paid anything. I really like that ... everyone can live like this [...] It's an opportunity for people of varied financial backgrounds to live together.  
(Participant 9, F, age 68)

Some residents were aware that the sources of funding for ILUs was ad hoc, and mentioned a range of grants, donations and bequests which keep the places running smoothly, as far as they were aware. However, privatisation was not seen as compatible with a caring community-based organisation, and this option was strongly rejected by a number of interviewees,

All that means is that someone is going to make money out of it. They want to privatise everything and that's an excuse to put prices up. And the only one who makes the money is the guy at the top. It doesn't trickle down. This place was set up by [named] bequest, one of the donors; the Shire office, the [community organisation] and there might have been another one. They're all charitable orgs, and I don't think selling it off is the right approach [...] I'm afraid they'll suddenly say it should be run as a private enterprise. But the residents and community wouldn't allow it. It wasn't set up to sell as a private business.  
(Participant 17, F, age 80)

The committee is a community committee. The [community organisation] is a big player. They've had a big input. They are getting older and it might go to the council. Oh, I don't want that. I've always found them very responsive. There are only rumours. [This town] is great for rumours. [Now] it's sort of a comfortable thing, without filling out fifteen forms. I like that unstructured thing.  
(Participant 16, F)

## Entry into ILUs

### Criteria for entry

All of the providing organisations have entry requirements beyond the stated costs. The age requirement is 65 years of age, with the exception of a few which stipulate age 55..

All of the ILUs have waiting lists for entry, from a few months to a waiting list which was closed by the providing organisation once it reached eight years. All of the ILU providers allowed older people to refuse housing offers but remain at the top of the list for the next vacancy. This facility was practiced by many of the research participants a number of times, and allowed people to move home at their own pace, without fear that they would be left with reduced options.

Many ILUs were originally set up to cater for a specific community of older people, continuing to this day. For example, a number of ILU providers have home for veterans or for community members with links to a specific rural town. Others accept residents with assets under a certain amount, thereby catering only for low income people. Others again accept people with assets of varying amounts, but ingoing fees are means tested, with people with more wealth ostensibly subsidising lower income people.

### Flexibility

This research has found that many of the stated entry criteria are not consistently applied, however, and that ILU management often use their discretion when accepting new residents for housing. On three occasions, research participants from three different ILUs (run by two different providers) had entered their new home after by-passing the waiting list due to an emergency need.

As quickly as people were accepted into ILUs and bypassing the stated policies of waiting lists, so too are residents sometimes asked to leave. Residents we spoke to reported their suspicions that the management cherry-picked individuals to live in the villages. They had different ideas about how they felt about this. One woman from a rural town believed that her neighbours were chosen based on how much money they could afford to pay as part of their ingoing, rather than their housing need, which she felt should take priority. Indeed, she explained, many residents used their ILUs for reasons other than as their primary residence. They did not fit the profile of low income people, which was the founding ideal of this ILU village. Regarding the waiting list, she explained,

They [the management] will tell you it's 5 years, but they do cherry-pick. A few people are using them for storage but living somewhere else. That's what I mean by cherry-picking. People pay a donation and then it's 'That's my car park. I've been on holiday for 7 years.'  
(Participant 13a, F, age 73)

Another challenge to housing for low income older people, in particular, is the application of discretion when choosing residents based on their perceived 'desirability' as tenants. Many residents spoke in stereotyping language about types of people, and behaviours that they do or do not like, and felt confident that their ILU provider vetted new applicants appropriately. It is worth noting that activities stated as undesirable were not ones which ran counter to the rules or ethos of the ILU

clusters or villages in question, but rather people who may not be favoured by the management for whatever reason.

I think the Committee of Management do vet a little bit, but I can't say what that is. If you have a group of people living harmoniously, you don't want to disrupt this.  
(Participant 16, F)

## **Pets**

Residents reported being told that their ILU did not allow pets, however there seemed to be flexibility on this in many ILU villages even where this was the stated rule. A number of ILU villages allowed pets where they were already in their owner's care, but did not allow residents to obtain new pets after they had moved in. Research participants noted that many residents had 'replaced' their pets, however.

A number of the residents I met agreed there was need for a 'no-pets' rule. The reasons ranged from the disruptive noise of dogs if all residents in the village had one; the difficulty of dealing with pets when older owners pass away; a concern about the unsuitability of the space. However, many research participants reported great sadness in leaving pets when moving into their ILU, and spoke of their desire to have one. One woman poignantly spoke of her neighbours' sadness over missing pets, 'They've their stuffed toys in the window. Surely they deserve more than stuffed toys?'

Significantly, a number of people reported that friends or family had chosen not to live in an ILU due to this stipulation. This reflects the records of HAAGs housing support officers, where the need to accommodate older people with their pets severely limits the options available. Based on their experience housing older people, HAAG staff suggest that ILUs are not usually accommodating to pet owners.

## **Access for CALD communities**

It is significant to note that very few ILU residents from CALD backgrounds responded to the research invite and many interviewees also noted that the majority of their neighbours were of Anglo-Australian heritage. One exception is a large provider who often appointed homes to residents after needs-based referrals. In these ILU villages, it appears that there are a higher than average number of residents from CALD backgrounds, although this research has not gathered statistics on this.

ILU residents heard about this housing option from a variety of sources. Although a number of residents had independently accessed retirement housing information, the majority of residents had been made aware of the ILU through word of mouth. This was usually either other residents or someone involved in the running of the village. In smaller towns, the village was well-known by all local people.

As this research suggests that Anglo-Australian community members are made aware of the availability of ILUs through community networks, this may suggest that CALD communities are not

accessing housing information in this way. This is an extremely important issue which requires further research.

## **Summary of Findings: The Retirement Housing Sector**

- The majority of residents who took part in this research are happy and comfortable in their ILU, and look to the resolution of difficulties rather than a new home.
- Some residents are ambivalent about their ILU or unhappy, but do not have other housing options.
- This research does not represent the views of older people who chose to leave ILUs in favour of an alternative housing option.
- Residents who were most satisfied with their ILU were accommodated by the same providing organisations. Those who were least happy were generally accommodated by the same providing organisations. The management and influence of the providing organisations are the most significant factors in the experiences of ILU residents.
- The not for profit status and community oriented ethos of many ILUs is popular with residents, and supports volunteerism, donations by bequest, community engagement and collaboration with other community groups.
- Long waiting lists indicate that ILUs are in high demand. This is probably due to both their popularity and a lack of other options.
- Affordability was the main reason for entry to a low cost ILU
- While there are a variety of entry criteria specific to different ILUs, many ILU providers use their discretion in applying these criteria, both to the benefit and the detriment of people looking for a home.
- Residents reported being told that their ILU did not allow pets, although there seemed to be flexibility on this in many ILU villages. Research participants reported great sadness in leaving pets when moving into their ILU, and reported that friends or family had chosen not to live there due to this stipulation.
- Few members of culturally and linguistically diverse communities appear to avail of ILUs. More research is needed to confirm if this is so, and to look at the reasons.

# Quality of Life

## Introduction

ILUs have not been the subject of political or public policy goals since the 1980s (McNelis, 2010), and subsequently, the identity of different clusters or villages varies across the different neighbourhood and regions where they are located. This has resulted in a housing type which varies in its approach to the support of independence; the provision of care and the type of maintenance services available.

This chapter explores the quality of life issues identified by residents; care, safety, social connection and the location of the ILU cluster or village. Importantly, the central location of the majority of ILUs means that they are important as older people's housing.

## Independent Living

The concept of Independent Living Units has been shown to be popular for older people seeking retirement housing. However, the research participants of this study did not express a uniform understanding of how they understood 'independent' in this context, and indeed many had entered their ILU village with expectations which were not met by the ILU providers. In turn, different providers had unwelcome involvement in residents' lives, thereby leaving some residents feeling their independence was being interfered with.

A majority of residents were happy that their independence was maintained in the sense that no one interfered with their daily life, their lifestyle or their homes, even when staff were on site. 'We come and go as we please. We do everything for ourselves.' (Participant 9, F, age 68). Indeed, nearly all participants reported a sufficient amount of privacy in their home, from other residents, onsite staff and any onsite maintenance personnel.

Residents were most confident and comfortable in the boundaries relating to independent living where it was clarified to them either on application, in their contract or in supporting documents. A number of providers specified clearly the circumstances when they considered independent living was no longer possible, and the resident was required to move out.

That's specifically in the contract. If you constantly need help from neighbours, you need to move somewhere else. That's part of the original contract. (Participant 16, F)

A number of providers specified that if they raised concerns around capacity, a letter from a doctor was required. Where this was in place, residents were satisfied that this was a reasonable requirement.

At some ILU clusters and villages, there was a remarkable amount of quiet, unpaid volunteer work from residents without which the villages could not run. In some, it was central to the care and

maintenance of neighbours. The line between residents' ability to live independently and instances where they relied on the support of a neighbour for basic care was questionable.

In another ILU which did not provide written contracts, a resident who is also a voluntary member of the committee of management described their approach to this potentially sensitive issue,

There was a woman who I really thought needed to move out. She was very getting very confused. We asked for a letter from a doctor about independent living, and then I organised an ACAT assessment. She needed meals on wheels, she wasn't bathing on a regular basis, and then she fell in the unit. So, I found somewhere for her.  
(Participant 24, F, age 76)

### **Property management and maintenance**

The greatest gain for many in moving into an ILU is the freedom of not having to manage the maintenance of a house or a garden [see section 'Repairs and Maintenance']. However, for a number of people, how repairs were managed was felt by some to interfere with their independence. I spoke to a married couple who had different attitudes to this. In this village, the rules around maintenance were not flexible, and caused some frustration for this resident.

I just don't like the business of not being able to do anything – change a lightbulb. It makes sense. How many people here would be able to go up on ladders to check the alarm or clean the fan? They do drag around a lot here.

I can do it. I don't like them telling me I can't.  
(Participant 5B, M, age 81, and Participant 5A, F, age 75)

### **Care**

This mismatch in expectations also relates to care services. Although not generally described as such, McNelis (2004) shows that ILU clusters and villages often have integrated support services. The extent to which ILU providers take on this role varies. Although his research is not recent, it is likely to still hold true to a considerable extent. Jones et al (2010) summaries these figures relating to the national picture,

McNelis found that over 40 per cent of organisations providing ILUs estimated that over one third of their residents require assistance such as formal or informal support, practical assistance, personal care or home nursing. Approximately 35 percent of organisations providing ILUs are also providers of support and care services to many of their residents, and others have formal arrangements for care to be provided by other organisations. Many organisations providing ILUs are large providers of home-based aged care services receiving funding [...], and some four out of five are also providers of residential aged care homes, sometimes on the same or a contiguous site as the ILUs [...] Thus, many ILUs are in effect a form of service integrated housing although this is not widely or formally recognised (McNelis, 2004, pp. 49–52).

This research shows that from the perspective of residents, the availability of direct access to care services within ILUs is highly desirable, as long as privacy and independence are maintained. Where care is provided, it is extremely popular. However, ILU clusters and villages often do not meet these needs and expectations with a number only providing general maintenance services. This finding is in line with those by Bridge et al. (2011),

Lack of care services and an associated unmet care need was a major issue for some residents, as it appears that many age-specific housing models provide only general home maintenance and upkeep services, despite the expectations around care of residents entering these types.

Where some level of care was provided which was non-invasive, this was greatly appreciated by residents and gave much peace of mind. This was often expressed as residents having a sense of comfort from the presence of or relationship with a person connected to the providing organisation of the ILU cluster or village. One woman explained;

They check on you that you've not disappeared, that you exist. [...] I get a knock on the door every morning and if [the staff member] doesn't get a response, she calls up. And then she has a spare key, and can come in and check if we've fallen. It gives you a sense of someone caring. It's an extra bit of security. It just adds to your quality of life  
(Participant 8, F, age 75)



Another research participant explained that in her village, a staff member knocked every morning on the door of residents to 'check-in.' Many of the residents of this large village did not socialise or spend much time out of their homes, but the manager, it was explained, 'knows everyone by Christian name' (Participant 1A, F, age 88). Those who were more physically able and socially well-connected had a tacit understanding with staff that this check-in was not necessary. She explained with a smile, 'We are the forgotten mob who can look after ourselves. They look in on all the others. They don't worry about us.' (Participant 1A, F, age 88)

## Lack of care

In contrast to those who relished the hands-off approach from the management, some residents were disappointed by what they perceived of as a lack of care. This expectation was expressed even where the provided contract or documentation did not specify any entitlement to care. A number of people spoke in a general sense about the providing organisation's ethos as a not-for-profit or a religious welfare organisation, expecting that this ethos to influence their treatment in the ILU village.

A few years ago, I was diagnosed with bipolar and they do know that and I thought they would have offered a few things. For a [faith-based] welfare organisation, I would have thought if someone had a problem, they would have offered some support. It's one man for himself here.

(Participant 3, F, age 65)

Oh, I was attacked! This is going back 18 months. I was on the corner by the hotel, with Louis [dog]. Standing there at the lights. This weirdo came along. Put his arm around me from the back. Grabbed Louis around the neck and lifted him up and I was screaming. People came out from the hotel. It was reported to the police. It scared the life out of him [Louis] and me too. In all honesty, there's a lot of strange, weird people walking the streets of [the area]. That was also reported to [the provider], and I never heard a word about it. There's not much care, you'd think someone would at least ring you.

(Participant 3, F, age 65)

This expectation was more common where an ILU village was co-located with or near a residential aged care facility run by the same organisation.

People come here because they think the nursing home across the road will help, but it's separate, it's Independent Living Units.

(Participant 13a, F, age 73)

A number of participants reported an expectation that entry to a co-located nursing home is guaranteed by living in an attached ILU village. This is, of course, not the case without the correct assessment.

## Rules

The ILU clusters and villages generally did not have many rules or guidelines for residents. Participants often noted that they could live as they wished, contrasting ILUs with their perceptions of residential aged care. Residents were satisfied with this, and it met their expectations.

There are a few significant exceptions to this in our sample. An ILU village run by a non-mainstream religious committee of management, but populated by few members of this faith, had a number of strict expectations of residents around behaviour and modesty. Significantly, this was one of only 3 ILU villages from the 51 considered which had vacancies when I visited, suggesting perhaps that other members of the broader community did not want to live under these restrictions. In a small suburban ILU village, I briefly spoke to a woman who had moved away from her previous ILU (which

was beyond the boundaries of the geographical remit for this project) as she had felt under pressure to attend church services, which was not welcome.

Such guidelines for behaviour interferes with the dignity and freedom of the individual to live as they please, and all residents mentioned felt that their status as residents of homes designated as 'independent' was contradicted by these expectations. Another resident addressed a rule she found unsatisfactory to her the management at her village by communicating her concerns by letter. The rule was not implemented following this communication,

They sent us all a letter saying there was notices around 'no smoking'. We all got these laminated notices. And I wrote back saying we can do what we like as long as we don't wreck the joint and leave it clean when we go.

(Participant 13a, F, age 73)

## **Village community**

### **Safety**

Although the respondents to a similar study found that a number of residents were unhappy in their neighbourhoods and felt unsafe (Bridge et al. 2011), all participants in this study felt their home was generally safe; for many it was safer and calmer than previous homes. A number of people positively contrasted their ILU with their experience of community housing, which they found unsuitable for older people.

I was in community housing. The house was too cold. Music playing until three [am] in the night. Another neighbour was drunk. Fights happened very quickly.

(Participant 13c, M, age 64)

I came from [social housing] and it was very difficult. I just found it very isolated and lonely [...] I got really, really down. I've lived in community housing. I had a house invasion across the road, people banging down the door and thrashing the place, trying to get at a woman. They firebombed the next door neighbours' car.

(Participant 8, F, age 75)

A small number of villages had prominent alarms systems on the property and personal alarms for residents; others had previously had these which were now in disrepair.

### **Gender**

The predominance of older woman in ILU clusters and villages is a significant feature. Women generally live longer than men, are more likely have less income due to reduced income or superannuation after taking time out of the paid workforce to commit to caring work (Miranti, 2010).

For single women, in particular, safety was cited as a significant reason why they had initially moved in.

I don't have family. I didn't want to be a woman on my own out in the community. It's safe and secure here.

(Participant 11b, F, age 78)

I've no family – that's why this place is so important.

(Participant 15, F)

Gender was a factor in isolation, with groups of women more commonly socialising. This is compounded by the larger number of women living in ILUs. One participant's biggest criticism of his large ILU village was that there was, 'Not enough men' (Participant 5B, M, age 81) which he felt inhibited his ability to socialise how he wished. There were a number of anecdotes where women were actively organising social events and men were not included,

Some of us got together the other day. One of us turned 90. All of the women went. None of the fellows. She didn't invite them.' (Participant 10a, F, age 74)

Maybe the women visit each other. They don't want to interfere with me.

(Participant 6, M, age 72)

### **Privacy**

Despite living very close together, residents generally found they had enough privacy. They spoke of clear boundaries between home and community, and enjoyed their own space.

I pull the blinds down at night. People aren't intrusive here. People want to have a look at the place when you first move in, but after that it settles down. There's a lady who's been a bit noisy and difficult, but she's settled down.

(Participant 9, F, age 68)

It was hard to get used to it at the start, but now I don't notice.

Here, people don't knock on your door and come in for a cuppa. We share the washing line. I found it hard to share a dustbin funny enough, but I'm used to it now.

You can be as much part of the community or not.

(Participant 5A, F, age 75 and Participant 5B, M, age 81)

### **Sociability and Isolation**

The age of residents has been found to be a significant factor in the desirability of activities and social occasions with ILU clusters or villages, with many residents over 85 years less interested. Nevertheless, social ties are encouraged by the close living environments (Bridge et al.).

There was a wide range of experiences reported from research participants concerning themselves and their neighbours in terms of sociability. Some villages were very sociable and had relieved residents from loneliness experienced in their previous homes, while others were populated by people who kept to themselves, with some people reportedly rarely leaving their home during the day.

I'm a person who likes my own company. [...] I'm not good at going into a group of people.

I've depression and anxiety. But we're neighbours and community but we don't need to be in each other's pockets. It's a willingness to help each other but not intrude. My neighbour had a problem with her door and I asked 'do you want me to get my WD40?' The lock was stuck. It's very rare that you could live somewhere and you meet people and it's 'hello, good morning and how are you?'

(Participant 8, F, age 75)

What I love about here is we share the bins, the clothes line. I have my car, and if somebody needs a lift, I can do that. There's always someone coming and going. There's a lot of movement. [someone] is going to [the co-located residential care], so another person will move in. It's wonderful! Wonderful!

(Participant 7, F, age 78)

This research did not, of course, engage with many people who were prone to being anti-social, although the researcher did take a brief phone call from a woman interested in the project's financial incentive, but who was not happy to be interviewed. She explained that she rarely went outside and didn't take visitors, as she suffered from social anxiety. Significantly, she mentioned that she did attend the ILU village's annual Christmas party once a year out of a sense of obligation, and was happy with this as it meant she felt a part of the small community.

In some of the smaller villages, this privacy was kept arguably at a cost. While some spoke of enjoying isolation, it was rarely expressed in happy terms, but rather as a route to avoiding difficulties. Importantly though, most of these were not self-reports, but those expressed by more sociable neighbours who were willing to participate in research interviews, who may not have a clear understanding of their neighbours' preferences.

These people keep to themselves. They prefer that. You can also feel lonely ... it's a lonely little group. I'm the only one active. Last time I saw [my neighbour], she completely ignored me and said hello to the dog and said 'animals are more important than people.' [...] We had the idea of having a barbeque ... do you think anyone would come? I don't think they would.

(Participant 3, F, age 65)

There's no community and I don't want it. Every three words they're swearing. [...] They don't want to interfere with me. I live alone, but I'm not lonely. You get used to every inch of what you have.

(Participant 6, M, age 72)

There's many who want to stick to themselves. They don't want to listen to the gossip.

(Participant 1A, F, age 88)

### **Communal space**

The lack of communal space was the biggest barrier to having community events. Very few ILU villages had an indoor community room, and while more had a green outdoor area, which was enjoyed for a view of nature, this was seen as not appropriate for social gatherings due to the regular extreme weather in Victoria. Individual ILU units are rarely large enough to host a gathering of people, or have a second bedroom or space to keep guests.

Nothing. There's no communal space. The other day there was 5 or 6 of us sitting in the same space trying not to jab each other. Yeah, [the outdoor areas] are well maintained, but there's nowhere to sit. It's all concrete, which might be fine on a winter afternoon, but it's abysmal on a sunny afternoon.

(Participant 10a, F, age 74)

Where indoor communal space was available, residents or on-site staff often organised activities or gatherings, which were popular.

Twice a month we have \$5 community morning tea. Three of us run that. They all know us by name – the three of us in the kitchen. [My neighbour] makes cakes for it. We had ten people on Monday. Before, we had almost 30.

(Participant 1A, F, age 88)

They have tai chi, they have games. Yeah, but I'm still involved outside. But it's there when you need it. I love the exercise on a Monday.

(Participant 7, F, age 78)

There's the books library. The lady is a woman who lives here, another volunteer. There's computers there – they need updating. [...] There's a really active music group. Someone might have a relative who plays an instrument, and they will play for us. Every once in a while, you'll see someone you haven't seen before.

(Participant 9, F, age 68)

## **Location in the wider community**

For older people, location holds an importance it does not for other population groups.

Older people can be particularly vulnerable to the spatial aspects of disadvantage, as they are often more 'invested' in the areas they live and can be particularly vulnerable to location-related risks of disadvantage such as difficulty in accessing services and social factors. (Miranti, 2010, p. 29-31)

Complementing findings by Bridge et al. (2010), most people felt their ILUs were in a convenient location, faring well under scrutiny relating to spatial disadvantage. Residents report that they generally have good access to services, perhaps a personal historical connection to the location, and peace and quiet.

### **Access to services**

While older people are often living in areas designed for cars (Kendig 2000), although not every older person owns a car. As Miranti et al (2010, p.17) explain, 'a significant proportion (particularly of the very old) will have health issues which reduce their ability to drive safely.'

ILU clusters and villages are generally central in their communities, often within walking distances to shops and services. This makes them ideal for many older people who wish to find somewhere to live as they age, with an expectation that capacity for walking long distances may diminish over time.

This was positively contrasted with for-profit retirement villages, often recently built on cheaper land on the outskirts of towns, where participants reported that friends or family members were more likely to be confined to their homes. ILU residents relished their independence and the capacity for community involvement over the availability of services on site.

I'm an independent person and I volunteer in the information centre and the op shop. It suits my lifestyle. I can walk to the shop even now, with my walker. I go out and leave my back door open.

(Participant 17, F, age 80)

You're free to go anywhere you want. I usually take the car down for the shopping. It's handy with the Laundromat down the road. When you've got medical appointments you get out. It's walking distance to the park.

(Participant 19, M, age 78)

It's perfect for me – the location, the train station, the park. These are safer suburbs. We did have our plants snatched though. I like there being a school. [My unit is] on the street, so I can pretend I'm on the street.

(Participant 4, F, age 77)

I'm quite happy. I see it as a comfortable place to live. Close to services, doctors. Phillip Island was nice, but not if you get sick.

(Participant 5A, F, age 75)

### **Connection to location**

Many residents felt lucky that they were able to find a home in their local community. They rely on relationships with family members and friends to enhance their quality of life. People often chose the location of their ILU to be closer to their children. A prior familiarity with the neighbourhood and the community was meaningful. Indeed, particularly in regional areas, many ILU village providers specifically target people from the local community in their admissions policy. Despite the challenges this poses for housing accessibility for those from certain population groups i.e. recent migrants, it does mean that residents retain a continuity of relationships as they make the transition from their previous housing (where this was stable) into their new home.

I've always been in this side of town. I've family [north side].

(Participant 7, F, age 78)

When I was happily married, we lived [nearby]. The general things, the shops, the library, the pub. It's just a familiar feeling. You're coming to somewhere you know about. Some of the shops have been here a long time.

(Participant 10a, F, age 74)

My husband is over in the hospital [in residential aged care]. He used to come over and have lunch. He's been very ill and calling for me. I can just throw my coat on and get over. I've even been known to go over in my pyjamas!

(Participant 15, F)

## Peace and quiet

Most clusters and villages are in quiet locations in the regional areas, while in the metropolitan area there are a variety of locations. Built between the 1950s and 1980s, as previously mentioned, many of the neighbourhoods have changed over that time, with a small number no longer offering the ideal location of the past.

Oh! You've hit my sore spot. I've just come back from my walk and I was so stressed. I could hardly walk there. There were trucks, pipes, traffic. All these trucks, building more units. One of the women has a little manchester shop, and it's closing down. They keep doing more and more and more. Everywhere is just going to be units. It's so bad, every time I take the dog for a walk, I try and avoid the traffic. You get the cars 'vroom vroom vroom vroom vroom.' All the trucks trying to get on the freeway. [The roads] weren't designed for that.  
(Participant 3, F, age 65)

Peace and quiet was important for respondents, as well as green areas and gardens.

What I love is the bush. When you come up here, you don't hear the road. I never put my blind down until it's dark, a quarter to six. I get all the birds. I've a bird bath out there. I take photos of them through the windows. I can see foxes around here. You're not allowed pets but the wild ones.  
(Participant 7, F, age 78)

## Summary of Findings: Quality of Life

- Many residents expressed their relief in no longer being responsible for the maintenance of a house and garden once they had moved into an ILU, highlighting the significance of the efficient caretaking of properties.
- Irregular, non-invasive contact with staff and / or volunteers connected to the providing organisations contributed to residents' positive feelings towards their home as a site of safety, care and community.
- Residents reported having expectations of care and support which were not met by their ILU provider. These expectations were often linked to the ethos or reputation of the ILU providing organisation, rather than an agreed contract.
- The co-location of homes of a number of older people together can foster a sense of community and interaction between residents. Many residents felt they had sufficient privacy, yet conversely many ILU residents are socially isolated with few or no visitors, and rarely leave their homes.
- The lack of a communal space inhibits residents' ability to socialise and build community with their neighbours.
- ILUs tend to be in locations central to the community, supporting people to access needed services, maintain personal relationships, and therefore remain independent for as long as possible as they age.

# Legal Issues

## Introduction

The legal issues which arise for residents and ILU providers depend on whether the ILU cluster or village sits under the Residential Tenancies Act (RTA) or the Retirement Villages Act (RVA). However, very few residents were aware of which legislation covered their residence.

Research participants expressed a lot of trust in their providers to provide services and security as expected, despite few legal foundations for this certainty, particularly under the RVA which has minimal protections for residents. This trust often related to the ethos or moral commitments of the organisation, or perhaps a personable relationship with a member of the committee of management. Many residents have a positive experience in their home in this context, feeling supported and secure.

Residents experience stress and confusion in the face of legal uncertainties. The most significant examples of this is where residents are told they must leave a retirement village, and find they do not have the security of tenure they had assumed. This chapter looks at examples where providing organisations do not have legal responsibilities towards residents after a termination of residency, despite the overwhelming difficulties residents face in finding new homes given the paucity of alternatives for low income people in the retirement housing sector.

There is a wide range of structures for fees and charges across ILUs, both affordable and unaffordable, relegating residents to a hugely diminished quality of life. Residents often found the information complex, confusing and sometimes unfair. Yet fees are only one of the difficulties that residents are facing in relation to the upkeep of property and communal areas. Contracts may or may not detail the requirements of management and residents concerning these services. Even where the responsibility for repairs is clear, many participants in this research had encountered difficulties with responsiveness, efficiency and the quality of repairs and maintenance.

This is compounded by the scarcity and complexity of routes available to older residents to legally challenge their unmet maintenance needs. This report looks at internal disputes, formal complaints and the accessibility of legal pathways.

## Contracts

While this research looked at contracts relating to both the RTA and the RVA, the contracts for residents of not-for-profit retirement villages are especially varied due the widespread lack of familiarity with this Act, as reported by HAAG staff. Contracts may be standard and reasonably solid, while others ranged from complex and confusing to a one page note. A number of ILU providers did not issue contracts at all. Following his 2004 survey of ILU providing organisations, Mc Nelis explained,

Some ILU organisations are struggling to manage their ILUs properly: They lack a good knowledge of the primary legal framework under which they operate; They have difficulty managing their broader legal responsibilities; They have inadequate written policies and procedures.

Research participants who agreed to be interviewed had been resident in their ILU ranging from four months to twenty-seven years, with quite a large spread within that range. Some participants admitted that they could remember very little of what was in their contract, either because they had signed it a long time ago, or tellingly, because it's content was of little concern to them. The majority of residents stated that their contract was very basic,

Simple contract, one page.  
(Participant 19, M, age 78)

I think the only thing was: don't wreck the place, no pets, pay your rent. I think that was all there was in it.  
(Participant 15, F)

Although it was articulated differently by residents, many expressed that they were not particularly interested in the terms of their contract or any formal agreement because they had trust in the providing organisation, or at least, had this trust when they first moved into their home. Indeed, a number of people who felt their contract was not strongly supportive of their rights or their security nevertheless chose to sign it anyway based on their understanding of the organisation's reputation,

I know my lawyer's son was concerned about the contract. Who owns the property? For those purposes we were renting. In some ways, it's about trust. I know someone on the committee, and I would trust them. It's a very simple contract that you sign. Almost too simple. For me, it wasn't really a problem. I've a friend who moved into [a named for-profit retirement village] and I'd rather be here.  
(Participant 9, F, age 68)

I just took it at face value. I was in a legal group. It's not really worth a squirt of swamp-water. I didn't really care. They can really do what they like – I know that. A lot of the contracts are long and confusing. They try to bamboozle people. This is not that situation. They're just one page. The management committee can put fees up at any time.  
(Participant 17, F, age 80)

While the above two participants were comfortable with legal language, the lack of clarity of contracts was a significant issue for a number of people, with one woman explaining, 'It's all legal jargon! I just signed it and hoped for the best. That was a bit silly wasn't it?' (Participant 10a, F, age 74).

# Case Study

## It's all in the detail

Kate and her husband Patrick moved into an ILU village under the Retirement Villages Act, with the support of HAAG. As was required under the act, their contract included a summary disclosure document with some of the essential information. However, the main body of the contract was 40 pages long, containing many sections and subsections, clauses and subclauses. On top of this, the appendices made up another 13 pages.

Kate and Patrick were tired after their hunt for a new home, and were ready to sign the contract without reading it fully, but decided not to at the last minute. They found some rules for behaviours which they weren't happy with, and started to wonder what kind of place they were moving into?

On page 17, they were told they were 'not to hang clothes outside the unit'. In the first appendix, it stated that 'When outside the unit, the Resident is expected to dress in a dignified and appropriate manner.'

They were also concerned about proposed extra costs which were not mentioned in the 'Ongoing Costs' section of the disclosure statement, only in the main body of the contract. Special levies 'determined by the owner' could be charged for refurbishments, where the maintenance fees didn't cover costs.

Further to this, the contract had a number of conditions that did not seem appropriate for a contract, and that Kate and Patrick thought were just not fair, and could open them to financial risk. Where essential maintenance and repairs were required, Kate and Patrick were obliged to 'Accept the calculation of the owner' with regards to the costs, according to page 22. If any of their own property was damaged during these works, they could make no claim, according to page 25.

Kate and Patrick did move into the ILU village, but did not sign the contract. With advocacy support, they attended meetings with the management about the contract, who told them 'not to worry' about the elements they had concerns about, implying they were not always acted on

and were flexible. As they were already paying rent, had moved in and were comfortable in their new homes, they chose to not sign the contract. However, over the next few months a member of staff telephoned a number of times, reminding them they were due to submit a signed contract.

For many, of course, in the context of an overwhelming shortage of retirement housing options, there was no alternative. One woman had been supported by members of her community to find a unit after her husband had moved into residential aged care within walking distance of an ILU village. When I asked her if she had accessed a legal professional to look at her contract or give advice before she agreed to move in, she laughed and explained, 'We don't do things like that in the country. We do a shake of the hand. I was that damn glad to have the place.' (Participant 15, F). A similarly casual approach was taken by another research participant who recently moved into an ILU after extremely unsuitable accommodation in community housing had aggravated an illness,

I applied for a unit. Waited one month, then came for interview. I signed it. I signed it first and then read it after at home [laughs]. There's no corruption. [...] I asked them 'what happens when company comes and gets me to move out?' They said 'that won't happen.' It's fine.

(Participant 13c, M, age 64)

### **Security of tenure**

Residents expressed confidence in the providing organisations to treat them fairly and appropriately, and they also felt secure in their homes. Most felt that losing their home was extremely unlikely, and were not concerned about this. One resident who was also on the voluntary committee of management of the ILU village in which she lived, explained that 'We don't sign contracts, because we never put anyone out.' (Participant 24, F, age 76).

Where the possibility of closure was brought up by residents, they felt that the providing organisations would take responsibility for re-housing, although this was not stated in official documents. Indeed, in a number of ILU villages, it is common practice for management to re-house any resident who needed to leave.

There was a girl up there and she had lots of mental health problems. And she was invading other people's spaces, so they asked her to leave. But they re-housed her.

(Participant 13a, F, age 73)

However, this expectation from residents extended to ILU providers where there was no concrete indication this was the case, and certainly no contractual agreement to cater for this possibility. While a very small number of ILUs had explicit security of tenure in their contracts, with long-term residency approved unless, as one resident put it, 'we do something excruciatingly bad,' many research participants relied on goodwill and faith in the organisation and the local community to be treated well. If there was a threat of eviction, one woman in a small regional town explained, 'There'd be a terrible fuss. These places were built in the 80s by the Shire, and it's always been supported by the [community organisation]. (Participant 17, F, age 80). She was confident that the political will of the community would mitigate against risks to the tenure of herself and her neighbours. A woman in another ILU explained, 'If they were to go shonky, and try to turn us out, I know people wouldn't sit still; family and neighbours' (Participant 18b, F, age 77). A man in a busy urban suburb was similarly confident despite having recently heard rumours that there may be a change, 'I heard they might sell it and build something. If that happens, they'll move us. They're nice. They won't leave us in tents.' (Participant 6, M, age 72).

Unfortunately, over the course of this research project, a number of instances of sudden termination of contract were ongoing, with residents experiencing much disruption, worry, stress and uncertainty for their future. In one instance, management arguably had the best of intentions to support and re-house residents, but had failed to plan and roll out this support comprehensively, resulting in residents reporting extreme stress during the process. In another, residents' future remained uncertain at the time of this research, although a number of interactions with the providing organisation had led them to question whether they were soon to be forced from their homes.

## Case Study



### What's in store?

Margaret and Karen are two friends living in different units in a small village parallel to the main street in a small Victorian town. I met Margaret outside her unit when I was looking at a 'For Sale' sign relating to one of the six units. She said a lot had been happening with the units, and invited me back another time for an interview.

Margaret had lived in her ILU for nearly eleven years, and her neighbour Karen moved in seven years ago. They are the only two residents still living in the units; the others are empty. Margaret's ex-husband had lived in one of the other units, and when she had returned the key after he died two years ago, she was told there were seven people on the waiting list. But the unit had not been filled, and over time, more had been vacated.

The unit for sale was being sold on the private market by a friendly local real estate agent, hired by the Shire who managed the units. Margaret told him, 'I'd like senior people to be put into this building.' It should be, they explained, showing me the plaque on outside of the building indicating that these units were originally intended for the aged. But they had heard rumours all of the units would be sold. 'The estate agent said "it'd be easier if we could sell the lot."

The unit didn't sell at the auction and they've taken the board down. I asked were they concerned? Karen said, 'We don't know. We're in limbo. We've been sent a letter by the council,' they explained, 'that says we can stay,' but the rent usually goes up every June and 'It didn't go up this year and we wonder why.'

# Case Study

## Losing our homes

HAAG recently supported Kate, 82, and her husband, 95, to find two adjoining units in a suburban ILU. They did not have many housing options as they had more assets than allowed for public housing, and they could not afford other more expensive options. So they were extremely relieved and happy with their units, and Kate had started creating a small garden outside her front door.

Kate told me she wished to talk to me about her positive experience of finding her new home in the last half year. Before our interview, however, Kate was shocked to be told that the twenty residents of her ILU village have 12 months to find alternative accommodation, as the site was to be re-developed into a residential care facility.

Residents are extremely concerned about their future. Kate's neighbour explained that after they received the letter of intention, 'I thought they'd send reps from [the providing organisation] to tell us what was going on on a month-to-month basis [...] after the big bomb dropped, nothing happened.' Another woman explained the ongoing stress she felt, 'I just want to know where I am, the indecision, I don't have money to burn.'

The chairperson of the resident's committee, Patrick, told me that many of the residents had turned to him for support, 'I'm dealing with 20 people with post-traumatic stress. I'm having a meeting with them every three days. I'm just trying to throw water on them; cool everything down. Some residents have lived there over 20 years and are having to come to terms with losing their homes. Some have only been there for 3 to 6 months and are angry they were allowed to move in given the plans for re-development would have well been in place.

Another neighbour had returned from hospital to the bad news.

One resident who had lived in the village a long time was deeply upset and angry at how she was being treated and that her connection to her home was, she felt, reduced to empty legalistic formalities, 'Tenants! Tenants! They keep saying we're merely tenants.' Trust in the providing organisation has broken down and this means residents feel even more vulnerable.

'[They] said they would move heaven, moon and earth for us, but we don't trust them.'

Kate began to contact HAAG regularly with questions, expressing fear for her future. While some residents have found new homes, others are in limbo. Sadly, Kate recently died after a three day illness, before she found a new home. Without his wife living close by for support, her husband will give up living independently and move to residential aged care.

## Fees and charges

As with all rental properties under the RTA, new tenants pay a bond which is registered with the Residential Tenancies Bond Authority. The amount of the bond is based on one month of rent. Subsequently, residents pay regular rental amounts. Increases can be determined by market value, according to a fixed term agreement, or once every 6 months according to law. 60 days' notice of increases must be provided on a prescribed CAV form.

Under the RVA, new residents are usually required to pay an ingoing contribution or 'donation' which vary from operator to operator but are generally contractual. Residents then pay a regular maintenance charge, service charge, or fee. Adjustments are based on the CPI. It can increase higher than this in three circumstances: by special resolution of residents for goods and services; by special levy; or for increases in statutory charges. Occurrences of these increases may be outlined in the resident's contract.

## Case Study



### Hidden costs

Brian and all his neighbours received a letter from their providing organisation. It said they were looking at their financial arrangements, and they were keeping a promise that rent would be at an affordable 22.5% of total income. For Brian, this meant an increase of \$20 a week. However, they also stated they were instigating a service management fee of \$300 per year. Although some of his neighbours signed an agreement to the new payment arrangements without reading the letter, Brian was concerned, and refused to sign.

He contacted Consumer Affairs Victoria (CAV) for advice, and a representative told him that the management fee was a rent increase under another name, and needed to happen in line with the rules for rental increases under the RTA.

The proposed fee was to cover named property management charges. Yet Brian was advised that this was not allowable: they couldn't charge residents for water as they didn't have independent water meters; and they shouldn't have to pay for sewerage, or for cutting the grass. The representative told him she expected it would 'get thrown out at VCAT'. When management heard from another resident that Brian was investigating the charge, they quietly dropped the new fee.

### Extra maintenance costs

On top of a maintenance fee, some residents have resorted to paying for maintenance services out of pocket, further reducing their very low income. Despite repeated attempts to have maintenance completed, ILU providers are not always meeting this commitment [see section 'Repairs and

Maintenance’]. That residents choose to pay for maintenance out of their often meagre pensions indicates that they feel this is very important for their quality of life.

They’ve done nothing here where the cars are for 11 years. I pay for someone to come and do that.

(Participant 18a, F, age 74)

It’s never been painted the whole time we’ve been here [27 years]. Normally, painting is something that needs to be done. And now they put the rent up? [A few years ago] I started doing the lawns to save [the provider] money. Now we pay the gardener \$10 each, nine people each fortnight. When you don’t get your lawn cut, you still pay for the nature strip.

(Participant 25, M, age 93)

Well, that tree, I cut that back. I have a friend or my grandson coming in to do the grass. Or sometimes I have to ask the home help people to do the garden jobs– I have to pay someone to do that.

(Participant 18a, F, age 74)

This also leads residents to question where the funds are being spent. While no doubt there are a range of expenses involved in providing ILUs, it is important to not disregard the importance of meeting maintenance requirements. It is a deep source of dissatisfaction when residents have agreed to pay a maintenance charge and maintenance is not completed. One resident in a regional town not far from Melbourne had spoken to her neighbours and calculated the figures to suggest,

We [ILU village residents] pay about seventy-five to eighty thousand dollars a year and it goes over there [to the co-located residential aged care facility] and it’s not much, but they certainly don’t spend it here [...] Philosophically, I’m not opposed to it, it’s what not-for-profits do –but this place is getting run down.

(Participant 13a, F, age 73)

### **Extra costs**

Two respondents relied on the very low cost of their ILU to enable them to put the remainder of their pension towards their high medical costs. Any change in amounts was therefore quite frightening to them. One woman had important medication which cost her \$120.90 a month, and told me blankly that the cost could not go up. Another man was still reeling from an unexpected price hike,

They put it up \$40 a fortnight. That was a shock. We have chemist’s bills. I got one month’s notice. Rent goes up every year, a little, and I know that, but this?

(Participant 25, M, age 93)

A number of ILU providers recommend that new residents organise their funeral costs before entry. Participants explained this was not an enforced ‘rule’ although it was strongly advised. One participant explained that although she could afford a happy life given the costs of her ILU, every dollar was accounted for. She was bemused, therefore, that her ILU provider expected her to have the capacity to cover such costs,

Have I got a funeral plan? I haven't got a plastic bag without any holes in it!  
(Participant 10a, F, age 74)

## Repairs and maintenance

The relative small size of ILUs were more manageable and easier to keep than a family home. This was a common reason people stated as to why they had moved into an ILU. The stress of managing a home, participants often explained, had become too great.

We don't own anything, which for me is a release.  
(Participant 9, F, age 68)

I thought this was going to be lovely, no stress. The house had leaks in the roof, the big garden. It was terrible in winter.  
(Participant 7, F, age 78)

For a number of single people, the size of their previous home was greater than they felt necessary for one person, and they therefore resented the work it took to maintain. Gardening had once been an enjoyable pastime, but had become a burden.

It suits me beautifully. I have enough space. I was renting a 3 bed when I moved [to this town] and that worried me. I'm not a gardener! [...] I just didn't think it was right for one person – having a whole house just for me.  
(Participant 16, F)

People said, 'You're going to hate it.' They said 'where are your friends going to stay?' I have all the freedoms here without the hassle of the four acres. I was over the gardening – you have to do what makes your heart sing. I grew out of it. You know the difference between a rut and a grave? The depth of the hole! Some people get stuck. And I made a very positive choice and it's been great. I think people make a mistake by not planning.  
(Participant 17, F, age 80)

## Responsibility for repairs

A leading governance question across ILUs is that of maintenance and delineating who is responsible for which maintenance in the absence of formal written agreements (Bridge et al., 2011). ILU providers generally provide maintenance services, usually subject to a named 'maintenance fee.' For a number of people, particularly those who had previously owned their own home, prompt and effective maintenance and repairs were an extremely important factor in determining quality of life. Where repairs were addressed quickly, residents reported great peace of mind and satisfaction,

All the fixed items are the responsibility of the management. The maintenance are excellent, they come that day if they can. They never give up. They never leave you with it.  
(Participant 11a, F, age 89)

I don't worry about things. There's nothing to worry about here. Nothing to complain about. The florescent light goes out, I fill out the form, and he's here the next morning.

(Participant 7, F, age 78)

No one bothers you. If you want anything done, you just contact the management. Light globes or anything. Quick, they don't leave you waiting weeks. On the board there's a number. You call that. It's someone on the committee of management, someone high up ... the name's on the board there [...] When I first moved in, the hot water was on the blink, and I woke in the morning and it was cold. The thermostat was broken, and they came quick. It was good because you know they're prompt. It's important because you need your water.  
(Participant 19, M, age 78)

They are very good at replacing things that break down. In a day, they replace the heater. In a day, they fixed the electronics. Every year, they service things.  
(Participant 13a, F, age 73)

Plants were being stolen. I said, 'this is a start to stealing in a house.' They put up a pretend camera – they went the extra mile.  
(Participant 4, F, age 77)

### **Effective repairs and maintenance**

Some residents were concerned that repairs were not completed by qualified tradespeople, and remained dissatisfied or nervous after the provider had considered the job completed. One woman in her late-70s told me she liked to try and do maintenance herself, as she was concerned about the welfare of the handyman. He is a volunteer member of the committee of management, and they had a positive relationship. She was grateful for his time and generosity. However, she became very nervous when he'd or engage in physically demanding tasks, or 'he'd get up on a ladder,' because, she said, 'I think he's 90! Yes, he turned 90 recently.' (Participant 15, F)

Some residents struggled to get repairs effectively completed in their homes. There may be delays or a failure to complete the maintenance at all. Many found it a burden to have to continually ask for repairs and maintenance, remind the correct people that the repairs and maintenance are due, and follow up the requests. Residents described trying to balance the urgency of requests for maintenance with their fear of negative repercussions. It is significant that many of these examples go back many years as well as more recent examples, showing that many residents have struggled with this over a long period of time.

Four or five years ago, a limb fell down, nearly on the unit. I chopped it up. I got no help from [the provider]. A neighbour rang the chap in charge, but they never came up from Melbourne.  
(Participant 25, M, age 93)

I've been asking them for two years to get rid of this horrible dead stuff [large piles of leaves]. The manager's said that it does need doing, but nothing happens. There's a patch of grass at the side. That would be an ideal communal area [if maintained]. I feel guilty if I have to ring them because I've asked them so many times. I didn't want to ring them again because they'll think 'oh, she's a pest.'  
(Participant 3, F, age 65)

I keep asking. Every week I ring them 'when are you coming to do the grass?' I have a long list [of jobs that need to be completed] and I tick it off when I ask them, so I don't ask them too often. They don't come at all, or they don't tell you when they're coming and you're not home.  
(Participant 18a, F, age 74)

## Case Study

### It can take a long time

Brian had been trying to address a number of complaints with the providing organisation of his ILU for the last two years when I met him. Although these units are under the Residential Tenancy Act, Brian had only recently started receiving rent receipts after requesting them for two years. He had also made a number of requests for alterations of his unit relating to health and safety. He requested that they fit fire alarms in all units. He needed an exhaust fan in his bathroom to reduce the moisture and the mould gathering because of the high level of condensation. He also requested that they move either a power point or the washing machine as the socket is directly under the tap and hose of the machine, making Brian concerned about being electrocuted in the case of a leak. By the time I met him, fire alarms had been fitted but the other maintenance issues were ongoing.

So Brian contacted Consumer Affairs Victoria who referred him to a local housing legal service. With their support, a formal letter from Consumer Affairs Victoria was sent to the providing organisation, and Brian was waiting to see what happened, saying 'the ball's in their court.' He had already been waiting some time, however, so directly after our interview, Brian had an appointment with the legal service to make an application to VCAT.

## Summary of Findings: Legal Issues

- There is little uniformity to the content of contracts ILU residents are asked to sign on entry; ranging from clear and legally-based content to inexcusably long contracts with inappropriate content and inaccessible language. Some residents were not given any contract.
- Residents generally do not have a commitment to security of tenure. Many have trust in the organisation to continue to house them indefinitely. Where residents are asked to leave, it is therefore particularly challenging for them.
- There is a wide range of structures for fees and charges across ILUs, both affordable and unaffordable, relegating residents to a hugely diminished quality of life. Residents often found the information complex, confusing and sometimes unfair.
- Where ILU providing organisations managed repairs and maintenance effectively, residents reported relief, peace of mind, a sense of being cared for and respected.
- Unfortunately, many residents experience long delays and stalling tactics when reporting maintenance or repairs. Some residents reported that repairs were not completed by qualified tradespeople, and remained dissatisfied or nervous after the provider had considered the job completed.
- Many ILUs are repaired only when a maintenance issue becomes urgent. Residents, many of whom are former homeowners, felt that ongoing, regular maintenance is the key to the long-term suitability of this housing stock.
- Some residents struggled to get repairs effectively completed in their homes at all.

# Governance

## Introduction

This chapter takes a brief look at the residents' committees active in our sample, and the barriers that face residents who wish to organise. It looks at alternative communication structures between residents and management.

There is not effective consultation on issues of concern (Bridge et al., 2011; Malta et al, 2016). It is clear from the previous chapter and the broader literature that residents of ILUs often find that management are not sufficiently responsive to their needs. The next section looks at some of these difficulties.

This research finds that while many residents are afraid to speak out, there is also a culture of residents supporting their neighbours to address issues with management.

More generally, the approach of different management groups is varied. While residents reported that some staff and committees of management were exemplary, others bemoaned a lack of kindness, experience and expertise of their management. As this chapter will explore, this issue of expertise is particularly pertinent, with no mandatory management standards in the sector.

## Addressing disputes and complaints

### Resident complaints concerning the ILU provider

To address a problem or make a complaint, the majority of ILU residents reported that the appropriate route was to speak to a manager or a member of the providing organisation's committee of management. A number of people explained that they had learned, from trial and error, that complaints to management led nowhere,

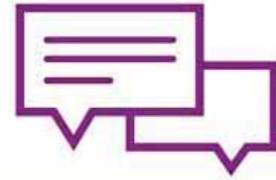
I rang them but I got no feedback what they've done. I rang them again. After so many times I call them, they won't bother. That's the feeling I get [...] I'm not a spoiled brat. I don't tell management about everything. But I know management from past experience do nothing. Had I been one of the other ones, maybe they would listen, maybe it's racism? I don't know. (Participant 6, M, age 72)

Then another time there were wasps. I rang the council – no way would I bother with [the provider]. It'd take them half a year. (Participant 3, F, age 65)

If a complaint was not addressed effectively after taking this step, the majority of residents interviewed reported being unaware of other dispute resolution options, or routes to making a formal complaint. The minority of respondents who were aware of other routes referred to residents committees. Despite many residents being engaged in situations which they felt which

were not satisfactorily resolved, only one person had successfully sourced and navigated the required process to arrange a VCAT hearing to address his complaint.

## Case Study



### A broken tile

I met David in a regional town. Two years ago, he made a complaint about a broken tile that was protruding into his shower area. He filled out a maintenance report form and put it into the required box on the property. As usual, no one followed it up. David would watch out his window for a member of the committee of management to visit the property, and then address them in person. He communicated with the management again and again, and finally the maintenance man said there wasn't a tile suitable. He's still waiting.

David has to move very carefully in his small shower space because he knows that at age 77, a cut from the sharp tile will take a long time to heal. He doesn't have the energy to go to VCAT to make a complaint, but there's no other option for residents of ILUs.

#### Disputes between residents

A few residents remarked that they had knowledge of 'something' related to dispute resolution in their contract, but none had gone through a formal process. One woman explained that her ILU provider outsourced complaints to an external dispute resolution agency. This resident remained unhappy with the resolution,

I [had conflict] in the beginning with the lady at the end unit. I have a kitchen looking at the bins. I wanted to move them. She had a problem with that. She went to [the provider] and not to me. I was incensed! And she was using a lot of space at the back that wasn't allocated to her for growing plants in a pot. [The professional mediator] talked to me and he talked to her. He 'solved the problem' [air quotes] but he didn't because we didn't talk to each other since [over 10 years]. I sorted it with large plants and venetian blinds at my expense. They decided that our conflicts should be decided by an outside agency -outsourcing conflict resolution! He wasn't very good at it. The only feedback I got was 'she's jealous of you.'  
(Participant 4, F, age 77)

One man had a complaint about a couple who previously lived in the unit below him in a two-story building. They were constantly making noise during the night, he explained, being aggressive and creating a mess in the communal areas over a period of many years. He felt he was being fobbed off by his contact from the providing organisation, and that they were simply not willing to do anything

concrete. He explained that he is well-educated, and therefore decided to try and resolve the issues via other routes. He had procured a number of documents and contact phone numbers for external organisations he expected would support his complaints, but to no avail. This resident had contributed a lot of time and energy to try and resolve difficulties with his neighbours, but could not navigate any formal routes effectively.

There's the Dispute Settlement Centre. I called them, they did nothing. My idea is that if you can't stop the dispute, you shouldn't call yourself a dispute centre!  
(Participant 6, M, age 72)

After many years, the providing organisation agreed that the behaviour of the couple was unacceptable and they were asked to leave the ILU cluster.

## **Residents' committees and advocacy**

### **Residents committees**

The RVA legislates for residents committees of retirement villages, but they are not mandatory. This support is absent from the legislation for ILU clusters under the RTA.

Some residents may find a committee unnecessary and onerous (Bridge et al., 2011). The majority of participants in this study who lived in a cluster or village without a Resident's Committee explained that they did not feel comfortable going 'against management' or 'making a fuss;' an active the lack of support from management; or due to long-terms tension between residents after historical conflicts which were never resolved. The absence of a well-functioning committee can lead to difficulties for residents, as described by Malta et al (2016) 'In the absence of such an independent committee, the balance of power rests with the owners/managers which, in some cases, can be difficult for residents.'

Villages which foster a culture of positive interaction and accountability between management and residents can mitigate against lasting conflict and legal action with effective communication (Malta et al., 2016). In the four ILU villages researched where Residents' Committees were active, they were productive. Residents in these villages generally reported a good quality of life. While tensions and conflict did surface over the years, so did resolution and compromise. This, according to research participants, created a much better environment for all. One residents' committee formed in 1989 had been active on a variety of issues over the years. One positive example is where the committee reassessed the rules for residents, which were considered out of date and out of touch.

One of the rules was you can't wear your dressing gown outside! You can't hang your washing out on Sunday! Most of them were minor. All of those silly old-fashioned things are gone.  
(Participant 11a, F, age 89)

In this instance, residents had ownership over the guidelines of residency for their own community. No one in the four villages considered spoke of fear of retribution or retaliation when issues needed to be addressed.

## **Meetings with management**

Where a village did not have a residents' committee, there were examples of meetings organised by management where residents could meet with them to air their concerns or comments. These meetings were irregular and ran perhaps once every six months, or once a year.

One respondent told me of a very smoothly functioning active former residents committee in which she had participated. After a change of on-site staff, the residents committee was shut down by the management, who took responsibility for some of their activities. 'They decided they'd work it out better by the office,' she explained, with obvious disappointment with this turn of events. She had felt it was too much of a battle to re-establish the residents committee against the expressed wishes of the new management, but said it was a possibility if living conditions in the ILU village deteriorated.

## **Fear**

Many residents of ILUs are afraid of making complaints. In one village where basic maintenance and repairs were frequently not taking place, one interviewee and his neighbours demanded a once-off meeting with the new manager from the ILU providing organisation. A group of residents attended. However, he explained, 'I was the only one who spoke up.' While at the time he had felt they were being listened to, saying 'they wrote down a long list and said they'd take care of it,' the majority of proposed improvements did not take place. Feeling that another meeting would not be useful, the individual resident looked into formal complaint routes.

A fear of speaking up, framed as creating conflict with management was again prohibiting residents from addressing their needs and concerns. This was a great cause of frustration for my two interviewees who had spent a long time advocating for positive action on repairs and maintenance issues. Of their neighbours, they explained,

They're as weak as piss. They didn't speak up at the meeting.  
'I'll shut my mouth. I'll hush or they'll kick me out,' seems to be the attitude here.  
(Participant 21a, M, age 70 and Participant 21b, M, age 68)

Indeed, one of these two also avoided addressing issues and concerns saying, 'I keep to myself, it's easier that way' (Participant 21b, M, age 68). He had been very eager to meet for interview, however, as he had a number of issues with the management he wanted on record.

## **Residents supporting each other**

Where Residents Committee were not meeting, there was often one community member who carried responsibility for the care and support of their neighbours. Sometimes this unofficial role included advocacy on behalf of more vulnerable residents, or mediating between residents and management in cases of disagreement.

Those people are vulnerable. So saying they don't like something is difficult. So it comes from friends and relatives. There are one or two people who regard themselves as unofficial advocates. It's very hard for vulnerable people to speak out. There's an unspoken fear that if they speak out, they'll be sent to [residential aged care]. And a number of people have gone out there.

(Participant 9, F, age 68)

This role was a source of pride and fulfilment for the residents in question. Yet it was also time consuming and extra pressure for the person or persons responsible. This raises the question of what alternative supports will be in place when the helping neighbour is no longer able or available to continue this advocacy.

## **Staff and management**

Historically, capital funds to build ILUs were drawn down by a variety of groups including welfare organisations, religious groups, volunteer community groups, veteran organisations and local government. Over time, there has been regular change of ownership for many ILUs. There is a variety of governance structures for ILUs, and different governance relationships between management and residents predicated on whether they sit under the RTA or the RVA. The availability of best practice guidelines for providing organisations is undermined by the lack of strong regulation, particularly in relation to ILU villages.

There is of course, also a variety of management cultures and approaches to the role. Mc Nelis investigated the providing organisations in detail in his 2004 study, and while it appears from our sample that modernisation has improved the situation somewhat (and significantly in some instances), one issue of concern from this study time holds weight for participants of this research. Some ILU providing organisations are struggling to adapt to new cultures of resident's rights and active ageing for older people. This might explain some of the examples from residents about feeling dismissed and condescended to. Finding a similar dynamic in their recent study, Malta et al. (2016) suggest that relationships could improve if managing organisations were to take on a person-centred approach. Our research below looks at both positive and negative experiences of treatment by management from the perspective of residents.

### **Role of management**

There is not enough clarity on the responsibility for service provision and the obligations of independent living [see sections 'Independent Living' and 'Lack of Care' and 'Repairs and Maintenance'].

This research also finds that management also, at times, offered essential support to residents, especially where family and friends were not available to residents. This might be supporting residents when interacting with external agencies, such as navigating the bewildering range of home help and care services available. As one woman explained, 'What's difficult for most of us to figure

out is what's available' (Participant 11b, F, age 78). Residents of another ILU village in a rural town were frequently accosted by a range of door-knockers, from religious groups to utility companies with aggressive sales techniques. Residents were getting confused, and would go to management to try and figure out exactly what they'd signed up to. Staff members would take on the task of 'unravelling the mess,' as well as trying to dissuade further door knockers.

In a minority of ILU villages captured in the research, the staff or members of the committee of management organised social occasions, including acknowledging birthdays or hosting Christmas barbeques. Another had set aside a small room for games where a member of the committee hosted scrabble and chess games.

### **Positive experiences**

Residents' positive experiences of staff and management were often personal in nature. A kind individual who was seen to be 'doing their best' and generally acting in good faith were highly praised.

I do [think there are good relationships]. I see what goes on. I have a lot of respect for what they do. Some people just whinge about everything. I mean, [the management] are just normal people trying to do their best. They're really trying their best to make people comfortable, and safe. (Participant 9, F, age 68)

Highlighted areas included examples of regular and good communication. It was important to residents that someone would either visit their unit or speak to them on the phone when they had any concerns. Residents also often spoke of support which they did not currently need, but may in the future. It was clear that supportive staff and members of management fostered great peace of mind. One woman who had recently arrived to her ILU village after very difficult personal circumstances told me she was very grateful for the support she'd been given,

It's nice being with people who care for you – the management. They give you a birthday card, a vase of flowers. Whatever you need. Help with shopping. They're lovely – very supportive. If you can't do your gardening, they do it for you. (Participant 14, F, age 65)

### **Negative experiences**

Unfortunately, very positive relationships between residents and staff and management were not the norm, and were concentrated within a small number of the same ILU providing organisations, while other residents had either very little contact with staff (where they existed) or members of the committee of management. Some relationships were characterised by deeply negative interactions.

A number of providers, particularly those operating under the RTA, were generally absent from resident's daily life. While some felt that this allowed them to live independently without hassle. many residents in this situation felt ignored and forgotten about. Where residents had complaints or disputes they needed to address, they felt deep frustration at the difficulty in communicating effectively with representatives from the providing organisations. One very older man spoke of a repeated situation where members of the providing organisation would promise to visit residents to

deal with issues, but these plans would fall through. They came in cases they deemed urgent, but generally, he explained, 'We don't see much of them' (Participant 25, M, age 93)

Where basic repairs and maintenance were not being addressed effectively, some residents experienced hostility from management in trying to get the jobs completed. Those in lower cost ILUs identified an attitude that they were 'undeserving' of the services agreed within their contract, or those which could reasonably be considered regular maintenance. One woman who was trying to have the communal outdoor area cleared of rotten growth for a whole season suspected that, 'Once you're paying a low amount, their attitude is 'you get enough' (Participant 3, F, age 65), while a man who had been requesting for two years for old, unused piles of broken furniture to be cleared from the communal outdoor area in view of his window explained, 'They said, 'What do you think this place is? It's cheap rent' (Participant 21b, M, age 68).

One research participant lives in an ILU village with some very decrepit properties, including some which are empty as they were not in a good enough condition to occupy. To improve the ILU village, she used her own money and time to do gardening in the communal areas of this reasonable large village, saving her pension to afford the plants. She had a few maintenance issues that needed to be dealt with, and suspected her neighbours had more urgent repairs also. So she went door to door to create a list of combined requests, and formulated and sent a letter to present to management. The jobs were not completed, and it was indicated to her that they would not be, 'They told me 'you know what you signed up for' referring to independent living. 'Well, actually, I didn't. There was no contract!' (Participant 13a, F, age 73)

In another village, two neighbours interviewed together brought the researcher on a tour of their small ILU units with evidence of many important maintenance tasks which were not completed. One of these residents chose to personally pay out of pocket for some works in the communal area which had been neglected by the management, as well as paying her maintenance fee to the providing organisation. Irregularly, the providing organisation did complete essential upgrades to the properties, although not with the professionalism or respect expected by residents. Concerning one incident the women described the anger they felt in being intruded upon, something they explained happened regularly

They wanted to put smoke alarms in. I said I'd be here. So he came and I had to leave, and I told him the lady in no.5 wouldn't be home.

And I came home and it was there. I said to [the staff member] 'I could take this further.' He just laughed. But I didn't have the energy. It's not good to be angry all the time.

(Participant 18a, F, age 74 and Participant 18b, F, age 77)

Many people recognised staff attitudes as ageism, confident that a younger person, or a person of higher status, would be taken more seriously. One woman with an important but easy to resolve complaint found she was being ignored, and her phone calls and emails were unanswered,

If the boot was on the other foot, by now I wouldn't be here. If I had done to them what they've done to me, she'd say 'ta-ta'. 'She's an oldie,' that's what they think. They don't worry about it too much. I'm *what*-ted off. Ok, I'm pissed off.

(Participant 10a, F, age 74)

# Case Study

## Who's managing who?

I went to a regional town and spoke with three neighbours sitting around a kitchen table in a small, dark unit. They had a litany of complaints regarding their committee of management. They told me that the organisation had a regular and rapid change of staff and management, but the committee stayed the same over the years. 'The management has been like the weather, sometimes good, sometimes bad, but changeable.'

None of the residents had a contract. Maggie had lived there the longest of the three, for eight years. When she first moved in, she explained, she had no hot water for four years. The installed system had broken, and simply, 'they wouldn't give me a new hot water system'. When a new one was finally installed, it didn't work at all, but Maggie didn't know why. She didn't feel safe interfering with the hot water system, so she contacted the management to deal with it. It took 6-8 months before someone came to look at it, and she was told that the issue was resolved with the flick of a switch.

Maggie told me that a woman of 90 years arrived at the village. She was extremely unhappy with the condition and cleanliness of the unit she was placed in, and made it known to the committee of management. They moved her into another which had no lights and no taps. She felt forced to leave the village.

Over the years, residents felt that members of the committee had pressured them to join their church. Many rules for behaviour relating to the practices of this faith were in place in the village, and residents were asked to respect them. Terry explained, 'when I first came here, you couldn't hang the washing out on the Sabbath.' The stringency of these rules had eased over the years, and now Maggie and Terry were happy to respect the practices of the church group providing their accommodation. But Michael, who had moved from a closed ILU, found the rules in this ILU difficult, but felt he had no alternative housing options, 'The thing that's scary about these places, is that there's nowhere else to go, you'd end up on the street.' A few years ago, the regular rent bill included a new charge for water. However, the units did not have their own water meters. Terry called the utilities ombudsman, and following advice about the illegality of the situation, developed a petition. All ILU residents signed it, the petition was submitted, and the charge was dropped.

Maggie, Terry and Michael had engaged in some other self-advocacy to address some of the issues over the years, but were getting tired with this, and had come to the conclusion that the committee were both uncaring and incompetent. They felt that speaking out publicly could only damage their living situation, and re-affirmed their request that this research would not use their real names.

## **Make-up of management**

The majority of ILUs in this study were set up by local community groups in the 1970s or 1980s. In some cases, the make-up of the committees of management has not changed much over this time, with a low turnaround of aged members. This led to a concern from some research participants about the future and dynamism of their village

They need younger people coming in. It mixes the community. If you've got a management group that's slightly younger, you've interactions.  
(Participant 17, F, age 80)

Some committees are made up of professional people with skills in business and care services, while others are made up of a mixture of people, including passionate volunteers. There is no typical make-up of a committee, and no management standards to which they are mandated to work, although CAV have made available a comprehensive Good Practice Guide.

Many committees of management are made up of unpaid volunteers who add to the life of the village with passion and commitment to the provision of community based housing for older people. This commitment is appreciated by residents, and contributes to feeling cared for and supported. Members are often well known in the community, particularly in regional and rural areas, and this fosters trust, confidence and security.

However, as also reported by residents, some organisations lack all of the required skills to run the organisation effectively. Since McNelis's 2010 research, it appears that more ILU provider organisations have added younger people who they hope will make a long-term commitment, as well as people with business skills to their membership. Often this was done explicitly to increase the quality and sustainability of the ILU village. Unfortunately, a number of committees did not present to residents as having the skills needed to run the organisation effectively.

In one case, a mid-sized village had a committee made up of three older ILU residents and a clergyman. Despite sourcing another person from outside the church community based on his skill-set, the long-term sustainability and effective management of this ILU village was in doubt.

However, residents generally did not feel the resolution of this situation warranted an extensive overhaul, but rather a strengthening of the structure that is currently in place.

All they need is to make the Committee of Management stronger. You need community groups involved, and then you have community. We need assistance from management organisations.  
(Participant 17, F, age 80)

## **Summary of Findings: Governance**

- To address a problem or make a complaint, the majority of ILU residents reported that the appropriate route was to speak to a manager or a member of the providing organisation's committee of management.

- If a complaint was not addressed effectively after taking this step, the majority of residents interviewed reported being unaware of other dispute resolution options, or routes to making a formal complaint.
- Only one person had sourced the information and navigated processes to follow to arrange a VCAT hearing to address his complaint; another had contributed a lot of time and energy to do so but could not.
- The majority of residents who were experiencing difficulties reported 'not being taken seriously' by management, or being too afraid to continue 'causing a fuss.'
- The majority of ILU communities did not operate a Resident's Committee due to fear of retribution, an active the lack of support from management, or due to long-terms tension between residents after historical conflicts which were never resolved.
- In the three ILUs researched where Residents' Committees were active, they were productive. Residents in these villages generally reported a good quality of life.
- Where Residents Committee were not engaged in representing the needs of residents, there was often one community member who carried responsibility for the care and support of their neighbours. Sometimes this unofficial role included advocacy on behalf of more vulnerable residents, or mediating between residents and management in cases of disagreement.
- While residents reported that some staff and committees of management were exemplary, others bemoaned a lack of kindness, experience and expertise of their management.
- Many committees of management are made up of unpaid volunteers who add to the life of the village with passionate and are committed to the provision of housing for older people, but lacking in all of the required skills to run the organisation effectively. Some committees are made up of professional people with skills in business and care services, while others are made up of a mixture of people.

## The Housing Stock

### Reduction in Stock

It is very difficult to know how many ILUs exist in Victoria, and how many of those cater for low and mid-income people. In 2004, McNelis estimated that there were 6,200 in the state, yet when he returned to survey ILU providers in 2010 he found a reduction in stock. Based on the information gathered from his respondents, a high proportion (25%) of ILU organisations ceased providing ILUs between 2002 and 2010. There was a relatively high loss (26%) of ILUs in this same time period. (McNelis, 2011). Through HAAG policy and casework, there is reason to believe that there have been ongoing closures and transfer of stock to a different housing type since 2010.

There is no central database of this information. We should hesitate to extrapolate from this research which just looks at two regions, since it is likely that land values in different regions is a significant reason for closures. However, in the absence of other information, we will tentatively consider this sample.

As explained previously, our initial sample was drawn from lists of ILU clusters and villages created by Seniors Information Victoria's online directory, last updated in either 2010 or 2013 i.e. since McNelis collected his figures. The sample covered 58 ILU clusters or villages. During the research process, four were found to be shut down – indeed, on arriving at an ILU location I met a real estate agent showing one cluster to potential buyers. During the course of the research, one ILU provider announced that their village was to be redeveloped as a residential aged care facility. Another three remained as ILU villages, but had been fully refurbished to a much higher standard. In tandem with this redevelopment, they had raised their ongoing donation to an amount which meant they are no longer accessible to low and mid-income people. In three ILU clusters, some individual units were currently being sold at market rates to private buyers, and residents expected the remaining units might be sold after they were vacated in two of the clusters, while the plan for the third was to redevelop existing units as ILUs.

The 58 ILU villages or clusters originally considered for this research account for 1,106 units. The 5 villages or clusters no longer providing ILUs for low or moderate income older people account for 152 less units, with another 2 villages perhaps due to close representing at least 6 units, but possibly another 17 units. So, the 51 ILU villages and clusters considered in this research is made up of 976 units, inclusive of the 22 units which are in the process of closing, and another 23 units which *may* close in the future but have not yet. This accounts for 12% less stock across the initially considered sample. However, as all of these closures and upgrades are in the Northern Metropolitan region, this accounts for 21% of stock in this area.

There was also evidence of additional new units being developed on already existing sites. Yet the small numbers of new build at a number of sites would not cater for low income people, with the exception of 35 new units in development at one large village which caters for people from a range of financial backgrounds who are means-tested on entry.

## The built environment

Ahmadpour and Kiernan's 2016 study of residential villages for older people in Victoria highlights the significance of the built environment in retirement housing. They argue that although people of any age might find their surroundings a source of happiness or misery (De Botton, 2006), there is a stronger dynamic between place and person for older people, with effective design carrying the possibility of improving the ageing experience (Liu et al., 2009). Home, in particular, is important for older people (Wahl et al., 2012; Rioux, 2005). Ahmadpour and Kiernan argue that the built environment impacts on older people's autonomy, competence, relatedness and sense of identity.

The significance of the built environment for residents of ILU clusters and villages was apparent in the interviews of this study. Where there were shabby grounds and exteriors and poorly maintained buildings, residents were generally deeply frustrated by this apparent lack of respect from their ILU providers towards their homes [see section 'Repairs and Maintenance']. For example, the fascia board in this photo has been rotting over many years and leaks rain down the front of the unit which seeps inside.



Residents spoke of the size and space in their units, their small garden if they had one, green patches, grass verges and a second room, or their desire for one. While I only spoke to one resident living in a bedsitter, HAAG caseworkers find that many older people do not wish to live in such a space and find it too small for comfort or to meet their needs.

## INTERIOR DESIGNER PERSPECTIVE

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### Old Colonists' Association of Victoria – Rushall Park, North Fitzroy

The interior of the living unit in North Fitzroy has a very strong sense of personal belonging. The house is relatively large and can comfortably accommodate two people. The interior extends further out to not just serve daily needs such as eating and living; but to also allow the occupant to have a reading space, souvenir shelves and crafting space for leisure.

Furthermore, there is evidence to show the interior has been well-designed. From observation, the exterior of the unit can be related to the Victorian era. Perhaps the intention of the designed interior is to continue that sense of Victorian style. Picture frames showcase artistic paintings, shelving displays books and the collection of furniture reflects a classic taste, yet is warm and welcoming. Overall, the interior has been developed by the occupant to reflect and express themselves.



Front view



Living room



Reading space



Crafting space



Walkway to Bedroom

## Villa Maria Catholic Homes Independent Living Units – Ivanhoe



*Living room*



*Entrance to the unit*



*Bathroom & Laundry*



*Kitchen*



*Common area*

The unit in Ivanhoe, on the other hand, is relatively smaller than the North Fitzroy unit. Most of the activity spaces are combined within the one area. Within the given space, the occupant of this unit does not have luxurious choices for their living and leisure, and most of daily activities occur within the living room. Reading or working activities are confined to a very small area in front of the kitchen. Any additional furniture within this space would make circulation more difficult, given that the occupant is ageing.

The interior does not provoke a strong sense of design aesthetic. A significant comparison between the two units is in trying to identify a sense of place. While the North Fitzroy unit provokes a strong sense of personal belonging, the Ivanhoe unit aims solely to provide basic shelter to the occupant.

## **Number of rooms**

The majority of units in this study were one-bedroom, usually occupied by one person. In a study of retirement housing for low to moderate income older people, Bridge et al. (2011) found that ILU villages with an ingoing of at least \$200,000 provided facilities similar to for-profit villages. This present study looked at units with ingoings lower than this amount. In line with findings by Bridge et al. (2011), we found that the cheaper units considered in this study have basic facilities.

Independence and quality of life is hugely impacted by the presence or lack of another room. The extra space allowed for activities and hobbies which simply weren't possible otherwise. One man showed me the second room in his otherwise small metropolitan ILU, which contained his weightlifting equipment. A woman who shared with her husband showed me the second small room she used for a variety of crafting activities. In a rural ILU village, a very active woman explained that although she did not have a second bedroom, her own bedroom was very large. She had previously had a sewing table, but had recently removed this to fit in her new cello.

Another woman spoke directly of her regret of not having a second room. She had been resident in her small, metropolitan ILU for 15 years, and had found that the lack of space limited her activities significantly. She wished to do art, and also wanted to put her bicycle inside as she was nervous about it being stolen outside. These examples exemplify active ageing, a generation of older people who continue to be busy as they age, with a variety of hobbies and interests. When ILU's were first built, there was a different understanding of how older people live.

## **Redevelopment**

Of the 51 ILU clusters or villages considered in this research project, 4 had totally rebuilt or refurbished all of their stock. Interestingly, all of these were in regional areas while, as discussed previously, all of the closures were in the metropolitan area, presumably linked to rising land costs. Of the same group of 51, 6 clusters or villages had additional build currently being planned or in process. Newer ILUs on existing sites are generally larger, more thoughtfully designed and inclusive of a small patch of grass.

However, reflecting findings by McNelis (2011), many ILU providers looked to current market values when deciding on the ingoing costs for these units. Therefore, the more accessible stock comes at a price that older people relying on the government pension cannot afford, including those who are the target demographic for this research. This is not the case across the board, and as a result, the well-designed ILUs for low income people are in high demand with long waiting lists.



### **Accessibility and adaptability**

Retirement housing must cater for the majority of older residents who expect to live in these homes as they age. Many research participants told me that they expected, and hoped, to die as a resident of their home. For this to be practical and to support wellbeing, the design of retirement housing must meet the needs of residents, enabling independent living for as long as possible. One man, for example, had very high cupboards in his kitchen, inaccessible to the resident who is too frail to use a ladder safely.



One woman was concerned about her shower. 'It's a tile high. I'm scared of it. I have to hang onto the sides not to fall.' (Participant 18a, F, age 74). She had been in many private rental apartments in the recent past, and had hoped that retirement housing would be more suitable. Some ILUs now have an accessible bath or shower area, but rarely were these features part of the original design. I met one man whose shower area had been redeveloped as his needs increased. There no step between the bathroom floor and the tiled shower area, and the space was now big enough to fit a wheeled shower chair. This had been redesigned with funds from the Department of Veteran Affairs, and not the ILU provider.



Bad design can impact on the dignity of ILU residents in surprising ways. Although she has now passed away, the daughter of an ILU resident recalls the humiliation the family felt when her mother became unwell and the design of the unit did not allow for her to be treated with dignity. 'When mum had a stroke, they couldn't get her out. They hit her off the wall here, trying to get around the bend.' Further to this, 'The man next door had to go through the window when he died' (Daughter of participant 25). Considering the high likelihood that many ILU residents may need emergency medical care requiring a stretcher in their later years, or indeed pass away in their homes (as many research participants hoped would be the case), this is a significant consideration.

## Summary of Findings: The Housing Stock

- We do not know how many ILU clusters and villages are in Victoria, but we do know the stock is reducing due to closures and conversion to other housing types.
- While some ILU clusters and villages are being upgraded, or additional units are being built on sites, the majority of these no longer target low income people.
- The built environment is particularly important to older people and impacts on their wellbeing. Therefore, the upkeep of the clusters and villages play a significant role in resident's wellbeing.
- Limited space in very small bedsitters or one-bedroom units is no longer suitable for many older people who continue to be busy and active as they age.
- Residents expect to live in their ILU as they age, and units must meet this need by being designed for ease of adaptation e.g. shower areas, cupboards and access through doorways.

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*Terms of Reference for the Parliamentary Inquiry into Retirement Housing*  
[www.parliament.vic.gov.au/lpic/article/2969](http://www.parliament.vic.gov.au/lpic/article/2969)

## **Appendices**

**Appendix 1 Invite to Residents to Participate in Research**

**Appendix 2 Letter to ILU managers**

**Appendix 3 Consent form**

**Appendix 4 Terms of Reference for the Parliamentary into the Retirement Housing Sector**



Housing for the Aged Action Group  
Postal address: 1st Floor, Ross House  
247-251 Flinders Lane, Melbourne 3000  
Admin: 9654 7389 Fax: 9654 3407  
Website: [www.older tenants.org.au](http://www.older tenants.org.au)

Dear resident,

Housing for the Aged Action Group (HAAG) is an independent, member-based community organisation which supports older people with housing issues.

**HAAG is researching the views and experiences of residents of Independent Living Units (ILUs), and we would love to hear from you, whether your experiences are positive or negative.**

The Victorian Government has set up a Parliamentary Committee to look at the retirement housing sector, including ILUs. We want to make sure they hear residents' point of view.

We are interested in whatever you want to tell us about living in an Independent Living Unit. Other ILU residents have wanted to discuss:

- Village life
- Maintenance of your ILU
- Health and care services
- Relationships with management
- Dispute resolution
- Contracts and fees



**Interviews will be confidential and anonymous if you prefer**

**Please call Aoife at 9654 7389 or 041 647 6640**

We can:

- Meet you in private, or with family, in your home
- Have a meeting with a group of residents
- Meet with your Residents' Committee, if you have one

Yours sincerely,

Aoife Cooke

Project Worker

Independent Voices:

*Collecting and recording the experiences of residents of Independent Living Units in Victoria*

Ph. 03 9654 7389 or 0416 476 640; Email: [aoife.cooke@oldertenant.org.au](mailto:aoife.cooke@oldertenant.org.au)



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To the manager of the Independent Living Units,

My name is Aoife Cooke and I am a researcher with Housing for the Aged Action Group (HAAG). Over the next number of months, I will be collecting and recording the experiences of residents of ILUs in Victoria, for a project called 'Independent Voices.' I am in the Northern and Western Metropolitan area mid-April to early May, and Loddon Mallee and Grampian regions in May and early June.

I am getting in touch to let you know that I will be contacting residents of your organisation's Independent Living Units to invite them to participate in this research project. This letter is to inform you that I will be undertaking a letterbox drop in the region over the next few weeks.

As you may be aware, the Victorian parliament passed a motion at the end of February to look at the legislation surrounding all types of retirement living, with a resulting report expected on 1<sup>st</sup> March 2017. All interested parties are welcome to make submissions, and HAAG's remit is to support older residents to do so.

There is very little awareness of not-for-profit ILUs within this sector, and we are hoping to highlight the importance of ILUs to help meet the housing needs of older people in the coming years.

The project also aims to organise community and resident information sessions for people who may have questions or concerns. We have found that when residents have more information about their housing choice, they share this information with others, thereby raising the profile of ILUs across their region.

Please get in touch if you would like to discuss any of this further.

Yours sincerely,

**Aoife Cooke**

Project Worker

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CONSENT FORM

Date:

Tenant's/resident's name:

Age:

Address:

Contact phone number:

I consent to have the Housing for the Aged Action Group (HAAG) researcher to interview me and use the information I give as part of the 'Independent Voices' research project. I am aware that she will take all efforts to keep my information anonymous.

Signature: \_\_\_\_\_

HAAG representative:

Signature: \_\_\_\_\_

## Terms of Reference for the Parliamentary into the Retirement Housing Sector

On 24 February 2016, the Legislative Council agreed to the following motion:

That, pursuant to Sessional Order 6, this House requires the Legal and Social Issues Committee to inquire into, consider and report, no later than 1 March 2017, on the operation and regulation of the retirement housing sector (including retirement villages, caravan parks, residential parks and independent living units) with the aim of identifying opportunities for improvement and reform and, in particular, the Committee should consider —

1. existing legislation that relates to retirement housing, in particular recommendations for reform of retirement housing legislation to ensure it —
  - a. reflects the diversity of retirement housing types;
  - b. includes proper consumer protections, dispute resolution procedures, fair pricing, and consistent, simplified management standards and regulations across the sector; and
  - c. has a focus on dignity, respect, appropriate care and quality of life for retirees;
2. comparable reviews and recommendations for reform in other Australian and overseas jurisdictions;
3. the experiences and views of residents of retirement housing and their families and retirement housing owners and managers;
4. the option to appoint a Retirement Housing Ombudsman; and
5. the impact of local government rating on retirement housing.



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For more information contact HAAG Project Worker and author, Aoife Cooke  
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Sections of the report are written by Shanny Gordon and Huyn Buu Loc Tran.  
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