

Ms Jo Haylen, MP
Member for Summer Hill
Parliament House
SYDNEY 2000

6 August 2019

Dear Ms Haylen

Retirement Village Exit Entitlements and Recurrent Charges Cap

As a retirement village resident at Cardinal Freeman, I am seeking your help.

On 9 July 2019 Minister for Better Regulation and Innovation, The Hon Kevin Anderson, released a Discussion Paper inviting submissions from the public as to how the Government should proceed with its announced intention to:

- Introduce a 42-day limit on the length of time retirement villages can charge for general services after the departure of a resident; and
- Mandate that exit entitlements be repaid within 6 months of a resident moving out of a retirement village in metropolitan areas and 12 months for regional areas.

These reforms were a recommendation of the Greiner Inquiry into the Retirement Village Sector in 2017 and, as an election commitment before the State Elections last March, the Government undertook to implement them.

Upon release of the Discussion Paper I have been horrified to learn there is some suggestion that the reforms may be “grandfathered” – that is, made applicable to residents of retirement villages who enter into residential contracts after the reforms come into effect. Existing residents, the ones who are suffering from the current unfair laws, would get no benefit or relief!

Ms Haylen, if “grandfathering” is allowed to happen it would be very unfair. The Government made an election pledge that the reforms would be implemented with no indication that the voters to whom the pledge was made would be excluded from the benefits. I feel that this pledge must have been deliberately misleading.

I look to you to do what you can to resist any attempt to “grandfather” these reforms when they are referred to you for parliamentary consideration. The Government needs to honour the unambiguous undertaking it gave in this matter. Your assistance will be highly valued in ensuring it happens.

Yours faithfully

Jóy McCurrach