

Ms Jo Haylen
MP for Summer Hill
299-301 Marrickville Road
MARRICKVILLE NSW 2204

Dear Ms Haylen

**Discussion Paper released on 9 July 2019
by the Hon. Kevin Anderson, Minister for Better Regulation and Innovation.**

I reside in a retirement village. I fully support the proposed reforms 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.

However, there has been some suggestion that the reforms may be “grandfathered”, making them inapplicable when the resident of the retirement village enters into residential contract before the reforms come into effect. **I do not support any “grandfathering” of these reforms.**

“Grandfathering” would continue to allow operators to:

- charge hundreds of dollars per month for unconsumed general services; and
- delay handing back exit entitlements

for **unreasonably protracted or indefinite periods of time** for some residents.

I am asking you to oppose any attempt to “grandfather” these reforms when they are referred to you for parliamentary consideration.

We are now all supposed to be paying towards our care as we age. This “grandfathering” proposal is incredibly unfair for those who are assessed as requiring a higher level of care and need their money to pay an Accommodation Deposit for entry to a residential aged care facility.

The Government made an election pledge that the reforms would be implemented but did not mention anything about “grandfathering” (that is, that it would exclude all people who

can currently benefit from these reforms). At best, this may have been an oversight; at worst it would be intentional ambiguity aimed at misleading NSW voters.

It is unfair and conscionable that contract arrangements (that are now considered to require legislated limitation) should be permitted to apply to some (often elderly or frail) people, and not others, solely based on the date of signing a contract.

The Government needs to honour the spirit of the undertaking it gave in this matter and I am asking you to hold the Government members to that.

Yours faithfully

Jeannie Highet