

Attachment A

MIN21/12975/4

**Hangan, Eva**

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**From:** Finch, Andrew  
**Sent:** Friday, 21 May 2021 6:18 PM  
**To:** Office of the Premier  
**Subject:** Fwd: Letter to Premier - Funding for Tasmanian Residential Rental Property Owners Association  
**Attachments:** Letter\_Association\_Funding\_May2021.pdf; certificate registration.pdf; CONSTITUTION\_Rental Property Owners Association.pdf  
**Categories:** Leanne

①

Please acknowledge and I have asked EA's office to prepare response.

Thanks  
Andrew

Sent from my iPhone

Begin forwarded message:

**From:** Louise Elliot <s.36@gmail.com>  
**Date:** 13 May 2021 at 9:31:50 am AEST  
**To:** peter.gutwein@parliament.tas.gov.au  
**Cc:** "Finch, Andrew" <s.36@dpac.tas.gov.au>, Brad Goldsmith <s.36@gmail.com>  
**Subject:** Letter to Premier - Funding for Tasmanian Residential Rental Property Owners Association

Hello

Please find attached a letter to the Premier

Thank you

Louise Elliot  
President  
TRRPO  
[www.tasmanianrentalowners.com](http://www.tasmanianrentalowners.com)



13 May 2021

Dear Mr Gutwein

Firstly, congratulations on your Government's success in the election and the news this morning that majority has been confirmed. We look forward to continuing to work with you and your team on residential tenancy and property ownership related matters over your next term.

Our Association was formally incorporated in September 2020 following events that occurred during Tasmania's response to COVID-19 that had a dramatic impact on residential tenancies. These events highlighted that it is imperative that owners of Tasmanian residential rental property are appropriately represented as, without them, residential tenancies would cease to exist.

Our Association's purpose is to help ensure that rental owners are consulted, heard, supported and treated fairly. Our membership base is growing every day, with the vast majority of our members being typical mum-and-dad investors who hold very small property portfolios that they have worked hard for as it is part of their plan for financial independence. It is also important to note that around 50 per cent of our membership elect to manage their properties themselves, rather than engaging a professional property manager.

To date, our revenue has been raised through a low membership fee of \$50 and our activities are volunteer run. This, understandably, limits the support and services we can provide our members and the benefits we can bring to the sustainable and fair management of residential tenancies more broadly.

The purpose of this letter is to formally request funding for our Association to the value of \$50,000 per year, and commitment to make this recurrent funding provided each year for the next two years. If granted, this funding would be used to:

- develop an education program which focuses on improving owners' knowledge of their obligations and other critical requirements under relevant tenancy and discrimination legislation and best practice
- develop a toolkit that can be made available to members (and others) that comprises of key templates and documentation (such as Lease Agreement, Condition Report, Tenancy Application Form) to help ensure that residential tenancy arrangements are compliant with relevant legislation, including the *Residential Tenancy Act 1997* and *Anti-Discrimination Act 1998*
- promote the Association with the intention of growing our membership so that more owners have access to support and information

2

- provide advice services to individual owners to help address issues in residential tenancies, with the view of resolving them before the escalate beyond repair resulting in evictions and
- enable us to procure legal, marketing and other relevant expertise as needed to provide our products and services.

A copy of our Constitution and Certificate of Incorporation is attached for reference.

Thank you for your consideration of this request. We understand that there is limited action you can take while in caretaker mode, but we look forward to your response as soon as practicable.

**Mrs Louise Elliot**  
President  
Tasmanian Residential Rental Property Owners Association

**Dr Bradley Goldsmith**  
Treasurer  
Tasmanian Residential Rental Property Owners Association

**TASMANIA**

Associations Incorporation Act 1964  
Section 8

Incorporation Number: IA12611

**Certificate of Incorporation**

This is to certify that

**TASMANIAN RESIDENTIAL RENTAL  
PROPERTY OWNERS INC.**

is, on and from the seventeenth day of September 2020  
Incorporated under the Associations Incorporation Act 1964.

Dated this seventeenth day of September 2020



Assistant Commissioner for Corporate Affairs

Certificate



# Constitution

## Tasmanian Residential Rental Property Owners Inc

17 September 2020

## Table of Contents

1. Association Name .....	3
2. Association's office .....	3
3. Objects and purposes of Association.....	3
4. Powers of the Association.....	4
5. Membership of Association .....	4
6. Membership Fees .....	5
7. Income and property of Association.....	5
8. Accounts of receipts and expenditure .....	5
9. Banking and finance.....	5
10. Audit of accounts .....	6
11. Annual general meeting.....	6
12. Special general meetings.....	6
13. Votes and quorum at general meetings.....	7
14. Chairperson at general meetings.....	7
15. Affairs of Association to be managed by a Committee.....	7
16. Committee Composition and Meetings .....	8
17. Election of numbers of Committee.....	8
18. Vacation of office .....	9
19. Disclosure of interests.....	9
20. Seal of Association .....	9



## 1. Association Name

The name of the association is as follows:

Tasmania Residential Rental Property Owners Inc.

## 2. Association's office

The office of the Association is to be at the following place or at any other place the Committee determines:

Louise's residential address

## 3. Objects and purposes of Association

The objects and purposes of the Association are to:

- a) help ensure that residential rental property owners are treated fairly in the development of new legislation, regulations and other mandatory requirements that govern residential tenancies in Tasmania and the ownership of Tasmanian property to be used for investment purposes
- b) champion the importance of upholding a fair balance of power in the relationship between residential rental property owners and tenants and the role that rental property owners play in providing a housing choice to the Tasmanian community
- c) to provide its members with access to opinion, advice and support in relation to the renting of their residential property
- d) to act as a representative and advocate for Tasmanian residential property owners, including liaison with relevant government bodies and stakeholders to ensure the views of property owners are heard and considered
- e) to effectively listen to its members so that it has an accurate and comprehensive understanding of the challenges and issues they face
- f) to support members knowledge of matters related to purchasing and renting properties in Tasmania by sharing relevant information in a timely manner and providing/facilitating information sessions and access to dedicated information resources
- g) to collect relevant data and information related to rental properties in Tasmania and the experience of being a residential rental property owner and use this information to inform strategy development and collective knowledge.

## 4. Powers of the Association

The Association holds these below powers which are exercised as the Committee sees fit to achieve the purposes of the Association or as determined by members at an Annual General Meeting or Special General Meeting.

The Association has the power to:

- a) purchase, lease, hire or otherwise acquire property and goods
- b) employ, engage or hire services of a body or person in a paid or voluntary capacity
- c) raise money and accept gifts or donations
- d) print, distribute or public promotional or communication material
- e) subject to the provisions of the [Trustee Act 1898](#) , invest, in any manner the Committee determines, any money of the Association not immediately required for any of the objects or purposes of the Association and
- f) do of any lawful thing incidental or conducive to the attainment of the objects or purposes of the Association.

## 5. Membership of Association

- a) To be eligible for membership a person must be:
  - i) the owner of a residential property located in Tasmania and that property must be listed with the Tasmanian Land Titles Office in their name (or jointly in their name) and
  - ii) that property must be currently rented (occupied), currently available for rent (vacate), or previously rented within the past five years through the Residential Tenancy Act 1997.
- b) The Committee may request evidence that the person meets the eligibility criteria for membership.
- c) The Committee may request photo identification to be provided prior to or upon membership.
- d) A person is deemed a member of the Association when they have made a request in writing to the Association and the request has been approved by at least two members of the Committee and the membership fee has been paid.
- e) A current Membership register is to be maintained and the member is to be added to the Membership register and provided with a receipt for payment of their membership fee.
- f) A member may leave the association at any time by advising a Committee member in writing. Any membership fees paid are non-refundable.
- g) A member will be removed from the Association if membership fees are not paid within 14 days of a final notice of membership fees being issued and the fees remaining unpaid.
- h) The Committee, subject only to this constitution, may suspend or terminate the membership of any member by majority vote of the Committee members. The period of suspension that may apply will be determine by the Committee by majority vote. Any membership fess paid are non-refundable.



## 6. Membership Fees

- a) The Association requires the payment of membership fees on an annual basis. Invoices for membership fees are due for payment by 1 November annually, with the invoice issued at least 14 calendar days prior to being due.
- b) The Committee may waive the payment of the 1 November membership fees for new members who have joined the Association after 1 July.
- c) As at 2020, the membership fee is \$50 per individual.
- d) The membership fee is subject to change as determined by majority rule vote by the Committee or as determined by members at an Annual General Meeting or Special General Meeting.
- e) The membership fee can be altered no more frequently than annually.

## 7. Income and property of Association

- a) The income and property of the Association is to be applied solely towards the promotion of the objects and purposes of the Association.
- b) No portion of the income or property of the Association is to be paid or transferred to any member of the Association unless it has been approved by members through an Annual General Meeting or a Special General Meeting. This excludes the payments associated with the procurement of goods or services described in Point 4 (Powers of the Association).

## 8. Accounts of receipts and expenditure

- a) True accounts are to be kept of the following:
  - i) each receipt or payment of money by the Association and the matter in respect of which the money was received or paid and
  - ii) each asset or liability of the Association.
- b) The accounts are to be open to inspection by the members of the Association at any reasonable time, and in any reasonable manner, determined by the Committee.
- c) The Treasurer of the Association is to keep all accounting books, and general records and records of receipts and payments, connected with the business of the Association in the form and manner the Committee determines.
- d) The accounts, books and records are to be kept at the Association's office or at any other place the Committee determines.

## 9. Banking and finance

- a) The Committee is to open with an authorised deposit-taking institution an account in the name of the Association.
- b) On behalf of the Association, the Treasurer of the Association is to:
  - i) receive any money paid to the Association; and

- ii) immediately after receiving the money, issue an official receipt in respect of the money; and
  - iii) cause the money to be paid into the account as soon as practicable after it is received.
- c) The Committee may approve the payment of expenses incurred by the Association via debit from its bank account. The approval requires at least two Committee members to authorise the payment to be made.
  - d) Details for accessing the Association's bank account are to be held by the Public Officer, Treasurer and Chair only.

## 10. Audit of accounts

- a) The Committee is to ensure the Association fulfils its obligations in relation to submitting its Annual Return in accordance with relevant legislation.
- b) The Committee may engage an Auditor and provide them with access to the information they require to undertake their role.
- c) It is acknowledged that auditing is not required unless the Association's revenue exceeds \$250,000 per annum.
- d) End of financial year is 30 June each year.

## 11. Annual general meeting

- a) The Association is to hold an annual general meeting each year between the period of 1 July to 1 October as determined by the Committee.
- b) An annual general meeting is to be in addition to any other general meeting that may be held in the same year.
- c) Members are to be provided with at least four weeks notice in advance of when the meeting is to occur. Notice of the meeting and associated meeting papers, including the agenda, are to be provided by email to all members.
- d) Members may attend the meeting in person, via telephone or via video link.
- e) An agenda describing the purpose of the meeting and the specific items to be covered during the meeting is to be circulated to all members at least three days prior to the meeting occurring.

## 12. Special general meetings

- a) The Committee may convene a special general meeting of the Association at any time.
- b) The Committee, on the requisition in writing of at least 8 members of the Association, is to convene a special general meeting of the Association. A requisition for a special general meeting –
  - i) is to state the objects of the meeting; and
  - ii) is to be signed by each of the requisitionists; and

- iii) is to be provided to at least two Committee members; and
- iv) may consist of several documents, each signed by one or more of the requisitionists.
- c) The Committee must convene the meeting within 28 days of receiving the requisition.
- d) Members are to be provided with at least one weeks notice in advance of when the meeting is to occur. Notice of the meeting and associated meeting papers, including the agenda, are to be provided by email to all members.
- e) Members may attend the meeting in person, via telephone or via video link.

### **13. Votes and quorum at general meetings**

- a) Business that requires a vote cannot be undertaken unless a quorum is present.
- b) A quorum for the transaction of the business of a general meeting is 8 members (including the Committee) of the Association entitled to vote.
- c) If a quorum is not present within 60 minutes after the time appointed for the commencement of a general meeting, the meeting:
  - i) If convened on the requisition of members of the Association, is dissolved; or
  - ii) If convened by the Committee, is to be rescheduled to take place as soon as practicable.
- d) On any matters that require a decision-making function, each member present has one vote only, including the Committee.
- e) If votes are tied, the Chairperson has the casting vote (they vote again to decide the vote).
- f) Proxies are not permitted to attend meetings or vote.
- g) Decisions are based on majority rule.

### **14. Chairperson at general meetings**

- a) At each general meeting of the Association, the chairperson is to be:
  - i) the President or
  - ii) in the absence of the President, the Public Officer or
  - iii) in the absence of the President and the Public Officer, the Treasurer
  - iv) in the absence of the Treasurer, the Secretary.

### **15. Affairs of Association to be managed by a Committee**

- a) The Committee:
  - i) is to control and manage the business and affairs of the Association and
  - ii) may exercise all the powers and perform all the functions of the Association, other than those powers and functions that are required by these rules to be exercised and performed by members of the Association at a general meeting; and

- iii) has power to do anything that appears to the Committee to be essential for the proper management of the business and affairs of the Association.

## 16. Committee Composition and Meetings

- a) The officers of the Association form the Committee and are as follows:
  - i) the President
  - ii) the Treasurer
  - iii) the Secretary
  - iv) the Public Officer.
- b) Each officer of the Association is to hold office until the end of the next annual general meeting after that at which they is elected and is eligible for re-election.
- c) If a casual vacancy in an office occurs, the Committee may appoint one of its members to fill the vacancy until the end of the next annual general meeting after the appointment.
- d) The Committee is to meet at least once in each quarter at any place and time the Committee determines.
- e) A meeting of the Committee may be convened by the President or any two of the members of the Committee.
- f) Decisions made by the Committee are made on majority rule, with each member having one vote only (including members who may hold two officer positions).
- g) If votes are tied, the President has the casting vote (they vote again to decide the vote).
- h) Proxies are not permitted to attend meetings or vote.
- i) Decisions are based on majority rule.

## 17. Election of numbers of Committee

- a) A call for nomination for officer roles is to be called for by the Committee at least three weeks prior to an Annual General Meeting.
- b) At the Annual General Meeting members are appointed to officer roles through a majority rule ballot or show of hands process.
- c) Members are eligible to hold a maximum of two officer roles concurrently but cannot hold the role of President and Treasurer simultaneously.
- d) If a member holds two roles, they are still only entitled to one vote.
- e) If a member holds two roles, this does not meet the requirement of approval by two Committee members; approval is only granted by provide provided by two separate individuals.



## 18. Vacation of office

- a) For the purpose of these rules, the office of an officer of the Association, or of an ordinary Committee member, becomes casually vacant if the officer or Committee member:
  - i) dies; or
  - ii) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration or estate for their benefit; or
  - iii) becomes a represented person within the meaning of the Guardianship and Administration Act 1995 ; or
  - iv) resigns office in writing addressed to the Committee; or
  - v) ceases to be ordinarily resident in Tasmania; or
  - vi) is absent from 2 consecutive meetings of the Committee without the permission of the other members of the Committee; or
  - vii) ceases to be a member of the Association.

## 19. Disclosure of interests

- a) If a member of the Committee has an actual, potential or perceived conflict of interest in a matter being considered, or about to be considered, by the Committee or at a meeting, the member is to, as soon as practicable after the conflict has come to the member's knowledge, disclose the nature of the interest to the Committee.

## 20. Seal of Association

- a) The seal of the Association is to be in the form of a rubber stamp inscribed with the name of the Association encircling the word "Seal".
- b) The seal is not to be affixed to any instrument except by the authority of the Committee.
- c) The affixing of the seal is to be attested by the signatures of two members of the Committee.
- d) The seal is to remain in the custody of the public officer of the Association.

Department of Justice



Tasmania

9 June 2021

APPROVED / NOT APPROVED / NOTED
SIGNED 
DATE: 11/6/21

**Minute to the Minister for Workplace Safety and Consumer Affairs**  
**Tasmanian Residential Rental Property Owners Association – Funding**

*Minister's notation:*

**RECOMMENDATION:**

That you:

1. Note the Tasmanian Residential Rental property Owners Association (the Association) request for funding of \$50,000 per annum for two years commencing 2021-22;
2. Endorse the Department of Justice to provide funding in 2021-22 and 2022-23 as part of a grant deed agreed by the Department and the Association; and
3. Provide the attached letter to the Association, to the Premier, Peter Gutwein MP for signing.

**KEY ISSUES:**

1. The Association was incorporated in September 2020 to support rental owners in the management to residential tenancies in Tasmania.
2. The Association is volunteer run, which limits the support and services that can be provided to its members.
3. The Association seeks \$50,000 per annum for two years, commencing 2021-22 for a number of specified initiatives.

- 4. The Department of Justice will provide grant funding to the Association of \$100,000 over two years (\$50,000 in 2021-22 and 2022-23) in accordance with a grant deed agreed between the Department and the Association.

**BACKGROUND:**

- The Association was incorporated in September 2020 following Tasmania’s response to COVID-19 that had a dramatic impact on residential tenancies in Tasmania.
- The Association provides assistance to its members (rental owners) to ensure the sustainable and fair management of residential tenancies more broadly.
- The Association charges a membership fee of \$50, and its activities are volunteer run, limiting the support and services that can be provided to members.
- The Association is seeking \$50,000 per annum for two years from 2021-22 (total \$100,000) to:
  - develop an education program which focuses in improving owners’ knowledge of their obligations and other critical requirements under relevant tenancy and discrimination legislation and best practice;
  - develop a toolkit that comprises key templates and documentation (such as Lease Agreement, Condition Report, Tenancy Application Form) to ensure that residential tenancy arrangements are compliant with relevant legislation (including the Residential Tenancy Act 1997 and Anti-Discrimination Act 1998);
  - promote the Association with the intention of growing their membership so that more rental owners have access to support and information;
  - provide advice services to individual owners to address issues in residential tenancies, with the view to resolving issues before they escalate resulting in evictions; and
  - enable the Association to procure legal, marketing and other relevant expertise as needed to provide their products and services.
- To ensure that this funding is spent in accordance with the request for funding, the Department is proposing that a grant deed be prepared and agreed with the Association.

Gavin Wailes  
Director Finance

**Forwarded through Nick Evans, Deputy Secretary**

Prepared by:	Zoe Featherstone	Cleared by:	Gavin Wailes
Position:	Manager Budget Services	Position:	Director Finance
Phone:	8 36	Phone:	8 36
Date:	9 June 2021	Date:	9 June 2021

**Attachments:**

1. Letter to the Tasmanian Residential Rental Property Owners Association from the Premier
2. TRRPO Letter to the Premier

MIN21/16313/7  
1

Hangan, Eva

6

**From:** Archer, Minister  
**Sent:** Friday, 11 June 2021 10:45 AM  
**To:** Premier's Office (premier.correspondence@dpac.tas.gov.au)  
**Cc:** Rowena Gilbertson (DPaC) s.36 @dpac.tas.gov.au  
**Subject:** Draft letter for the Premier - MIN21/16313/2 (relates to your record MIN21/12975)  
**Attachments:** CAF - MINUTE - Tasmanian Residential Rental Property Owners Association (TRRPO) funding request - June 2021.PDF; CAF - MINUTE - Tasmanian Residential Rental Property Owners Association (TRRPO) funding request - June 2021.tr5; Attachment 1 - Minister Archer Letter to Premier - TRRPO Association funding request - June 2021.DOCX; Attachment 1 - Minister Archer Letter to Premier - TRRPO Association funding request - June 2021.tr5

Hi,

Please find attached a draft letter for the Premier to Louise Elliot. This relates to your record MIN21/12975.

.egards,

Jeanette Barnett  
Departmental Liaison Officer

Office of the Hon Elise Archer MP  
Attorney-General  
Minister for Justice  
Minister for Corrections  
Minister for Workplace Safety and Consumer Affairs Minister for the Arts Liberal Member for Clark

Level 10, Executive Building, 15 Murray St, HOBART TAS 7000 Phone: s.36  
e-mail: minister.archer@dpac.tas.gov.au

Department of Premier & Cabinet  
www.dpac.tas.gov.au



MIN21/12975/5

Hangan, Eva

**From:** The Premier  
**Sent:** Monday, 21 June 2021 12:24 PM  
**To:** s.36@gmail.com  
**Subject:** Letter from the Premier, Hon Peter Gutwein MP

8

Dear Ms Elliot

I write regarding your letter dated 13 May 2021, seeking funding for the Tasmanian Residential Rental Property Owners Association (the Association) to the value of \$100,000 over two years.

I note that this funding would be provided to assist with the set-up costs connected with establishing the Association and also enable the Association to provide additional assistance to Tasmania's rental owners regarding educational and compliance with relevant legislation.

I am pleased to confirm that set up funding of \$50,000 will be provided to the Association in 2021-22 and 2022-23 via the Department of Justice as part of a grant deed to be agreed with the Department.

In order to commence discussions on the grand deed, please contact Gavin Wailes, Director Finance at the Department of Justice on s.36 or by email on s.36@justice.tas.gov.au.

Yours sincerely

Hon Peter Gutwein MP

Premier of Tasmania  
Treasurer  
Minister for Climate Change  
Minister for Tourism  
Level 11, 15 Murray Street HOBART TAS 7000  
Phone: (03) 6165 7650  
Email: [premier@dpac.tas.gov.au](mailto:premier@dpac.tas.gov.au)  
[www.premier.tas.gov.au](http://www.premier.tas.gov.au)

**From:** Louise Elliot <s.36@gmail.com>  
**Sent:** Thursday, 13 May 2021 9:31 AM  
**To:** s.36@parliament.tas.gov.au  
**Cc:** Finch, Andrew <s.36@dpac.tas.gov.au>; Brad Goldsmith <s.36@gmail.com>  
**Subject:** Letter to Premier - Funding for Tasmanian Residential Rental Property Owners Association

Hello

Please find attached a letter to the Premier.

Thank you

Louise Elliot  
President  
TRRPO  
[www.tasmanianrentalowners.com](http://www.tasmanianrentalowners.com)