

From: [REDACTED]
Sent: Friday, 6 December 2019 5:41 PM
To: rvreview@justice.vic.gov.au
Cc: [REDACTED]
Subject: VCA - Review of THE ACT 1986

Sir/Madam,

I have this afternoon received a phone call from a very distressed resident at [REDACTED] Retirement Village in [REDACTED] relating to a dispute which developed last November 2018, between two residents on the Residents Committee.

I had placed a complaint to the Management/Operator about this particular Resident as she, [REDACTED], had accused me of being very angry prior to answering an e-mail to the Chairman of the Resident Committee (2.22 a.m. an early hour one morning as I had been at the Annual General Meeting of my Ski Club and was late home, and I wanted to clear my e-mails that a evening.). This was an e-mail that she should not have been privy to, and I can only believe that the Chairman has sought her counsel on the matter. The topic was in relation to the conduct of Committee meetings where I had been requesting that we more formalise the meetings, with an agenda, listed Motions with movers and seconders, and a reference to Robert's Rules. [REDACTED] was not in favour of formalised meetings, however, I felt this would keep discussion on track and shorten discussions.

I was accused of being "very angry" from her reading of the e-mail and particularly that I had sent it at 2.22 a.m. When verbally accused by her about the content and the late time of forwarding, I explained that I was not at all angry, and that I had had a very happy evening at the Ski Club meeting.

She was very accusatory to me, and used bullying language attempting to have me withdraw my suggestions for meeting procedures. I was polite in my responses to her, but the following day, made an appointment with the Manager of the Precinct and indicated that I would like to record a dispute.

I was advised that Management could do little and that I would be best to refer the matter to CAV or to take the matter up with a lawyer.

I submitted a dispute report form, and asked that it be kept on file for future reference.

The following day, this same resident had accused another Resident Committee member of being toxic and crating difficulty in the meetings. This Committee member completed a Dispute Complaint form and submitted it with the Management.

Management invited the [REDACTED] member to take part in negotiations, however she refused.

Some days following these events, a petition was taken to a number of residents making a complaint about the way Management attempted to find a resolution to the dispute. Not all residents were invited to sign, and a number who did sign suffer from a degree of dementia, and could not possibly have understood the issues. The wording of the petition was inaccurate in many aspects as it referred to Residents completing Complaint Forms and Management had not followed the correct procedures. More than 20 residents signed the petition against Management - but none could have understood the background to the dispute between [REDACTED] and the three other residents.

The petition divided the community and twelve months after the toxic chatter, there are still divisions.

About two months ago, RRVV were invited to speak at [REDACTED] in relation to the Review of the Retirement Villages Act. During the talk an example was given relating to dispute resolution, with name changes, but the issue was the interpretation of the dispute as seen by [REDACTED], and had a number of untruths. I and one other Resident who had been bullied by [REDACTED] took offence, but - what could one do when [REDACTED]

had refused to negotiate. We feel that it was wrong of the RRVV member to use this case, even with the changed names, as any example.

My husband and I have recently sold our apartment because we found the atmosphere most unpleasant, and not conducive to good living. We are moving back into the broader community as private citizens.

Today the Resident who had placed the Dispute Complaint has informed me that [REDACTED] is again bringing up this matter, and has circulated the Community (some [REDACTED] members), with her version of her story from last year! This Resident is very distressed because of the untruths in the circular.

All of this seems a lot of silly nonsense. However, I have given this outline as during the Review of the Retirement Villages Act, particularly in relation to Independent Living facilities, there is a very serious need to look and and make clear details relating to CONFLICT RESOLUTION.

We, my husband and I have sold our apartment \$2.2m to be fee of this division that has been crafted by one person who will not be involved in discussion to resolve the issue.

There is a need for an OMBUDSMAN - not a Commissioner.

Taking the matter to CAV is lengthy and time consuming and the matter festers.

Taking the matter to a lawyer and then to court again is lengthy.

Independent Residents in Retirement Villages need a simple, uncomplicated way or resolution of Conflict.

It took us most of this year to sell our loan/lease apartment! But we are out and away from this toxic unpleasant environment, created by one person who has gathered up support from approx. twenty residents, who cannot possibly understand the issue.

Please seriously consider the appointment of an Ombudsman to operate under the Retirement Villages Act, 1986, and further please attempt to define "Independent Living" as, wise who are simple retirees now feel that we are being discriminated against in tase [REDACTED], as those who have packages, often do not choose to employ carers to support them in remaining inane [REDACTED].

Good Luck with the review. It is none too soon for review.

Sincerely,
Pamela Barber

[REDACTED]

My husband and I would be happy to attend any hearing and to answer questions. We had a dream for [REDACTED], and we would like to see the issues resolved.
Pamela and David

