



Discussion Forum

The comments and opinions expressed herein do not necessarily reflect those of the Retirement Village Residents Association (RVRA) or its Members.

Can resident manager's wife attend meetings?

Comment: Before my simple question, please indulger me in a little background briefing.

The manager of our resort and his wife are residents.

Recently the manager issued an edict removing access to a "common property" walkway across the front of his unit because of the disturbance that caused to and by his two excitable dogs. The committee discussed with the manager this on the basis of our understanding resident approval is required to change village rules. The response was "I have carte blanche to change anything". The response was, shall we say, robust and un-accepting.

The committee then convened a meeting to consider what response to take, with draft motions for discussion, amendment, acceptance or rejection as the residents may have decided. The manager discovered this and wrote a letter to all residents complaining he was not advised, not all residents were invited and continued with a derogatory attack on the committee and one specific member in a most intimidating fashion. Attached was a copy of the relevant portions of our lease with sections highlighting that leases could be terminated, a clear threat in the eyes of all residents.

Some residents contacted an owner director who attended the meeting and suffered two hours of robust resident attention. He rescinded the edict and advised he would direct the manager to make a formal apology.

We have suffered extreme delays in maintenance work, which has been the subject of a separate robust dispute with the manager. The director has now taken charge of this issue and we are now making good progress.

Suspecting funds available were the root cause, we requested the operating accounts back three years and budget for this year. (No financial data has ever been provided to residents) The manager replied to the effect he did not need to provide financial information as the recurrent charges for the occupied units were less than \$50,000, that the operator was not required to contribute for the unoccupied units, and the six month discount of the recurrent charge provided to new residents (as a marketing incentive) further reduced the contributions. The issues with that position are obvious, but separate to this post.

With the help of the RVRA we are methodically setting about resolving what we are advised is are the clear errors in the manager's position, and that will likely involve dispute proceedings.

Against that background, the committee wants to be sure it is correct in assuming the we may choose not to invite the manager's wife to any meetings we may call. This on the basis the law provides management may attend only by invitation, and we believe the manager's wife attendance would be functionally equivalent to the manager attending. This would bring with it the potential for intimidation that the relevant provision of the law clearly seeks to prevent. This we see as particularly important in the light of our last meeting experience and the manager's unchanged management style. Several residents have expressed the view they would feel intimidated should the wife attend, to the point they may not attend any meeting at which she is present.

Does anyone out there have a manager and wife who are also residents, and if so how do you handle this? Does anyone know the legal position?

John Thompson
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