



## *Discussion Forum*

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

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### **Reply - Can resident managers wife attend meetings?**

Comment: Our committee referred this to Fair Trading as an inquiry. Their opinion was to the effect that the Act precludes management, the operator and their families from attendance, allows resident attendance and is silent on management or operator representatives who are also residents. Because of this "silence" Fair Trading opinion is that the rights of the manager's wife as a resident prevail. (Anyone wanting a copy of the written advice, please contact me)

Though we did not ask about the manager, the implication is that the manager's rights as a resident may also prevail.

Therefore we have the incongruous position that a resident manager and members of their family may participate in village affairs as residents. That is, they could not only attend resident meetings and vote, but conceptually can be elected to the committee and influence proceedings there too.

This seems an unintended quirk of the Act and directly opposed to the clear intent of separating management influence from resident affairs.

Our residents are uncomfortable with this given history of inappropriate actions by the manager interfering with a resident meeting and with attempts to interfere with the operation of our duly elected committee. While these previous matters have now been amicably settled by negotiation with the owners, the potential for trouble remains for us and for any other village with a resident manager.

The great bulk of committee and resident business relates to matters where no conflict arises and management participation is not an issue. But there are matters where there is conflict - usually involving criticism of management actions or inactions.

As the committee propose to have residents adopt rules for a resident's committee based on the model rule provided by Fair Trading, we propose to attempt to deal with this by inserting a clause in those rules to the effect that "the resident manager and family members shall absent themselves from any discussion or vote on any matter that in the reasonable opinion of the committee is a potential conflict of interest between management and residents". This to apply to resident's meetings (as distinct from management initiated meetings)and committee meetings.

Comments please anyone?

John Thompson

12th January 2012

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