



Retirement Villages Act 1999

Retirement Villages Regulations 2009

operator checklist by gadens lawyers

contract issues

- Ensure documents for inspection s 19 and 20 and Reg 10 are correct.
- Review form of disclosure statement to comply with Regulations.
- Institute settling in period process – rent, admin, requests for renovations.
- Introduce system for specific requests for work to premises – fix pricing, seek specific requests.
- Check condition report and implement new timing if operating non registered interest holder village. May also be useful generally for other villages re 'fair wear and tear' arguments.
- Review rules – introduce rules for security and external appearance.
- Holding deposits – if Church/charitable establish process to hold in own account.
- Sale of capital item provisions – buy back? Remove from contract.

financial management

- Dissolve capital replacement fund pay proceeds to operator.
- Covert long term maintenance fund and rename as capital works fund. Transfer fund to deposit taking institution.
- Review and adopt forms for notices variation to charges and budgets as prescribed in Regulations.
- Instruct auditor to audit capital works fund.
- Undertake capital item inventory – particularly to identify fixed/non fixed items of capital and establish relative value to judge 'cost effective to repair'.
- Implement process for quotes for capital maintenance.
- Confirm level of shortfalls in budgets up to 23 November 2006 – determine if operator proposes to pursue or not.

- Review allocation of costs between villages and identify nature of costs and services for head office allocations.
- Determine if payroll tax threshold is met in particular village.

village management

- Register village with Land and Property Management Authority (formerly Land Titles Office and Land and Property Information).
- Organise annual management meeting.
- Organise quarterly accounts for Resident committee.
- Procedure for occupants remaining after resident departs – new resident.
- Review marketing materials and representations being made.
- Implement uncollected goods procedure including collection, sale, reporting and depositing funds.
- Implement annual safety report.
- Set up resident nomination forms.
- Set up ballot system for special resolution votes.
- Set up proxy system for residents.
- Review insurance covers.