

ACABx Accountability Report to Auckland Council

1 July 2015 – 30 June 2016

Auckland Citizens Advice Bureaux Inc.

This report details key achievements and issues for Auckland Citizens Advice Bureaux for the year 1 July 2015 to 30 June 2016.

Statistics

Enquiry numbers at Auckland Bureaux have risen 14.3% since 2012-13 and 5.6% on the 2014-15 year. Growth in service demand has occurred throughout the region in all service Clusters.

Service Sites

Warkworth – As previously reported, with the problems with the supply of volunteers the Wellsford Management Committee closed the Warkworth satellite in February 2016.

Otahuhu – The trial service in Otahuhu became an Agency of CAB Mangere in January 2016 and is currently being funded by the Mangere-Otahuhu Local Board.

Botany – This Agency was re-opened when new premises were found with the assistance of ACABx, Botany Town Centre and the Howick Local Board.

The number of active service locations in the region was 32 at 30 June 2016.

Accommodation

We continue to wait for Auckland Council to finalise the Head Lease while they negotiate with each Local Board.

Funding

ACABx continued with distribution of the Bureau bulk funding using the population based funding model and distributed this, together with the CPI to Auckland Bureaux.

With ACABx receiving no direct funding for the 2015-16 year, it has had to implement a membership subscription for all Bureaux in order to keep operating.

We have provided Bureaux Statistics, Case Studies and Changes in Service / Issues Raised by Bureaux by Cluster.

Auckland Bureaux Statistics

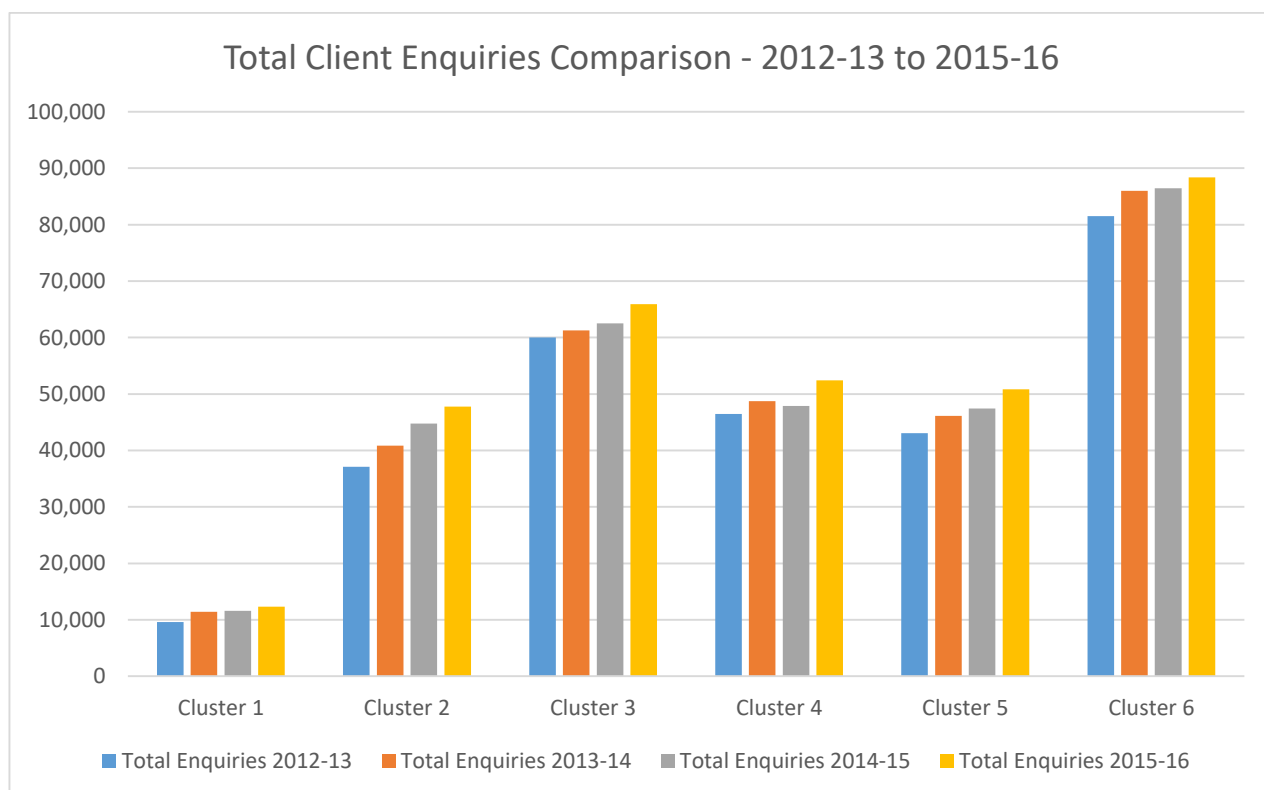
A total of **317,599** enquiries were received during the period 1 July 2015 to 30 June 2016, an increase of 16,915 enquiries (5.6%) on the previous year as detailed below:

| Cluster 1 | Cluster 2 | Cluster 3 | Cluster 4 | Cluster 5 | Cluster 6 | Total |
|-----------|---------------------|-----------|-----------|-----------|------------------------|------------------------|
| 3 Sites | 5 Sites 1 Agency | 5 Sites | 5 Sites | 5 Sites | 6 Sites 2 Agencies* | 29 Sites 3 Agencies |

*Otahuhu Agency opened in January 2016

*Botany Agency reopened in February 2016

| Total Enquiries | Cluster 1 | Cluster 2 | Cluster 3 | Cluster 4 | Cluster 5 | Cluster 6 | Total |
|-------------------------|-----------|-----------|-----------|-----------|-----------|-----------|---------|
| Total Enquiries 2015-16 | 12,316 | 47,745 | 65,917 | 52,400 | 50,844 | 88,377 | 317,599 |
| Total Enquiries 2014-15 | 11,601 | 44,756 | 62,543 | 47,884 | 47,456 | 86,445 | 300,684 |
| Total Enquiries 2013-14 | 11,438 | 40,835 | 61,259 | 48,719 | 46,142 | 85,974 | 294,367 |
| Total Enquiries 2012-13 | 9,607 | 37,096 | 59,995 | 46,480 | 43,039 | 81,515 | 277,732 |



Breakdown of Statistics

Cluster 1 – Helensville, Hibiscus Coast, Wellsford

| Total Number of Enquiries | 2015-16 | 2014-15 | 2013-14 | 2012-13 |
|---------------------------|---------|---------|---------|---------|
| | 12,316 | 11,601 | 11,438 | 9,607 |

| Method of Contact | Percentage of Total Cluster 1 Enquiries | |
|---------------------------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| Walk in [face-to-face] | 69.7% | 66.6% |
| Telephone [to bureau and 0800 number] | 28.0% | 30.4% |
| Email [to bureau and via website] | 1.1% | 0.9% |
| Other | 1.2% | 2.1% |

| Enquiry Type | Percentage of Total Cluster 1 Enquiries | |
|----------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| Legal and Government | 43.0% | 35.9% |
| Consumer | 18.9% | 22.7% |
| Community | 13.1% | 13.7% |
| Finance and Benefits | 5.9% | 6.9% |
| Family and Personal | 5.5% | 6.0% |
| Health | 4.2% | 4.7% |
| Other | 9.4% | 10.1% |

| Ethnicity | Percentage of Total Cluster 1 Enquiries | |
|--------------------------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| New Zealander / New Zealand European | 71.4% | 74.1% |
| English / Scottish / Irish / Welsh | 3.6% | 3.8% |
| European Other | 2.9% | 3.5% |
| Māori | 5.6% | 3.2% |
| South African | 2.2% | |
| Filipino | 2.1% | |
| Other | 12.2% | |

Cluster 2 – Albany [Agency], Birkenhead, Browns Bay, Glenfield, Northcote, Takapuna

| Total Number of Enquiries | 2015-16 | 2014-15 | 2013-14 | 2012-13 |
|---------------------------------------|---|---------|-----------------------|---------|
| | 47,745 | 44,756 | 40,835 | 37,096 |
| Method of Contact | Percentage of Total Cluster 2 Enquiries | | | |
| | July 2015 – June 2016 | | July 2014 – June 2015 | |
| Walk in [face-to-face] | 70.8% | | 70.3% | |
| Telephone [to bureau and 0800 number] | 28.4% | | 28.7% | |
| Email [to bureau and via website] | 0.7% | | 0.8% | |
| Other | 0.1% | | 0.0% | |

| Enquiry Type | Percentage of Total Cluster 2 Enquiries | |
|----------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| Legal and Government | 60.3% | 52.0% |
| Consumer | 7.3% | 7.6% |
| Community | 4.5% | 4.8% |
| Finance and Benefits | 3.4% | 4.3% |
| Family and Personal | 3.8% | 3.9% |
| Housing and Land | 3.3% | 3.1% |
| Other | 17.4% | 24.3% |

| Ethnicity | Percentage of Total Cluster 2 Enquiries | |
|--------------------------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| New Zealander / New Zealand European | 34.7% | 49.1% |
| Chinese | 17.6% | 13.1% |
| Indian | 7.6% | 3.3% |
| Filipino | 4.9% | 2.2% |
| Korean | 4.8% | 5.7% |
| English / Scottish / Irish / Welsh | 3.4% | 4.2% |
| South African | 3.9% | n/a |
| Other | 23.1% | 22.4% |

Cluster 3 – Avondale, Glen Eden, Henderson, Massey, New Lynn

| Total Number of Enquiries | 2015-16 | 2014-15 | 2013-14 | 2012-13 |
|---------------------------|---------|---------|---------|---------|
| | 65,917 | 62,543 | 61,259 | 59,995 |

| Method of Contact | Percentage of Total Cluster 3 Enquiries | |
|---------------------------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| Walk in [face-to-face] | 77.8% | 77.4% |
| Telephone [to bureau and 0800 number] | 21.6% | 22.3% |
| Email [to bureau and via website] | 0.5% | 0.3% |
| Other | 0.1% | 0.0% |

| Enquiry Type | Percentage of Total Cluster 3 Enquiries | |
|----------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| Legal and Government | 42.7% | 41.3% |
| Finance and Benefits | 11.6% | 12.0% |
| Consumer | 11.1% | 12.0% |
| Community | 8.8% | 8.9% |
| Family and Personal | 8.9% | 8.8% |
| Housing and Land | 7.6% | 7.6% |
| Other | 9.3% | 9.4% |

| Ethnicity | Percentage of Total Cluster 3 Enquiries | |
|--------------------------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| New Zealander / New Zealand European | 40.8% | 41.6% |
| Māori | 10.8% | 6.2% |
| Chinese | 8.1% | 8.2% |
| Indian | 6.9% | 6.6% |
| Samoan | 4.4% | 5.4% |
| Asian Other | 4.0% | 7.7% |
| Other | 25.0% | 24.3% |

Cluster 4 – Central Auckland, Eden-Albert, Grey Lynn-Ponsonby, Mt Roskill, Waiheke

| Total Number of Enquiries | 2015-16 | 2014-15 | 2013-14 | 2012-13 |
|---------------------------|---------|---------|---------|---------|
| | 52,400 | 47,884 | 48,719 | 46,480 |

| Method of Contact | Percentage of Total Cluster 4 Enquiries | |
|---------------------------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| Walk in [face-to-face] | 81.4% | 79.4% |
| Telephone [to bureau and 0800 number] | 17.3% | 19.2% |
| Email [to bureau and via website] | 1.3% | 1.4% |
| Other | 0.0% | 0.0% |

| Enquiry Type | Percentage of Total Cluster 4 Enquiries | |
|----------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| Legal and Government | 63.8% | 62.2% |
| Consumer | 7.8% | 9.4% |
| Family and Personal | 6.7% | 5.7% |
| Housing and Land | 5.6% | 5.2% |
| Community | 5.0% | 6.1% |
| Finance and Benefits | 5.0% | 5.2% |
| Other | 6.2% | 6.2% |

| Ethnicity | Percentage of Total Cluster 4 Enquiries | |
|--------------------------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| New Zealander / New Zealand European | 28.7% | 31.6% |
| Indian | 17.6% | 16.3% |
| Chinese | 14.6% | 14.5% |
| Asian Other | 10.7% | 10.3% |
| Māori | 2.5% | 2.4% |
| English / Scottish / Irish / Welsh | 2.0% | 1.9% |
| Other | 23.9% | 23.0% |

Cluster 5 – Glen Innes, Onehunga, Panmure-Ellerslie, Remuera-Eastern Bays, Sylvia Park

| Total Number of Enquiries | 2015-16 | 2014-15 | 2013-14 | 2012-13 |
|---------------------------|---------|---------|---------|---------|
| | 50,844 | 47,456 | 46,142 | 43,039 |

| Method of Contact | Percentage of Total Cluster 5 Enquiries | |
|---------------------------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| Walk in [face-to-face] | 76.4% | 76.0% |
| Telephone [to bureau and 0800 number] | 23.1% | 23.4% |
| Email [to bureau and via website] | 0.5% | 0.5% |
| Other | 0.0% | 0.1% |

| Enquiry Type | Percentage of Total Cluster 5 Enquiries | |
|----------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| Legal and Government | 42.9% | 52.0% |
| Consumer | 11.4% | 8.4% |
| Finance and Benefits | 10.2% | 10.1% |
| Housing and Land | 9.5% | 7.1% |
| Family and Personal | 9.0% | 7.2% |
| Community | 8.1% | 7.8% |
| Other | 8.9% | 7.4% |

| Ethnicity | Percentage of Total Cluster 5 Enquiries | |
|--------------------------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| New Zealander / New Zealand European | 33.1% | 32.7% |
| Indian | 10.3% | 9.8% |
| Māori | 9.9% | 6.6% |
| Asian Other | 9.4% | 13.3% |
| Chinese | 8.4% | 9.0% |
| Tongan | 6.3% | 6.1% |
| Other | 22.7% | 22.4% |

Cluster 6 – Botany [Agency], Mangere, Manurewa, Otara, Pakuranga-Eastern Manukau, Papakura, Papatoetoe

| Total Number of Enquiries | 2015-16 | 2014-15 | 2013-14 | 2012-13 |
|---------------------------|---------|---------|---------|---------|
| | 88,377 | 86,445 | 85,974 | 81,515 |

| Method of Contact | Percentage of Total Cluster 6 Enquiries | |
|---------------------------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| Walk in [face-to-face] | 80.4% | 79.6% |
| Telephone [to bureau and 0800 number] | 19.3% | 19.8% |
| Email [to bureau and via website] | 0.4% | 0.4% |
| Other | 0.0% | 0.2% |

| Enquiry Type | Percentage of Total Cluster 6 Enquiries | |
|----------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| Legal and Government | 72.3% | 69.7% |
| Finance and Benefits | 6.8% | 8.1% |
| Consumer | 6.0% | 6.6% |
| Community | 4.4% | 4.8% |
| Family and Personal | 4.2% | 3.6% |
| Housing and Land | 2.8% | 3.1% |
| Other | 3.5% | 4.1% |

| Ethnicity | Percentage of Total Cluster 6 Enquiries | |
|--------------------------------------|---|-----------------------|
| | July 2015 – June 2016 | July 2014 – June 2015 |
| New Zealander / New Zealand European | 22.1% | 22.2% |
| Samoan | 15.6% | 15.1% |
| Indian | 13.4% | 11.5% |
| Māori | 13.2% | 7.8% |
| Chinese | 6.0% | 7.7% |
| Other | 31.5% | 35.7% |

Case Studies / Client Stories

Cluster 1 – Case Study One

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Female client in her 60s contacted the bureau by phone.

Issue:

Client's son is aged 26 mentally handicapped – he has four other siblings and has a lawyer looking after him from the family court.

This lawyer has been in touch with the mother September 2014 and explained that as he had no POA and is an adult, she needed to action an application under the PPPR Act. She and all the siblings all have to do this paper work. She has tried, they have tried but are finding it very hard and has now had these since September 2014. There are so many forms they are so confused and are struggling with this. The mother has been in touch with the lawyer for mentally handicapped and he has given her an approximately cost of \$1,500 plus GST to do these form, this she cannot afford.

Client wants to know can she come in and see someone who can help her.

Action:

Made an appointment with one of our volunteers whom has been doing a lot of paper work from the courts for clients and is getting a good understanding of meanings etc. Our volunteer took home a guide to making applications under the PPPR act which was put out by Whitireia Community Law Centre Trust, and studied this over the weekend before the appointment on Tuesday with our Client. When our client came in and we down loaded all the necessary applications and affidavits. The volunteer went through them with her to make sure she understood the questions.

A legal appointment was made at our next clinic so she could get the lawyer to look at these. After which another appointment will be made with the volunteer and a JP to sign all the pages. Then our client will be able to take to the family court and give to her son's lawyer.

Outcome:

Ongoing.

Cluster 1 – Case Study Two

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Male client in his 60s contacted the bureau by phone.

Issue:

Client rang and left message on the answerphone. He purchased a vehicle in the weekend and signed up for finance with the dealership. The dealership contacted him the next day to advise his paperwork had the wrong purchase amount and finance details were incorrect.

Client wanted to know if this was okay.

Action:

The volunteer explained that it was a simple error and the dealership was trying to rectify the problem (words given from Consumer hotline). The client was advised they were trying to resolve the problem and his paperwork had to be changed. Disputes tribunal details were given if client was still unhappy with the answers from dealership.

Client was also advised if he wanted further information to contact the Bureau.

Outcome:

The client was thankful and didn't take the matter further.

Cluster 1 – Case Study Three

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Male Chinese client in his mid-40s contacted the bureau by phone.

Issue:

Client was wanting to get a loan from the bank but there was a debt of \$400 by a lawyer from two years ago.

The client wanted to know why the \$400 was lodged against his name by the lawyer because he paid the Lawyer what they had initially agreed but the lawyer wanted more. Because of the \$400 outstanding this has made it impossible for the client to get a loan from the bank.

The client has an email stating that the payment to go to lawyer will be \$1,200 as agreed when they spoke about it. He would like to correct this Issue with VEDA so he can get a loan.

Action:

We have searched the CAB Data base and it has come up with Credit checks and records. An option for the client would be to request a correction or investigation into an entry of public record information. He can email VEDA directly. We also directed the client to the CAB website where there is extra information if he searched credit history.

The client was happy to log a request with Veda to update his records. He will email them with his proof from his end.

Outcome:

The client was so happy and he will contact us again if he needs future assistance and help.

Cluster 2 – Case Study One

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

A local Medical Practice receptionist contacted the bureau by phone.

Issue:

Relatives of a patient of theirs was requesting they provide a document to invoke their patients Enduring Power of Attorney, what “words do they need to use to do this”?

Action:

This was a highly unusual request and we typically expected that a Medical Practice would know how to do this. So we did some research and firstly explained the medical practitioner needed to carry out a competency test before providing the documentation.

We then investigated further and after reviewing the detail on the “The Protection of Personal and Property Rights Act 1988” we then found there are regulations that go with this Act that provide detail on the exact procedure to be followed by the Health Professional (conducting the process and signing the document) and the exact format for the document. This document is called Form 4 - Health practitioner's certificate of mental incapacity for enduring power of attorney in relation to property and Form 5 - Health practitioner's certificate of mental incapacity for enduring power of attorney in relation to personal care and welfare.

We provided all of this detail to the Medical Practice and provided the hyperlinks to the legislation and the regulation.

Outcome:

Our client was delighted! We too were just a little impressed with how well we did (as we are very familiar with the processes of creating Enduring Powers of Attorney not invoking them).

Cluster 2 – Case Study Two

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Female Korean client in her mid-50s with her daughter came into the bureau.

Issue:

looking for some advice regarding her hair loss. The client had been to a hairdresser that she had not previously used for hair colouring and as a result of this process her hair began falling out after 24 hours. The client had kept all her hair and had taken photographs of herself as the hair loss had progressed until the client was totally bald. The client returned to the shop and asked to see the contents of the hair colour and what chemicals it contained. The owner of the salon refused to accept any responsibility.

The client had visited her doctor and had received some compensation from ACC, however the client was very dissatisfied with the response from the Salon and wanted to know if the Salon owner could be held accountable.

Action:

The volunteer talked with the client about taking the owner of the salon to the Disputes Tribunal. She explained to the client what happened during this process, the cost of the process and possible outcomes the client could expect.

Outcome:

The client was very pleased that they could investigate further options with regard to the hair salon.

Cluster 2 – Case Study Three

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Female client came into the bureau.

Issue:

The client has a three-month old baby and she wished to register the birth. Her question was if there will be a fine for late registration. Another issue was that the father refused to sign the application because he does not agree with the name she wishes to give the baby. She had looked on the internet but had not found answers. Client wanted to know what her rights and responsibilities were.

Action:

The client was referred to our CAB public website www.cab.org.nz > View all topics › Family and Personal › Children. Our information clarified that the father may be within his rights to not sign.

That the difficulties the client had experienced with the father may be a good enough reason to avoid a fine.

The relevant legal information was communicated to the client, being that the law states that both parents must register their child's birth, unless:

- the child has only one parent in law (e.g. if the child was adopted or conceived through a form of assisted reproduction, by a single parent)
- the other parent is unavailable (e.g. they are deceased or in another country)
- doing so would cause "unwarranted distress" (e.g. if the non-signing parent presents a threat to the other parent).

Outcome:

The client felt comfortable dealing with the matter further. The advice and information provided to her gave her the correct information in her rights and responsibilities.

Cluster 2 – Case Study Four

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Pregnant female Chinese client came into the bureau with her elderly husband.

Issue:

She was renting a house of which she was the head tenant and was allowed five people. She collected the rent which she paid to the landlord. The electricity and telephone were also in her name and she collects the payment and pays the bills.

She bought all incidentals and did the lawn and cleaning. Everyone was happy until a young flatmate came in on a fixed term agreement rental for six months. It went well at first until his girlfriend moved in too. He was told that she could not be there as that would be more than five people. He did not take any notice. He was asked to leave but refused and was intimidating. He stopped paying his rent and they start having showers when everyone was asleep and had the radio on full blast.

Her elderly in-laws spoke to them and were threatened and shouted at. As she was pregnant she felt very unsafe and called the police, but no action was taken. The other flatmates were scared and gave notice to vacate. However, the problem tenant remained still not paying rent. Client gave notice, continuing paying the rent to the due date but moved out to another property leaving the problem tenant to stay till the moved out date.

When the problem tenant eventually moved the house was not clean and her landlord took her to the Tenancy Tribunal. They said they have gone back to clean the house. They wanted to know if they should attend the Tribunal or just let it go.

Action:

As both of them are not proficient in English we advised her to ask for an interpreter.

Advised that she should attend as not being there would deem she is guilty and judgement would be passed against her. They could alternatively make a written statement of what the circumstances were and do a statutory declaration witness by the JP to be presented to the Tribunal. They would decide whether they would attend but just in case they can't attend they also wrote a statement in Chinese, had it translated by our volunteer and did a statutory declaration in the presence of the JP.

Outcome:

The client says they learned an every expensive and stressful lesson and hope this incident would make them wiser. They thought that a fixed term tenancy would assured them of assured income but now realized they have more to lose.

Cluster 3 – Case Study One

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Female client came in to the bureau.

Issue:

Client had purchased a car from motor dealer the previous weekend. Drove it home and noticed oil leak and noise from engine. Client unsure of her rights and had been to the local police station who had referred her to our branch.

Action:

The bureau interviewer advised client of her consumer rights with regard buying second hand cars and also represented the client by phone to the car dealership. Sales rep advised he would speak to the manager who called back and advised Interviewer to send the client back with the car and they would sort it out.

Outcome:

The client returned the following day with a card and chocolates for the bureau interviewer as they had resolved the situation to the client's satisfaction.

Cluster 3 – Case Study Two

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Male client in his 30s contacted the bureau by phone.

Issue:

The client wanted a food parcel delivered, as he is on electronic bail, so can't leave his address.

Action:

Upon finding out the clients address we ascertained that he was within 10 houses of a Food Parcel service where he could pick up a parcel, if he got there before 2.00pm. With his permission and after liaising with the church who provide the service we rang the electronic bail service who gave him 20 minutes to go and collect a parcel.

Outcome:

The client got food for his family.

Cluster 3 – Case Study Three

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

A couple in their mid-60s returned to the bureau after previously using the Budgeting Service.

Issue:

The couple had gone to WINZ to apply for an advance. Were advised by WINZ that a separate individual budget needed to be supplied for each of them. As income was combined, clients could not understand why they had been asked to see the Budgeter again and get an individual income and expenditure sheet.

Action:

The Bureau Manager phoned the Service Manager at WINZ who looked into the matter and the reason the WINZ Case worker requested clients' to provide a separate budget. The Service Manager could not understand why the WINZ Case Manager had made such a request and requested the clients return to WINZ and ask to speak to her to have the matter sorted.

Outcome:

No separate budget was required.

Cluster 3 – Case Study Four

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Female client in her early 20s contacted the bureau by phone.

Issue:

Wanting to relocate from the Far North to Auckland. The client and her 4-year-old daughter are Housing NZ tenants but she had allowed her extended family to move in and they are refusing to leave. Life has become fairly difficult as she is being bullied by them and wishes to relocate to Auckland. She has already spoken with Housing NZ about sourcing emergency accommodation, they said they could help and sent her to the CAB. They did not inform her of the risks she faced by abandoning her tenancy.

Action:

Asked if the client felt unsafe at this moment. She did not. Explained about the housing situation in west Auckland ... the shortage of emergency housing and the reason for enquiring into her safety as we would have been able to consider a women's refuge but as there were no safety issues this would not be an option. Explained the risks of abandoning a Housing NZ house and that she runs the risk of losing the tenancy and therefore impairing her ability to obtain a relocation.

Suggested that she look at seeking legal advice on how to remove her extended family from the premises. And provided her the details for the Waitemata Community Law Service.

In the meantime, if she was still wishing to relocate to Auckland then we suggest that she keep the lines of communication open between herself and Housing NZ also that as the tenant she should stay in her house until they confirm they have a place for her to relocate.

Suggested possible services that could come on board to help with accessing accommodation for extended family.

Outcome:

Unknown.

Cluster 4 – Case Study One

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Female Chinese client in her 30s came into the bureau.

Issue:

It transpired during the telling of the story that the employment problem was related to a Sale and Purchase of the Business problem. The terms of the Sale and Purchase Agreement seemed unusual, e.g. there was a stipulation that the business, once purchased, could not be on sold for 30 years and the Agreement seemed to bind a third person to work in the business (even if there was not enough money to pay wages). It then transpired that the client was the daughter of the Purchaser and it was the client who seemed to be bound by the Agreement (although she had never signed the document).

Action:

Our legal clinic was already full and so the Interviewer called one of our “legal ears” for advice. The advice confirmed that the contract could not bind any third party who was not a signatory and had other aspects which seemed to be unlawful and therefore unenforceable. Talked the matter through with the client who was concerned that there may be repercussions for the signatory (her father who was living in China) if she did not comply with the document’s instructions. Discussed her options including how she might communicate with her father, who might assist her to explain the problem to him and how she might deal with her own anxiety and concern for her father.

Action:

Unknown.

Cluster 4 – Case Study Two

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Male South American client aged 25 came into the bureau.

Issue:

Client has been working for a flooring company. Yesterday he scratched the floor when told to move equipment. His boss has been very difficult to work with so the young man decided to leave. He has received a voice mail message from his employer, which we saw, to say he needed to pay for the damage to the floor and that it could be taken out of the wages owed. This morning he received a photo of the damage. His concern is does he have to pay for the damage and can it be taken out of his wages owed without his permission.

Action:

The client gave his permission to ring MBIE and discussed with them his employment problem. Also Holiday pay and the fact that there was no Employment contract.

The client discussed his situation with MBIE who suggested sending an email to employer outlining their conversation and requesting mediation, which bureau could organise locally.

Outcome:

The employer refused his suggestion and no further communication was received from him to our client. We had already said that the employer would have had insurance to cover the damage. All seems to be resolved. Client is South American and was unsure of the legislation relating to employment in our country so that was why he contacted us. He has since found more suitable employment before his Work Visa expires.

Cluster 4 – Case Study Three

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Female client in her 60s contacted the bureau by phone.

Issue:

The client bought an electrical appliance (some kind of food display with cooler function) for \$1,500 at second hand shop for commercial purposes (a cafe). Equipment had been electrically disabled so the client bought without being able to test it. She got an electrician to reconnect it for \$1,000. Once in function, appliance was very noisy and electrician said he was not sure it was safe to let it run 24 hours/7 days a week as expected by the client. She got back to retailer to ask for a refund but retailer said she should not have asked electrician to do the reconnection and offered to redo the connection for free. The client does not want that to happen and now wants a refund. What are her rights?

Action:

Unfortunately, the client is in a business to business situation so she is not covered under the Consumer Guarantees Act (even though she may have bought the appliance privately, the intention is to use it commercially in a café).

She may be covered though by the Fair Trading Act, the Sales of Good Act and the Contractual Remedies Act through the Disputes Tribunal.

From what the client told me, the retailer disabled the equipment but did not tag it with the appropriate conspicuous warning label in accordance with AS/NZS4701 (which is mandatory I discovered in my research).

It was suggested she asks the electrician she has used to put something in written about his findings once the appliance had been reconnected (and the fact that he finds it unsafe to leave the appliance connected 24 hours/7 days hence it is not fit for the purpose).

Her case was a bit in a grey area as there was a third party involved (the electrician) in between her and the supplier and this one could say that the electrician has done something wrong on it.

Outcome:

The client went back to see the retailer with copy of the AS/NZS4701 “NZ Law requirements for selling second hand electrical goods” we found on the energy safety NZ government website. The retailer agreed on taking back the equipment and refunded the client.

Cluster 4 – Case Study Four

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Male Australian client in his 20s came in to the bureau.

Issue:

The client wanted information on getting his cell phone back from the repair shop. He'd agreed to the \$40 charge for their diagnostic report, but they said it would now cost \$70 because the problem was in the motherboard. They have not communicated with him in the time that they've held his phone. He has lost faith in their ability to repair the phone to his satisfaction and now just wants them to return the phone. He is willing to pay the \$40 charge as originally agreed upon to get the phone back.

Action:

It sounds like the vendor wants to do extra work because they did not diagnose the problem so far. Client does not have to accept this change in price. Vendor cannot do the work and still charge client without client's permission to the rise in price.

For the money he has spent, he can ask for a written report detailing what they've done to diagnose the problem and the results of those attempts. If they say the \$70 was not for diagnosis, he can ask what it was for.

If they refuse to return him the phone for \$40, he must save all communications in writing and mount a consumer dispute.

Outcome:

Unknown.

Cluster 4 – Case Study Five

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Female client in her 20s came in to the bureau.

Issue:

The client is seven days postnatal and has had her baby uplifted by Child Youth and Family (CYF) directly from the hospital.

She stated that CYF have concerns about the baby's father's fitness to parent. However, there could also be issues with the client's past history. She is seeking help with how to respond to the court papers, as she does intend to remain in a relationship with the baby's father. The client has a low income and is supported by the Job Seekers Benefit.

Action:

Contacted the Family Court for advice. They advised that the client needs to organise her own legal representation. Phoned Legal Aid, outlined the client's financial situation and was advised the client would be eligible for Legal Aid. Downloaded the Legal Aid Application forms and helped the client to complete. Phoned through the list of Legal Aid lawyers to find a lawyer that would accept this case (this was the most difficult part of this case as took over one hour of calling names on list to contact a lawyer who would accept a new legal client in a CYF case).

Outcome:

Unknown.

Cluster 5 – Case Study One

Case Study One

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

An Indian couple in their 30s came in to the bureau.

Issue:

The clients wished to know how to register an EOI (Expression of Interest) for New Zealand residency and to calculate their points total, which would determine whether they were eligible for selection from the pool and to be invited to apply.

Action:

The interviewer provided them the EOI form and Guide. The interviewer then went through page 6 of the guide (skilled migrant points system) with them and, using the personal information that they provided and the tool on the Immigration New Zealand (INZ) website, calculated their total points.

The interviewer discussed with the clients the documentary evidence that they would need to provide to INZ to verify their claimed points and the importance of fully reading and working through the form and guide before submitting an EOI online.

The adviser searched the INZ site and advised the clients of the fee for registering an EOI online.

Outcome:

The total points they claimed to hold exceeded the threshold required for automatic selection from the pool of EOIs. The clients were happy to use the information provided to submit an EOI and come back if further help was needed.

Cluster 5 – Case Study Two

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Female client in her 80s came into the bureau.

Issue:

The Client owns a one-bedroom unit near to the branch. Her daughter lives in West Auckland and has had notice to move. She has asked her mother (the client) to move in with her when they find a new place. The daughter listed a budget for her mother showing the outgoings, costs of moving etc. and listed advantages and disadvantages.

Client asked for an analysis and had bought her bills, and figure to show. She thought she would get over \$300,000 for her unit but was worried she would be forever paying all the costs for rent and board and living with her daughter.

At first she was very keen on the idea, but now feels she is being pressured to move in with her daughter for financial reasons. Her daughter also has a partner who pays very little for the outgoings in living arrangements. She has been helping her daughter financially for some time, and has also bought her a car. Her daughter needs her to make a quick decision as she needs at least \$2,000 to pay for the new rental; it is \$540 per week. Client has given her daughter all her extra cash and has nothing further available. She was told she could use her credit card until her unit was sold if her super didn't cover everything.

Action:

The I looked at all paperwork provided by client, especially the list provided by the daughter, and offered an independent budget. I showed the client the brochure from the local budget service with a template to record budget details, and explained it to her.

I called Age Concern on behalf of the client, and arrange an appointment, as I was concerned for this vulnerable lady and felt they would offer expert advice. I also offered to arrange a free legal appointment.

Outcome:

Unknown.

Cluster 5 – Case Study Three

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Male client in his 30s on a sickness benefit came in to the bureau.

Issue:

Vacated his apartment, asked landlord to sign form to release bond of \$320, which he refused to do. Client contacted Tenancy Services who said there was no record of receiving the bond.

Action:

The Bureau Interviewer (BI) prepared letter for client to send landlord, asking for the bond and pointing out failure to lodge bond with Tenancy Services rendered him liable to exemplary damages. The client returned the next week reporting no response/payment. Suggested client apply to Tenancy Tribunal. At hearing client awarded bond, exemplary damages and costs. If not paid then client refers matter to Collection services of Auckland District Court if needing award enforced.

Landlord failed to pay. Client went to District Court and clerk told him no action would be taken until client produced a \$200 fee. He does not have the money for this and told the clerk who said there is no option.

Client returned to see same BI, who confirms that form states fee required up-front. Explored options for raising the money, without success. BI tried to ring Ministry of Justice but unable to get through at all.

On the face of it, the landlord has the means to pay, and client was occupying one of six apartments owned by same person.

As a Social Justice issue: If an exception can be made for awards of the Disputes Tribunal, it would seem that an even better case can be made for waiver of the up-front fee in the case of awards in favor of tenants in the Tenancy Tribunal. The fee to file in the Disputes tribunal is \$50. In the Tenancy Tribunal it is only \$20.44. This recognizes that the tribunal is handling cases involving people with very limited means.

Discussed with Auckland Community Law lawyer, who may raise the matter with Ministry of Justice.

Outcome:

Unknown.

Cluster 5 – Case Study Four

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Female client in her teens contacted the bureau by phone.

Issue:

Client works for a government department. She has anxiety and depression and has used up her 10 sick days in the last ten months. The environment she works in is stressful and they have gone from 30 employees to 15 since she started. Client is wondering what she can do in the future if she feels she needs a day off.

The client has a work contract but is unsure of what it says around using up sick days and whether it's a reason for dismissal. Client knows she is a valuable worker and also knowing if it gets too much she can have a day off is important to her.

Action:

We talked about going over her contract and writing a letter to her manager rather than only having verbal discussions. We discussed importance of written communication in case in the future she needs a paper trail.

Suggested she get in contact with Youthline or another agency to figure out ways to cope better and to feel supported. Suggested she could bring contract in if she wanted help going over clauses.

Outcome:

Unknown.

Cluster 5 – Case Study Five

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Male client in his 60s contacted the bureau by phone.

Issue:

This client has been in contact with the branch regularly since December last year. He has a dispute with a small building company about some work which was done on his house. Initially he needed assistance articulating his concerns to the company, the client is knowledgeable about building matters, but does not express himself well and is easily confused. He is very poor at writing.

The dispute has now progressed to the Disputes Tribunal, and the client called asking for help to get himself organized for the hearing which was later in the week. He had been contacted this morning by the building company who were trying to get him to drop the hearing. They alleged that they had not had sufficient access to his property to assess the work done.

Action:

Our volunteer reassured the client that he had copies of the letters he sent to the company inviting them to come and discuss the problems, and that he could show these to the court. The company's likely motives for contacting him at the last minute were discussed. The volunteer checked the details of the hearing date and time with him, and confirmed those with the court. The client needed reassurance.

The volunteer advised the client to come into the Branch the day before the hearing to get some assistance to organize his paperwork. It was suggested that a written timeline showing all the attempted contacts would be useful, and the client was advised that our staff could assist in producing this. This offer was accepted and the client said he would come into the branch the next day.

Outcome:

The client was in contact again after the hearing. It sounded like he had acquitted himself reasonably well, and that his documentation had been accepted by the adjudicator. Another hearing date had been set, as the building company had not been provided any independent reports to justify their stance that the work was of an acceptable standard.

The client was upset that they were now being given an opportunity to justify themselves, having ignored him for over six months.

Cluster 6 – Case Study One

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Female client in her 50s came in to the bureau.

Issue:

The client rents a house. Water rates went up immensely so contacted Rental agent as suspected a leak on property – pooling of water in garden. Rental Agent passed problem on to landlord. Then hot water cylinder leaked so high electricity bills too. Again problem handed on to landlord who took two months to have it replaced. In meantime the client's accounts were huge and she had to borrow to pay them off.

What could she do as Landlord did not want to contribute to the costs of the huge accounts? The leak in garden has only just been fixed so water account of \$1,500 to pay and electricity re hot water was over \$700.

Action:

A mediation for her through Tenancy Services was arranged by phone. The first one was with the estate agent and both compromised to get a good result shared costs. The next one a week later once estate agent had gone back to landlord was not good. The client was offered a lesser amount as the landlord claimed he had to pay for new hot water system plus plumber. The client was seeing her budgeter next day so reserved her decision.

At both mediations, the client wanted a CAB interviewer sitting with her which was done.

Outcome:

The landlord offered more and Client accepted the revised amount to pay off the debts she had incurred to pay the water and electricity.

Cluster 6 – Case Study Two

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Female client in her 30s contacted the bureau by phone.

Issue:

The client's friend has purchased a business and is working really long hours and struggling to break even. She is wondering if there are any business grants he can get to help him out.

It is a lawn mowing business, and is not a startup as such as he bought it as a going concern.

Action:

Gave her the Chamber of Commerce website as they have help for small business and may know of any grants he could get, and also have business mentors. Also gave her Biz Information line on 0800 BIZ Info (0800 424 946) who give advice on following.

- how to manage your business cash flow
- how to find government assistance for your business
- setting up business systems that make sure you get paid on time
- business budgets
- making business plans
- finding resources that can help make things like tax more simple

Outcome:

Unknown.

Cluster 6 – Case Study Three

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Male client in his 30s came in to the bureau.

Issue:

The client is seeking advice. He went to a Community Law Centre for help but was told to come to the CAB.

His car was hit by another person, and it damaged the client's car. So it was taken to court and was told that the other party has to pay for the damage cause by this person of \$1,950.00. He said he has been trying to call him but refuse to answer his calls.

Action:

Contact the third party with the authority that was given by the client to speak on his behalf. Called him and asked why he hasn't paid for the client's car damages that he caused and was told that he is on a benefit, he is not working and the only amount he can afford is \$30.00 per month or \$5.00 a week.

Also contact Ministry of Justice and ask to speak to someone who can help and advised us on how we can help in assisting the client in what action that needs to be taken next. She said to print out an Application for Warrant to seize property and Notice to complete Financial Statement.

Outcome:

Unknown.

Cluster 6 – Case Study Four

Disclaimer – Some details in this story have been changed to protect client confidentiality.

Client:

Tongan male client in his 70s with very limited English came into the bureau.

Issue:

The client's wife passed away 18 months before he came to ask for help to find a home. He and his wife had a Housing NZ home and when she passed away, her family members forced him out and for some long months, he lived in his van.

He was advised by a Community member to seek help from the Citizens Advice Bureau.

Client had visited the Bureau with one of our Tongan staff and asked for help to get an Auckland Council Flat.

He made an appointment to see our Housing/Tenancy Advocate and was accompanied to his appointment by our Tongan staff member so she could translate.

An application was completed and the required supporting documentation provided and attached to a letter supporting the application – this took three visits from the client and his translator to the Housing Advocate.

Some three months later the client returned, first occasion alone, and then we called the translator who came in to support him.

Housing Advocate called the Council Tenancy contact and they had mislaid the application and documents. A further application and supporting documents was required and this took some time.

In the meantime, the client was living in his van as the family would not allow him back in the home. He went to the local MP's office to get some help and then returned to see our Housing Advocate with his translator – this was over three or four visits with all involved co-ordinating activities in support of the client.

The client was reported by his late wife's family to be incapable of looking after himself and although his Doctor disagreed, he was put in to a home far away from the few people he knew and where nobody spoke his language, Tongan and in a suburb far away from his Doctor and his support people. He repeatedly wheeled his way from the home to Otara to get help and just to have a conversation when his van was taken off him by his wife's family.

Twice he returned to the MP's office in Otara and together with the support of our Housing Advocate and the translator, they worked together on both his Council social housing application and the fact that he had been put into a home. The home was charging him \$600 a week and he was on a pension which was half that amount – the home knew this.

The home he was put in had their own medical advisor who declared the client not fit to live in a social housing unit, even with a full time caregiver which he had secured. This was after the client had been hospitalised for a checkup.

Looking at options, we found three alternate homes close by to people he knew where both medical staff and other residents spoke Tongan, that were prepared to help now or at some stage in the future, should this be required.

The client, who has several medical conditions and is in a mechanical wheelchair, was confused and frustrated as were those support people working to help him.

The client, decided to consult with his Doctor and follow his recommendations for care.

It was important for the clients wellbeing that he be near his Doctor, the people he knew and the support team and he made his own choice about where he felt he would be most well cared for.

Outcome:

The client after consulting with his Doctor and support team made his own choice about where he felt most comfortable and where he would be most well cared for, without being treated as if he was mentally incapable.

It is possible that the client has left Auckland to travel to Tauranga where he had distant relatives and friends who advised him he would be welcomed there. This is the most likely scenario as nobody has seen him for several weeks and he is not able to be contacted.

It is not unlikely that we may not see him again in the future, but we do hope he is well.

Changes in Service / Issues Raised by Bureaux

Cluster 1

Helensville

No changes in service. No Building / maintenance issues to report.

Hibiscus Coast

No changes in service. No building / maintenance issues to report.

Wellsford

The bureau is going to approach other organisations with the view to providing additional essential services.

No building / maintenance issues to report.

Cluster 2

Albany – Agency of Browns Bay

The agency will close in July 2016.

No building / maintenance issues to report.

Birkenhead

The bureau has been hosting fewer budgeting clinics however these are expected to resume.

No building / maintenance issues to report.

Browns Bay

The bureau introduced a new service offered in Afrikaans which has been proven successful.

The exterior of the building has been repainted.

Glenfield

No changes in service. No building / maintenance issues to report.

Northcote

No changes in service. No building / maintenance issues to report.

Takapuna

Four new lawyers now contributing to free legal advice clinic. Problem Gambling now using the rooms twice a week.

No building / maintenance issues to report.

Cluster 3

Avondale

No changes in service. No building / maintenance issues to report.

Glen Eden

No changes in service. No building / maintenance issues to report.

Henderson

Three new volunteers who speak Mandarin and Cantonese are being well utilised.

No building / maintenance issues to report.

Massey

No changes in service. No building / maintenance issues to report.

New Lynn

No changes in service. No building / maintenance issues to report.

Cluster 4

Central Auckland

Extended opening hours on Monday mornings – have previously opened at 11:00am, however to meet increasing service demand, now open from 9:30am. Fridays remain 11:00am to 3:00pm.

A number of issues with phones and IT, which will hopefully be resolved soon.

Eden-Albert

New employment legal ear to help out with our rising employment enquiries.

Rat infestation. Gutters fixed to control flooding in courtyard when heavy rain. CAB flag now fixed. New meeting table, reception mobile drawer and ceiling lights granted from the Local Board.

Grey Lynn-Ponsonby

Personal counselling clinic now available on Saturdays. A further two interviewers for the Saturday service have been recruited and once accredited, the branch will extend Saturday hours.

The Community Centre has had the air quality of the Manager's office tested due to recent issues around this in the centre.

Mt Roskill

Extended branch hours in June to include Tuesday afternoons. From July will also have a JP service on Tuesday and Wednesday afternoons. Also gained new volunteers who speak Tagalog and Hindi.

No building / maintenance issues to report.

Waiheke

New extended hours start in July.

No building / maintenance issues to report.

Cluster 5

Glen Innes

The branch will shortly be re-sited into the adjoining Community Centre which is being refurbished by Council. The number of client visits hasn't fully recovered since the construction of Te Oro in front of the branch. There is hope that the re-site will make us more visible to local residents as well as improving the poor standard of accommodation.

The building continues to deteriorate with regular phone and water problems which inhibit the delivery of our services.

Onehunga

In June we extended the Wednesday evening hours to 7:00pm. The branch has recruited a volunteer branch assistant to support the interviewers.

No building / maintenance issues to report.

Panmure-Ellerslie

The branch offers Chinese services three-four days each week and the service is well utilised.

Auckland Council is upgrading the Community Hall and working on H&S aspects of the premises. The Local Board is planning redevelopment of the Panmure Library, with new premises for the Panmure CAB.

Remuera-Eastern Bays

The branch is offering a fortnightly family issues clinic which has been steadily patronized. This branch is the only CABAC branch open until 5:00pm daily and therefore a lot of phone calls are routed through from other bureaux. The branch currently has volunteers who speak Mandarin, Cantonese, Korean, Japanese, Tamil, Tongan, French and Arabic.

The building is old, and not in good condition, which has presented challenges adapting to the new Health and Safety requirements. The electrical safety of the building is regularly reviewed by

Council contractors. Contractors have also been called in to repair door catches, blocked fire exits, blocked plumbing, external lighting and a leaking roof.

The building is cold and damp in winter and hot in summer. Dehumidifiers, timers and thermostats are used to manage the power consumption of the heaters in winter, however we have to rely on opening doors and windows to ventilate the building in summer. Unfortunately, some of the windows have broken or missing catches and hinges, and are not able to be opened.

Sylvia Park

Regular service continues, including Saturday mornings. Two more trainees speak Mandarin and are also available on Saturdays. Working on a community education proposal for the Local Board.

No building / maintenance issues to report.

Cluster 6

Botany – Agency of Pakuranga-Eastern Manukau [re-opened February 2016]

JP clinics Mondays and Tuesdays; Immigration clinic Fridays and Legal clinic Thursdays are proving very popular.

Ventilation – no air conditioning and an expensive quote was rejected by the Board. There was also a flood two days prior to the re-opening of the service in February.

Mangere

No changes in service. No building / maintenance issues to report.

Manurewa

No changes in service. No building / maintenance issues to report.

Otahuhu – Agency of Mangere [opened January 2016]

No changes in service. No building / maintenance issues to report.

Otara

Hours remain the same with extended hours for appointments on Tuesdays and Wednesdays for Legal and Consumer clinics. Extended the development of working relationships with youth, elderly, and MIT and our community partners.

All regular checks by Council contractors carried out/monitored: air circulation units, lights, sanitation, alarms and reports forwarded. Three interview rooms have been repainted and all ceiling tiles in the building have been replaced.

Pakuranga-Eastern Manukau

65 plus Age Concern counselling ceased in June due to lack of funding. Seven Migrant Connect Service workshops delivered for MBIE. Setting up a fortnightly Family Counselling clinic due to open in August 2016. Careers clinic ceased in May 2016 due to advisor moving out of Auckland. An additional immigration advisor has been recruited.

Lighting in the bureau is too dim and have requested Auckland Council to install LED. Requested Council to install alarm system for building tenants to alert each other of incidents in each other's premises. Request for painting interior in near future.

Papakura

One conversational Russian speaker has been newly accredited as an interviewer.

No building / maintenance issues to report.

Papatoetoe

No changes in service. No building / maintenance issues to report.