

9 November 2012

By email: [REDACTED]

Dear [REDACTED]

1. I refer to your email of 10 September 2012 under the *Freedom of Information Act 1982* (FOI Act) in which you sought access to information, as below:

I am writing to request the receipt of information under the Freedom of Information Act 1982 relating to the review of rental property from the Port Kennedy area of Western Australia.

The information should include the following:

- 1. list of property and rental price from the Port Kennedy area of Western Australia (property addresses may be removed)*
- 2. method used in calculating rent paid to property owners*
- 3. position and qualifications of those responsible for the review of rental fees paid to property owners*
- 4. third party assessors such as property consultants and real estate agents operating in the Port Kennedy area that are used in the appraisal process*
- 5. financial relationship to the third party property consultants and real estate agents operating in the Port Kennedy area*
- 6. provide a comprehensive list of complaints made by or on behalf of property owners to DHA relating to the payment of rent to the property owners*

2. DHA acknowledged receipt of your request on 10 September 2012. I wrote to you on 5 October 2012 extending the statutory deadline under section 15(6) of the FOI Act for the processing of your request until 9 November 2012.

3. I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests for access to documents.

Legislative background

4. The Act provides a right of access to information in the possession of Commonwealth agencies, limited only by exceptions and exemptions provided for in the Act.

Decision

5. My decision for each parameter of your request appears below, in bolded text. The attached Schedule of Documents (Attachment A) lists the identified documents.

HEAD OFFICE



6. *List of property and rental price from the Port Kennedy area of Western Australia (property addresses may be removed)*

I have identified a document (Document 1) as falling within the parameters of this part of your request. I have decided to release a copy of this document with redactions under section 22(1) (c) of the FOI Act.

7. *method used in calculating rent paid to property owners.*

I have identified a document (Document 2) as falling within the parameters of this part of your request. I have decided to release this document in full.

8. *position and qualifications of those responsible for the review of rental fees paid to property owners.*

I have identified a document (Document 3) as falling within the parameters of this part of your request. I have decided to release this document in full.

9. *third party assessors such as property consultants and real estate agents operating in the Port Kennedy area that are used in the appraisal process.*

I have identified a document (Document 4) as falling within the parameters of this part of your request. I have decided to release this document in full.

10. *financial relationship to the third party property consultants and real estate agents operating in the Port Kennedy area.*

I have not identified any document as falling within the parameters of this part of your request.

11. *provide a comprehensive list of complaints made by or on behalf of property owners to DHA relating to the payment of rent to the property owners.*

I have identified a document (Document 5) as falling within the parameters of this part of your request. I have decided to release a copy of this document with redactions under section 22(1) (c) of the FOI Act.

Material on which my findings are based

12. I based my findings on the following material:
- the content of the identified documents;
 - the relevant provisions of the FOI Act;
 - the guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (OAIC Guidelines);
 - advice from DHA staff whose duties relate more closely to the matters referred to in the document;

- submissions made by a third party in response to consultation under section 27 of the FOI; and
- the content of your FOI request.

Reasons for decision

13. Section 47F of the *Freedom of Information Act 1982* relevantly provides:

- (1) A document is conditionally exempt if its disclosure under this Act would involve the unreasonable disclosure of personal information about any person (including a deceased person).
- (2) In determining whether the disclosure of the document would involve the unreasonable disclosure of personal information, an agency or Minister must have regard to the following matters:
 - (a) the extent to which the information is well known;
 - (b) whether the person to whom the information relates is known to be (or to have been) associated with the matters dealt with in the document;
 - (c) the availability of the information from publicly accessible sources;
 - (d) any other matters that the agency or Minister considers relevant.

14. Upon examination of documents 1 and 5, I have found that the documents contain the personal information (as per the definition in section 4 of the FOI Act) of third parties and are conditionally exempt under section 47(2) of the FOI Act

15. Section 11A(5) of the FOI Act requires me to, nevertheless, give the applicant access to the information unless, in the circumstances access to it would at the time and, on balance, be contrary to the public interest. I have weighed the factors for and against the release of this information and decided that it is not in the public interest to release it. The factors affecting my decision include that it is neither well known nor readily available from publicly accessible sources. I consider that there is a public interest in the protection of personal information which was provided to DHA in confidence.

16. Where a decision is made to refuse access to a document, the release of a copy of the document with the exempt matter deleted should be considered under section 22(1) (c) of the FOI Act. Accordingly, I have decided to release a copy of documents 1 and 5 with redactions of the personal information.

Liability to pay charges

17. I have decided not to impose any charges.

Rights of review

18. If you do not agree with my decision in relation to the release of documents you are entitled to apply for an internal review of the decision and/or an external review by the Australian Information Commissioner. Information on your review rights is at Attachment B.

FOI Disclosure Log

19. In accordance with the requirements of section 11C of the FOI Act, Defence Housing Australia is required to publish, on its website, information released under the FOI Act within 10 working days of the applicant being given access to documents. Defence Housing Australia will also publish the

decision notice, with any personal and business information deleted. The information published does not include personal information or the business, commercial, financial or professional affairs of any person if publication of that information would be unreasonable. Other information not published also includes that which the Australian Information Commissioner determines is unreasonable to publish.

Further information

20. Please do not hesitate to contact me if you have any questions about this matter.

Yours sincerely



Ross Jordan
Company Secretary

Attachments:

- A. Schedule of Documents.
- B. Your review rights.

**FOI Request [REDACTED]
Schedule of documents**

Item No.	Title/Description	Date	Author/Creator	Addressee	No. pages	Decision
1	2011/12 Property listing and rent for Port Kennedy	11.09.12	DHA	N/A	2	Exempt under section 47F (Public interest conditional exemptions – personal privacy) but released with redactions under subsection 22(1)(c) of the Act
2	Method for calculating rent paid	11.09.12	DHA	DHA	1	Released in full
3	Qualifications of Valuers	11.09.12	DHA	DHA	1	Released in full
4	List of Port Kennedy valuers	11.09.12	DHA	DHA	1	Released in full
5	Email, complaint	09.01.12	DHA Lessor, various	DHA	15	Exempt under section 47F (Public interest conditional exemptions – personal privacy) but released with redactions under subsection 22(1)(c) of the Act

1.

property_id	addr_no	street	suburb	state	rent
2624659			PORT KENNEDY	WA	380.00
3259152			PORT KENNEDY	WA	365.00
3180107			PORT KENNEDY	WA	370.00
3128072			PORT KENNEDY	WA	380.00
3029423			PORT KENNEDY	WA	370.00
3018459			PORT KENNEDY	WA	380.00
2704203			PORT KENNEDY	WA	350.00
2646664			PORT KENNEDY	WA	360.00
2645978			PORT KENNEDY	WA	365.00
2641965			PORT KENNEDY	WA	360.00
2641670			PORT KENNEDY	WA	370.00
2641169			PORT KENNEDY	WA	370.00
2641158			PORT KENNEDY	WA	370.00
2634846			PORT KENNEDY	WA	365.00
2626326			PORT KENNEDY	WA	360.00
2624751			PORT KENNEDY	WA	360.00
2624740			PORT KENNEDY	WA	360.00
2624739			PORT KENNEDY	WA	360.00
2624728			PORT KENNEDY	WA	360.00
2624660			PORT KENNEDY	WA	360.00
2624659			PORT KENNEDY	WA	360.00
2624648			PORT KENNEDY	WA	365.00
2624637			PORT KENNEDY	WA	360.00
2624626			PORT KENNEDY	WA	360.00
2624524			PORT KENNEDY	WA	370.00
2616742			PORT KENNEDY	WA	370.00
2616731			PORT KENNEDY	WA	370.00
2616720			PORT KENNEDY	WA	375.00
2616719			PORT KENNEDY	WA	375.00
2616708			PORT KENNEDY	WA	380.00
2616219			PORT KENNEDY	WA	360.00
2616208			PORT KENNEDY	WA	360.00
2616195			PORT KENNEDY	WA	365.00
2603987			PORT KENNEDY	WA	370.00
2603976			PORT KENNEDY	WA	390.00
2603465			PORT KENNEDY	WA	360.00
2601812			PORT KENNEDY	WA	350.00
2601801			PORT KENNEDY	WA	350.00
2601798			PORT KENNEDY	WA	350.00
2601787			PORT KENNEDY	WA	350.00
2600955			PORT KENNEDY	WA	370.00
2600911			PORT KENNEDY	WA	365.00
2600819			PORT KENNEDY	WA	370.00
2600568			PORT KENNEDY	WA	370.00
2596443			PORT KENNEDY	WA	365.00
2596432			PORT KENNEDY	WA	360.00
2595871			PORT KENNEDY	WA	360.00
2595860			PORT KENNEDY	WA	360.00
2595859			PORT KENNEDY	WA	360.00

2595848	[REDACTED]	PORT KENNEDY	WA	360.00
2595837	[REDACTED]	PORT KENNEDY	WA	370.00
2595826	[REDACTED]	PORT KENNEDY	WA	370.00
2595815	[REDACTED]	PORT KENNEDY	WA	370.00
2595804	[REDACTED]	PORT KENNEDY	WA	370.00
2595791	[REDACTED]	PORT KENNEDY	WA	370.00
2595780	[REDACTED]	PORT KENNEDY	WA	370.00
2595779	[REDACTED]	PORT KENNEDY	WA	370.00
2595768	[REDACTED]	PORT KENNEDY	WA	370.00
2595757	[REDACTED]	PORT KENNEDY	WA	370.00
2595746	[REDACTED]	PORT KENNEDY	WA	375.00
2595735	[REDACTED]	PORT KENNEDY	WA	375.00
2595633	[REDACTED]	PORT KENNEDY	WA	365.00
2595542	[REDACTED]	PORT KENNEDY	WA	360.00
2595531	[REDACTED]	PORT KENNEDY	WA	360.00
2311833	[REDACTED]	PORT KENNEDY	WA	350.00
2311242	[REDACTED]	PORT KENNEDY	WA	370.00
2310943	[REDACTED]	PORT KENNEDY	WA	350.00
2310465	[REDACTED]	PORT KENNEDY	WA	375.00
2310385	[REDACTED]	PORT KENNEDY	WA	360.00
2310307	[REDACTED]	PORT KENNEDY	WA	360.00
608113	[REDACTED]	PORT KENNEDY	WA	360.00
608096	[REDACTED]	PORT KENNEDY	WA	365.00
250007	[REDACTED]	PORT KENNEDY	WA	350.00

Method used in calculating rent paid to property owners/ How a valuation is compiled:

The rents are calculated annually by an independent valuer which is in accordance with the lease agreement.

There are several valuations processes included in the Australian Property institute Guidelines that could be used to assess rents. Each method has a best use specific application based on the type of valuation required. DHA instructs valuers to utilize a Comparison Method as the primary method. This is the most widely used and accepted methodology for rental assessment by the Australian Property Institute and the real estate market. The comparison method involves construction of a matrix of local properties that have recently leased for a known amount and are Superior, Equivalent and Inferior. Once the table of evidence is complete the Valuer ranks the subject property by amenity with the evidence properties.

Position and qualifications of those responsible for the review /How does DHA select a company to do the valuation:

DHA employs a panel of valuers with demonstrated capacity in the area it is assigned. Minimum levels of Professional Indemnity insurance, Australian Property Institute certification, and operational experience of supervising staff are all required in the Deed of Agreement that governs the operations of the Panel. The panels are selected through a national tender process that provides a mix of large companies with multi region exposure and smaller companies specializing in a local area.

- CB Richard Ellis Property Valuers
- Herrod Todd White Property Valuers
- LMW Hegney Property Valuers

Sackley, Pip

To: admin.perth@htw.com.au
Cc: Annual Revaluation
Subject: 11SR - Progress for [REDACTED] PORT KENNEDY, WA 6172

Good Afternoon

Just chasing up on the secondary review process is coming along for the property listed above.

We sent you an email on the 20th of January but have not heard a response since. Could you please give us a response ASAP



[REDACTED] 016911...

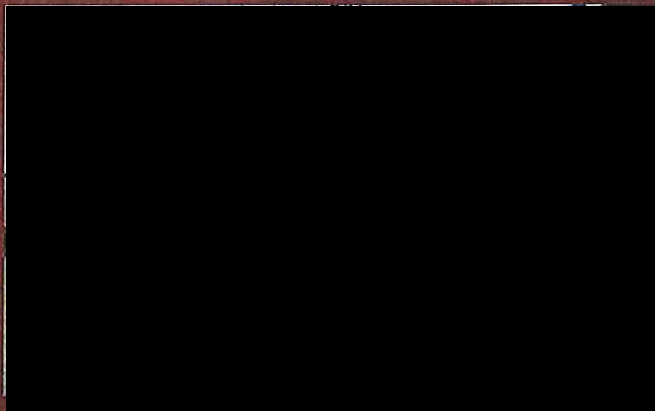
Regards
Cameron Bucknall
Head Office - Valuations Officer
Defence Housing Australia
26 Brisbane Ave Barton ACT 2600
Tel: 139 342
Fax: (02) 6222 2281

Prepared on behalf of:-



Market Rental Assessment

Instructed By:



PORT KENNEDY WA , 6172

Propell
PO Box 7231
Cloisters Square WA 6850

Our Reference: 0169114

Other offices:

*Australian Capital Territory - New South Wales - Northern Territory
South Australia - Tasmania - Victoria - Western Australia*

Property Intelligence for today and tomorrow





Rental Certificate

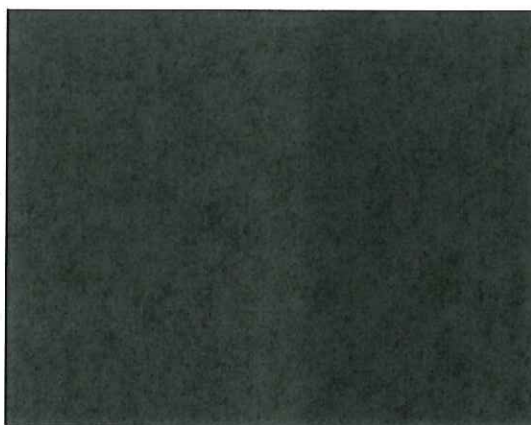


	<div></div> PORT KENNEDY WA 6172
Instructing Parties:	<div></div>
Client:	<div></div>
Instructions:	To assess the current rental value of the property described herein for DHA rent review purposes
Real Property Description:	<div></div> City of Rockingham
Land Area:	613 square metres.
Brief Description:	The subject property comprises a modern single level double brick and tile roof dwelling providing an average standard of four bedroom, two bathroom accommodation with separate lounge and combined dining/family area with a total internal living area of 211m ² . The dwelling is situated upon a regular shaped 613 square metre inside allotment that is near level.
Occupancy Details:	Currently tenanted
Assessed Rental:	The weekly rental of the property described herein has been assessed at: \$385.00 (The Hundred and Eighty Five Dollars) GST Not Applicable
Date of Inspection:	20 January 2012
Date of Valuation:	31 December 2011
Valuation Prepared By:	<div></div> <div></div>
<p>This rental valuation is for the use of the party to whom it is addressed and for no other purpose. No responsibility is accepted to any third party who may use or rely on the whole or any part of the content of the valuation.</p> <p>No conflict of interest: We confirm that we do not have any conflict of interest with the parties involved or any other matters in relation to this valuation.</p>	



COMPARABLE RENTAL EVIDENCE

No.	Address	Rental per week	Rental Commencement	Land Area
1	[REDACTED] Port Kennedy	\$440	Oct 2011	603m ²
Single level brick walled and tile roof dwelling comprising 4 bedroom, 2 bathroom accommodation with double lock up garage, below ground pool and a reported 168m ² of living, constructed in 1999.				
Comparison: Superior accommodation. Superior overall				
2	[REDACTED] Port Kennedy	\$360	Nov 2011	511m ²
Single level brick walled and tile roof dwelling comprising 4 bedroom, 2 bathroom accommodation with double lock up garage and a reported 154m ² of living, constructed in 2003.				
Comparison: Smaller accommodation. Inferior overall.				
3	[REDACTED] Port Kennedy	\$380	June 2011	540m ²
Single level brick walled and tile roof dwelling comprising 4 bedroom, 2 bathroom accommodation with double garage and a reported 226m ² of living, constructed in 2004.				
Comparison: Slightly larger accommodation, smaller land area. Slightly inferior overall.				
4	[REDACTED] Port Kennedy	\$375	Oct 2011	454m ²
Single level brick walled and tile roof dwelling comprising 4 bedroom, 2 bathroom accommodation with double carport and a reported 190m ² of living, constructed in 2003. Located opposite a park.				
Comparison: Smaller accommodation, superior location. Slightly inferior overall.				



Sackley, Pip

To: [REDACTED]
Cc: Annual Revaluation
Subject: 11SC - Secondary Completed - Old Rent \$380. New Rent \$380 HTW

Good Morning

We are very sorry for the delay

After further review, DHA have received notification that the valuers have consulted and reached a mutual agreement. The new increased rental amount for the above property will be **\$380** per week. The new amount will be in effect 1/1/**2012** and your rental payments will be backdated.

Please find attached for your records a copy of your amended rental valuation certificate.

Should you require further assistance, please do not hesitate to call valuations on 139 342



2624659A.PDF

Regards
Cameron Bucknall
Head Office - Valuations Officer
Defence Housing Australia
26 Brisbane Ave Barton ACT 2600
Tel: 139 342
Fax: (02) 6222 2281

INDEPENDENT PROPERTY ADVISORS

PTH197437


**Herron
Todd White**

Herron Todd White (Western Australia) Pty
Ltd
ABN: 16 096 723 590

PO Box 8160 Subiaco East WA 6008
Ph: 08 9388 9288
Fax: 08 9388 8660
Email: admin.perth@htw.com.au

Defence Housing Australia - Rental Certificate
Our Ref: **PTH197437A**UPRN: **2624659**

PROPERTY ADDRESS: [REDACTED] **Port Kennedy, WA 6172**
Rental Assessment Date: 31 December 2011
Property Type: Single Residence **Age** Circa 2005
Construction: **Walls** Brick **Roof** Tile
Heating / Cooling: Ducted evaporative air conditioning
Accommodation: 4 Bedrooms 2 Bathrooms
Ancillary Improvements: Established lawns and gardens, security screens
Car Accommodation: 2 Car Garage
Rental Value: **\$380 (pw) (Three Hundred and Eighty dollars)**

Methodology

Definition of Market Rental: The estimated amount for which a property, or space within a property, should lease on the date of valuation between a willing lessor and a willing lessee on appropriate terms in an arm's-length transaction, after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion.

In determining the market rental value of the abovementioned property as at the above date, reference to the location, the accommodation and the market conditions, including the rental of properties in this area and others which include those set out below, have been considered.

Comparable Rental Evidence Recent leases in the area include:

Address	Lease Date	Rent (pw)
[REDACTED] Port Kennedy	June 2011	\$330
Brief Comments: A circa 1998, brick and tile, single level, 4 bedroom, 2 bathroom dwelling with 2 car garage. Areas Living 151 sqm Land 571 sqm.		
In Comparison to Subject: Overall inferior		
[REDACTED] Port Kennedy	Nov 2011	\$360
Brief Comments: A circa 2003, brick and tile, single level, 4 bedroom, 2 bathroom dwelling with 2 car garage. Areas Living 154 sqm Land 511 sqm.		
In Comparison to Subject: Overall slightly inferior		
[REDACTED] Port Kennedy	Oct 2011	\$440
Brief Comments: A circa 1999, brick and tile, single level, 4 bedroom, 2 bathroom dwelling with 2 car garage. Features below ground pool. Areas Living 168 sqm Land Area 603 sqm.		
In Comparison to Subject: Overall superior		

Please note that this Certificate is an amendment of our previous Certificate based on additional evidence supplied by the owner.



Certified Practising Valuer WA LICENSED VALUER NO.44467

Liability limited by a scheme approved under Professional Standards Legislation. The scheme does not apply within Victoria, South Australia or Tasmania.



Defence Housing
AUSTRALIA

INSTRUCTIONS FOR VALUERS

Market Rent Review Service: 2011-12 Secondary Review Process

You have been engaged by a Defence Housing Australia (DHA) lessor to conduct a secondary market rent valuation of their DHA leased property.

Your assessment should be made in accordance with the terms of the lessor's *DHA Lease Agreement* and the instructions outlined below. This will ensure an accurate assessment is reached and DHA's requirements are met.

Qualifications

You must be a registered member of the Australian Property Institute in the state or territory where the lessor's property is located.

Making your assessment

Your assessment should consider the following:

Assessment date

Market rent for the property is to be determined as at the review date **31 December 2011**.

Comparables

Rental evidence of comparable properties in the surrounding area should be included in your report. Please ensure you:

- Only includes rents for comparable properties achieved before 31 December 2011 (i.e. not listed rentals);
- Only include details of comparable properties where a lease agreement has been reached between a willing lessor and a willing lessee in an arm's length transaction. That is, where the parties each acted knowledgeably, prudently and without compulsion having regard to the usual market terms and conditions for leases of similar premises;
- Do not take account of any higher rent which might be paid by a tenant with a special interest;
- Do not take account of any lower rent which might be acceptable to a landlord with a special interest; and
- Do not include DHA leased properties as comparables.

Recognition of DHA inclusions

Proper consideration should be given to the impact of fixtures, fittings, furnishing, landscaping and other such items. An extensive list of inclusions are featured in DHA leased properties; over and above the level of inclusion generally provided in the rental market.

Arranging an inspection

No attempt should be made to contact the tenant directly or inspect a property without an appointment. Please contact the DHA Valuations Team to make arrangements on your behalf. Contact details are provided below. Suitable identification, such as a business card, should be made available to tenants.

Submitting the secondary review

The lessor (your client) is required to submit their secondary valuation (your report) to DHA before **6 February 2012**. DHA endeavours to resolve all cases within a 30 day period from the date the report is received. You may be contacted by the DHA Valuations Team or the DHA appointed Market Valuer to assist in resolving the case.

If you require further information or assistance please contact the DHA Valuations Team by emailing **annual@dha.gov.au** or calling **139 DHA (139 342)** between 9am and 4pm AEST.

Sackley, Pip

From: Annual Revaluation
To: [REDACTED]
Cc: Annual Revaluation
Subject: RE: Secondary Review Process - [REDACTED] Port Kennedy

Good Afternoon [REDACTED]

Thank you for your secondary valuation from Propell.

Unfortunately I cannot accept it at this stage as the date of the valuation is 20 January 2012, as per our guidelines the date of the valuation needs to be 31 December 2012. Also the valuer added a comparative property where the new lease commenced in January 2012, again all rental evidence must be prior to 31 December 2012.

Please refer the valuation back to the valuer for these amendments.

Kind Regards,

Robyn Lorraway/Project Manager
Valuations/Defence Housing Australia
26 Brisbane Ave Barton ACT 2600
Ph: 6217 8583 Fax: 6222 2271
robyn.lorraway@dha.gov.au

From: [REDACTED]
Sent: Friday, 20 January 2012 6:04 PM
To: Annual Revaluation
Subject: Re: Secondary Review Process - [REDACTED] Port Kennedy

Dear Sir/Madam

Please find the Secondary Review conducted by Propell on my behalf.

Can you please:

1. Confirm receipt of the review.
2. Advise as to the way forward to complete the assessment process by DHA.

Regards,

[REDACTED]

[REDACTED]

On Fri, Jan 13, 2012 at 11:16 AM, [REDACTED] wrote:
Dear Sir,

Please be advised that I have engaged Propell National Valuers to undertake the Secondary Review.

Please ensure that they are given full cooperation to meet your deadline date to receive my submission.

Regards,

[REDACTED]

On Tue, Jan 10, 2012 at 1:03 PM, Annual Revaluation <Annual.Revaluation@dha.gov.au> wrote:

Good Afternoon

Thank you for your email

DHA wishes to confirm receipt of the notice of your intention to invoke the Secondary Review, as per your lease agreement.

Please note that the final date to submit your independent Secondary Review valuation is 6 February 2011.

Also please find attached a copy of the secondary review guidelines.

Regards
Cameron Bucknall

Head Office - Valuations Officer
Defence Housing Australia
26 Brisbane Ave Barton ACT 2600
Tel: 139 342
Fax: (02) 6222 2281

From: [REDACTED]
Sent: Monday, 9 January 2012 9:15 PM
To: Annual Revaluation

Subject: Secondary Review Process - [REDACTED] Port Kennedy

Dear Sir/Madam,

I am again extremely disappointed with the annual Market Rent review and hereby give you notice that I intend to embark on the Secondary Review Process.

There is no way that my rental income should stay stagnant for 3 years especially in an area where the rental vacancies are lower than most areas.

Can you please confirm receipt of my notification.

Regards,

[REDACTED]

[REDACTED]

Important:

This email and any attachments may be confidential and may be privileged. If the email is not addressed to you please return it to us and destroy any copies you may have. Unauthorised use of this email and any attachment is prohibited.

Defence Housing Australia take no responsibility for misdirection, corruption or unauthorised use of email communications nor for any damage that may be caused as a result of transmitting or receiving an email communication.

Defence Housing Australia will send you correspondence and documents by email if you request or if you use email to contact us. Email is not a secure form of communication and may transmit computer viruses.

intmr02.dha.gov.au[15285088]

--

Regards,

[REDACTED]

--

Regards,

[REDACTED]



Defence Housing
AUSTRALIA

GUIDELINES FOR LESSORS

Market Rent Review Service: 2011-12 Pursuing the Secondary Review Process

Defence Housing Australia (DHA) has prepared the following guidelines to assist lessors who wish to pursue a secondary review of their property's market rent assessment.

DHA recommends you reference the lease agreement for your property to confirm rent review arrangements, as terms and conditions of lease editions vary slightly. Please find below general information.

As set out in your *DHA Lease Agreement*, each year DHA engages an independent registered valuer ("Market Valuer") to review your property's market rent.

Your property's market rent was assessed as at 31 December 2011, based on rents achieved from comparable properties in the surrounding area and in accordance with Australian Property Institute guidelines.

Written notification of the Market Valuer's assessment has been provided to you, including a copy of the Rental Certificate.

Each *DHA Lease Agreement* provides a secondary review process. If you are dissatisfied with the Market Valuer's assessment, you have until 6 February 2012 to initiate and complete this process:

1. Notify DHA in writing (email, letter or fax) that you intend to pursue the secondary review process

Email: annual@dha.gov.au

Post: Defence Housing Australia
Attention: Valuation Officers, Finance Division
26 Brisbane Avenue
BARTON ACT 2600

Fax: 02 6222 2271

2. Engage a valuer who is registered with the Australian Property Institute in the state or territory where your DHA leased property is located.

Note: Your valuer will be required to liaise with the DHA Valuations Team and the DHA appointed Market Valuer as part of the review process.

3. Provide your valuer with a copy of your *DHA Lease Agreement* and the enclosed *Instructions to Valuer – Secondary Review Process* document.
4. Confirm your valuer understands that the market rent assessment is to be undertaken as at 31 December 2011. Their valuation report should only include rents achieved for comparable properties leased before this date (i.e. not listed rentals) and should not include DHA leased properties.
5. Submit your secondary valuation (your valuer's report) to DHA by **6 February 2012**.

If you require further information or assistance please contact the DHA Valuations Team by emailing annual@dha.gov.au or calling **139 DHA** (139 342) between 9am and 4pm AEST.

Sackley, Pip

From: Annual Revaluation
To: [REDACTED]
Cc: Annual Revaluation
Subject: RE: Valuation Report: 0169114 - Your Ref: N/A, [REDACTED] Port Kennedy

Good Morning

We usually give the valuers a week time frame at the latest to follow up with the secondary valuation process, but in some cases this does take longer depending if the valuers agree or not.

Regards
Cameron Bucknall
Head Office - Valuations Officer
Defence Housing Australia
26 Brisbane Ave Barton ACT 2600
Tel: 139 342
Fax: (02) 6222 2281

From: [REDACTED]
Sent: Wednesday, 1 February 2012 4:39 PM
To: Annual Revaluation
Subject: Re: Valuation Report: 0169114 - Your Ref: N/A, [REDACTED] Port Kennedy

Dear Cameron,

What is the time frame for this to occur?

Thanks,

[REDACTED]

On Wed, Feb 1, 2012 at 9:14 AM, Annual Revaluation <Annual.Revaluation@dha.gov.au> wrote:

Good Afternoon

Sorry the delay in the confirmation of your email.

The rental certificate you have supplied has been forwarded to DHA's valuer for review. A mutual agreement must be reached with both valuers in order to finalise this process.

We will contact you when the valuers have reached this agreement.

Thank you in advance for your patience with this matter.

Regards
Cameron Bucknall

Head Office - Valuations Officer
Defence Housing Australia
26 Brisbane Ave Barton ACT 2600
Tel: 139 342
Fax: (02) 6222 2281

From: [REDACTED]
Sent: Wednesday, 25 January 2012 6:29 PM
To: Annual Revaluation
Subject: Fwd: Valuation Report: 0169114 - Your Ref: N/A, [REDACTED] Port Kennedy

Good afternoon,

Can you please confirm receipt and acceptance of the Secondary Review valuation I sent yesterday.

Regards,

[REDACTED]

----- Forwarded message -----

From: [REDACTED]
Date: Tue, Jan 24, 2012 at 8:58 AM
Subject: Valuation Report: 0169114 - Your Ref: N/A, [REDACTED] Port Kennedy
To: Annual Revaluation <Annual.Revaluation@dha.gov.au>

Dear Sir/Madam,

Re: Secondary Review Process - [REDACTED] Port Kennedy

Please find corrected valuation report on my DHA leased property.

Please confirm receipt and advise the way forward.

Regards,



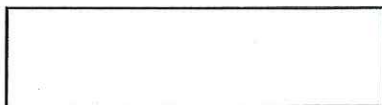
----- Forwarded message -----

From: **Propell National Valuers** <valuations.wa@propellvaluers.com>

Date: Mon, Jan 23, 2012 at 4:45 PM

Subject: Valuation Report: 0169114 - Your Ref: N/A, [REDACTED] Port Kennedy

To: [REDACTED]



Dear Client,

Please find your report attached as requested.

Our Reference: **0169114**

[REDACTED]
Port Kennedy WA 6172
Australia

Kind regards,

Propell National Valuers Pty Ltd
ABN: 95 123 650 779
PO Box 7231, Cloisters Square, Perth, WA 6850
Tel: 08 9320 7777
Fax: 08 9321 5950
E-Mail: valuations.wa@propellvaluers.com
WWW: <http://www.propellvaluers.com>

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Regards,



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Regards,



Important:

This email and any attachments may be confidential and may be privileged. If the email is not addressed to you please return it to us and destroy any copies you may have. Unauthorised use of this email and any attachment is prohibited.

Defence Housing Australia take no responsibility for misdirection, corruption or unauthorised use of email communications nor for any damage that may be caused as a result of transmitting or receiving an email communication.

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intmr02.dha.gov.au[16017475]



Freedom of information – Your review rights

If you disagree with the decision made by Defence Housing Australia (DHA) under the *Freedom of Information Act 1982* (the Act), you can ask for the decision to be reviewed. You may want to seek review if you sought certain documents and were not given full access, if you have been informed that there will be a charge for processing your request or if your application to have your personal information amended was not accepted. There are two ways you can ask for review of a decision: internal review by DHA and/or external review by the Australian Information Commissioner.

Internal review

If DHA makes an FOI decision with which you disagree, you can ask DHA to review its decision. The review will be conducted by a DHA officer at a more senior level than the original decision maker. There is **NO** charge for internal review.

You must apply within 30 days of being notified of the decision, unless you have sought an extension from DHA.

DHA **must** make a review decision within 30 days. Where DHA has not met its review obligation, you may then approach the Information Commissioner.

Internal review is not available if the Minister or the principal officer of the agency made the decision personally.

How to apply for internal review

You must apply in writing and should include a copy of the notice of the decision provided and the points to which you are objecting and why. You can lodge your application in one of the following ways:

Post: Company Secretary

Defence Housing Australia
26 Brisbane Avenue
BARTON ACT 2600

Email: foi@dha.gov.au

External Review

Do I have to go through DHA's internal review process first?

No. You may apply directly to the Information Commissioner. However, going through DHA's internal review process gives DHA the opportunity to reconsider its initial decision and your concerns will most likely be addressed more quickly, without undergoing an external review process.

When can I go to the Administrative Appeals Tribunal (AAT)?

Under the revised Act, you must seek external review through the Information Commissioner prior to applying to the AAT for such a review.

Making a complaint

You may make a complaint to the Information Commissioner about actions taken by DHA in relation to your application. The complaint needs to be in writing.

Contacting the Information Commissioner

Further information about the external review process or how to make a complaint to the Information Commissioner is available at the following:

Online: www.oaic.gov.au

Post: GPO Box 2999, Canberra ACT 2601

Fax: +61 2 9284 9666

Email: enquiries@oaic.gov.au

Investigation by the Ombudsman

The Commonwealth Ombudsman can also investigate complaints about action taken by agencies under the Act. However, if the issue complained about either could be or has been investigated by the Information Commissioner, the Ombudsman will consult the Information Commissioner to avoid the same matter being investigated twice. If the Ombudsman decides not to investigate, the complaint, then all relevant documents and information must be transferred to the Information Commissioner.

The Information Commissioner can also transfer to the Ombudsman a complaint that could more appropriately be investigated by the Ombudsman. This could occur where the FOI complaint is only one part of a wider grievance about an agency's actions. It is unlikely that this will be common. You will be notified in writing if your complaint is transferred.

Defence Housing Australia FOI contacts

Defence Housing Australia
26 Brisbane Avenue
BARTON ACT 2600

Ph: +61 2 6217 8401

Email: foi@dha.gov.au

Website: www.dha.gov.au