

The Israel Association of Senior Housing Residents

WWW.ISRA-SENIOR-RES.ORG.IL

Newsletter September 2023

The Association of Senior Housing Residents was established in 2000. Its main objective is the protection of the rights of residents in senior housing facilities. At present, about 9000 senior citizens residing in 47 homes have joined us.

The Association is run by its Board of Directors, an Audit Committee, a secretary, and a treasurer – all being volunteer residents in different homes.

The Ministry of Justice has granted the Association the status of a "Consumers Organization" which allows it to file claims on behalf of the residents as well as represent them at relevant discussions held in and by Government organizations. The Association is also recognized by the Ministry of Welfare and Social Security, which is our regulator and watchdog by law, as the body representing all residents.

Every year the Registrar of Non-Profit Associations has granted us the Good Governance Certificate.

After many years of work, the Association succeeded in bringing about the enactment of the Assisted Living Law, which was approved by the Knesset in June 2012 and most of its sections came into effect in December 2012. The law regulates the field of assisted living – provides protection of residents' rights and establishes supervision of assisted living homes. (The full text of the law can be viewed – including the English translation – on the Association's website.) We have also worked diligently to pass the amendment to Clause 27 – guaranteeing collaterals on our deposits. As of January 2020, the owners must provide the collaterals to the residents. We are keeping track that this is being implemented.



Hello, dear members of the Israeli Association of Senior Housing,

As is our custom, close to Rosh Hashanah, we send you our annual newsletter outlining our activities during the last 12 months and the issues we intend to deal with later in the year. The purpose is to update our members. We hope that the information will also help new residents understand what the Association does for its members and how it operates. We also hope that this will inspire some of you to volunteer and take part in the activities.

Regular ongoing updates are sent to the chairmen of the tenants' committee in each member's home. It is their task to forward the information to all residents in their respective homes.

We also recommend that residents and family members periodically review the materials appearing on the Association's website which is constantly updated with news regarding residents and assisted living homes. WWW.ISRA-SENIOR-RES.ORG.IL

Current board members:

Leah Schatz Soffer – Chairperson, Micha Ramati – Acting Chairman, Eitan Bloch, Dan Tamari, Yigal Shapira, Yoram Avnimelech, Israel Ben - Yosef, Martha Dagan, Amos Shvueli.

Current members of the Audit Committee: Lilian Frenkel – Chairperson, Shoshana Rubinfeld.

In addition, both our reliable and devoted treasurer Nitza Rofeh and our amazing secretary Yehudit Gabor continue to serve us.

The board members, the audit committee, the treasurer, and the secretary are all residents in assisted living homes and carry out their work voluntarily.

This is the opportunity to thank all those who attended the semi-annual meeting on June 26 2023 and contributed to a pleasant atmosphere and efficient outcome of the deliberations and voting. By request of residents' committees via our secretary, our board members meet with the committees as well as with the general assembly of residents and hold lectures regarding the Association and its activities.

The following is a report of our activities during the last 12 months:

1. Legal Actions: Two important proceedings through class action lawsuits have come to their conclusion:

a. Mish'an provided collaterals to the residents.

b. Mish'an reduced caregiver accommodation fees and will reimburse residents retroactively as of January 2021. The Association also received reimbursement of expenses.

c. We are forced to file another class action lawsuit regarding exaggerated fees for caregivers employed by residents. Despite previous victories in similar lawsuits, some homes still charge unreasonable fees.

D. We filed a claim with the Uniform Contract Law Tribunal on the subject of: calculating annual capital deductions from the balance instead of from the original fund.

E. A class action lawsuit filed by a Mish'an resident with the assistance of the association's management and attorneys, on the subject of "transparency when raising monthly fees above the index", recently ended, and this gives us a tool that can be applied to other homes as well.

2. Legislation: We are pleased to announce that in July the regulations enabling the establishment of the Nursing Fund and the Management Fund were published in the Official Gazette. The two funds will be at the disposal of residents and the management of a home in the event of financial collapse and insolvency. The owners have been granted one year to set aside the amounts for these funds. In other words, they must do it by June 2024.

Unfortunately, the enactment of all the regulations pertaining to the Assisted Living Law has not yet been completed. We pinned high hopes on the new government and on the promises made by representatives of the Ministry of Social Affairs that by the annual meeting in June, the legislative process of financial strength regulations would be completed. As mentioned above, regulations for the two financial funds were signed to our delight.

The regulations regarding financial stability of homes are another tool for external control to monitor the financial position of the homes, hoping this would help predict insolvency prior to a

total collapse. Once these regulations are enacted, the Commissioner of Assisted Living will have the authority under the law to grant, suspend or disqualify assisted living homes' permits.

Following many inquiries regarding the admission of residents who do not meet the criteria of section 15 of the Assisted Living Law, we proposed to the Commissioner to initiate a legislative process of adding a public representative to the admissions committee of protected housing.

If this is delayed, we will consider placing an amendment to the law on the Knesset table. In the wake of the COVID-19 pandemic, the need to increase social work services in homes has become evident. We proposed standardization of the number of social workers in assisted living facilities, adjusted to the number of residents in the home. To this we were answered: first we will finish the enactment of the regulations. We hope that as the regulations are nearing completion, the Ministry of Social Affairs will deal with this issue as well. We will not give up.

3. Synchronization of medical information: Unfortunately, discussions are still underway, and the problem has not yet been resolved. Throughout the handling of the issue, we heard the ministries' responses that assisted living is considered life in the community and does not require special attention from government ministries. Still, despite the fact that the Ministry of Health claims that since there is no obligation under the Assisted Living Law to provide medical services in the homes and therefore does not have to deal with the issue, we managed to obtain a "round table" meeting with all concerned. Let's hope we get good results.

4. Flat Inventory Insurance and Subrogation Waiver: As far as we know, few Association residents have third party or apartment contents insurance. Some of our facilities include a subrogation waiver in their overall policies, which protects residents from liability for damage to the apartment, but **this is not true for all our homes. It is of critical importance that all homes include the subrogation waiver.** In two recent apartment fires, residents were not indemnified — and one ended up paying for damage incurred.

We draw your attention to a new fire hazard: the loading of bicycle and/or motorized scooter batteries is a major cause of fires, according to the Fire & Rescue Authority. We urge you to insure your apartment and its contents, making certain that the policy includes a subrogation waiver. Details of a sound insurance policy quotation are available from the Association secretary and your residents' committee. You are obviously free to contact any other insurance agent of your choice.

We have sent the committees the latest Fire and Rescue Guidelines on battery charging.

5. Raising Maintenance Fees above the Cost-of-Living Index —Transparency: Residents' committees in several of our homes ensure transparency in a joint resident-management inspection of the percentage by which monthly fees are raised above the Index each year. This has always been successfully handled by a number of residents committees. Our legal and accountancy consultants are available, as needed.

6. Construction over Inhabited Assisted Living Homes : We are nearing the end of drafting an addition to the Assisted Living Law on this issue, but before it is submitted to the Knesset, it has been decided that a discussion will be held with all the relevant ministries: welfare, housing, health, and representatives of the homeowners and the association.

7. Offsetting Rental Property Incomes versus Maintenance Fees: Until now, according to the Income Tax Law, anyone who is letting an apartment and lives in a nursing home, or any other geriatric institution can offset the rental income versus payment to the nursing home. Unfortunately, to this day, many, including government organizations, do not distinguish between a nursing home and an assisted living home. Until lately, assisted living homes were not included in this law. Upon our taking action, assisted living homes are now also eligible to benefit from this law. This will apply as of the 2023 financial report.

8. Air-raid Shelters in Assisted Living Homes: Following our going public with the fact that some homes are using the air-raid shelters as storage spaces, not leaving enough room for residents to take cover in case of a missile attack, we were contacted by high officers of the Civil Defense Authority. We received the exact instructions regarding the proper maintenance of these spaces and forwarded them to the residents' committees. An unsolved issue is older homes which do not have any air-raid shelters either in the flats or on each floor.

9. 0% VAT: We have the ongoing problem of huge VAT sums we are paying. We have tackled this issue several times from various angles –until now to no avail. It seems the only way to achieve something is through legislation. However, the times now do not seem propitious. We are waiting for the right opportunity to obtain at least VAT exemption on the rental part included in our various payments.

10. The General Assembly: Conforming to the Non-Profit Associations Law each year we are holding two general assemblies. The last one was held on June 26th 2023. The next meeting will take place in December 2023. Invited to attend the meetings are delegates of the member homes, the Assisted Living Officer and Supervisors of the Ministry of Welfare and Social Security and other guests. The meetings are dedicated to activity reports and approval of the budget, the financial report etc. All documents are being sent to the homes prior to the meeting urging the residents' committee members to go over these documents and where necessary send us comments and queries. These are answered in writing prior to the meeting, and some are discussed during the meeting. The minutes of this meeting as well as the power point presentation of our Chairperson Mrs. Lea Schatz Soffer and the one shown by Mr. Shlomi Bar Lev (the Assisted Living Officer) were sent to the residents' committees on July 9th, 2023.

We wish you SHANA TOVA, and excellent health.

Please extend our greeting to all our members and their families.

All the members of the Board of Directors

