

## ISRAEL SENIOR RESIDENCE ASSOCIATION

[WWW.ISRA-SENIOR-RES.ORG.IL](http://WWW.ISRA-SENIOR-RES.ORG.IL)

### **Informative bulletin – August 2021**

The Israel Senior Housing Residence Association was founded in 2000, with the objective of protecting the rights of residents in senior residence facilities.

Today, the Association consists of 10,000 members residing in 46 senior residence facilities. Members of its directorate, auditing committee, treasurer and secretary are all residents of senior residence facilities. All functions on a voluntary basis.

Being recognized by the Ministry of Justice as a “Consumer Organization”, the Association is allowed to represent all the residents, including filing claims aimed at protecting residents’ rights.

After several years of hard work on the part of the Association, the Protected Living Law was legislated by the Knesset in June 2012 and most of its articles came into effect in December 2012. The law regulates all aspects of senior residence issues, protects the rights of residents, and establishes inspection regulations for senior residences. (Hebrew and English versions of the Law are posted on the Association’s website).

Some regulations pertaining to the law, related to verification of financial solidity, have yet to be legislated. Prior to approval by the Knesset of said regulations full inspection and issue of a license to the homes cannot be implemented

Another one of the Association’s major successes was passing an amendment to Article 27 of the Protected Living Law with regarding securities for the residents’ deposits. Our intensive efforts have borne fruit and the Knesset passed the amendment to Article 27, and the Securities Clause went into effect in January 2020.



Dear members of the Israel Senior Residents Association,

As we do every year, we are issuing an informative brochure for all member of the Association, reporting the past year’s activities as well as our plans for the upcoming one. The information will help veteran and new residents understand what the Association does, and hopefully will encourage some of you to volunteer to take part in some of its activities. We also recommend that the residents and their family members occasionally access the Association’s website, which is updated regularly and provides all the relevant news.

**Our warmest welcome to our new members residing in: Palace Lehavim (Negev), Avantgarde Residence (Haifa), Migdalei Hayam Hatichon – Jerusalem, and Mish’an Givatayim.**

This past year was one of great upheavals in our country which obviously also affected the residents of senior residence facilities. Knesset elections were held, under the Covid-19 regulations. We were forced to hold our Board meetings, as well as two assembly generals- via

Zoom. Our thanks go to all Residents' Committee members who cooperated and helped us to continue the on-going management of the Association's affairs, adapting to the new technologies, which the Covid-19 pandemic forced on us.

Our last bulletin was sent out to you at the end of August 2020. Since then, we held an Assembly General, via Zoom, on September 9<sup>th</sup>, 2020, during which 2 new Board members, as well as the Audit Committee members were duly elected. We also passed the 2020 Annual financial Report. Our second Assembly General was held via Zoom in December 2020 during which the 2021 annual budget was approved. This last June 2021 we were happy to resume our Assembly General face to face. The attending members approved the Chairperson's Annual 2020 Report, the 2020 Financial Report and the 2021 amended budget as required by the Associations' Registrar.

Board Members: Lea Schatz Soffer – Chairperson, Shoshana Weinshal – Deputy Chairperson, Avraham Rosenstreich, Eithan Bloch, Asher Shulman, Dan Tamari, Yigal Shapira, Yoram Avnimelech, Micha Ramati.

Audit Committee members: Shoshana Rubinfeld - Chairperson, Aviva Zamir.

Treasurer: Felli Rosenblatt. Secretary: Judith Gabor.

**All the above-mentioned are volunteers.**

The Association's C.P. A. – Mr. Ofer Beck.

Legal Advisors – Attorney Zeev Weiss, Attorney Dana Malihi Hakmon and the rest of Weiss-Porat & Co. Law Firm.

Policy consultant & inter-ministerial liaison - Mrs. Ruth Preminger Attorney- Prilog Firm.

Public Relations Firm – Arik Rosenthal.

**The four offices are on our payroll.**

With Covid-19 removing restrictions, we resumed our face-to-face meetings with residents in various homes whenever they requested it. As a result of these meetings, residents of 4 new homes joined us.

The tradition of inviting a representative of the Association to lecture to students attending the "Old-age home and Senior Housing Residence facilities management" courses, conducted at 4 universities, has rooted. We will continue doing so during the 2021-2022 academic year.

With the forming of the Netanyahu-Ganz Government, the Knesset had finally resumed work and established its committees. We used this opportunity to pass the "Terms & Conditions of Activity" regulations.

But the work is not yet done. On the Minister of Welfare's desk is the draft of the last file of regulations which the Knesset must approve - "verification of the financial solidity of the homes", which will allow to issue licenses for sheltered housing

In this regard it should be noted that Mr. Shlomi Bar Lev - the Commissioner- in charge of Protected Living facilities in the Ministry of Welfare, has already started to ask the Housing Managements to transfer some documents relevant for licensing.

At the Commissioner's initiative we have also held several "round table" meetings with the

participation of representatives of the Ministry of Welfare as well as of A.B.A – the Association of Nursing and Assisted Living Homes.

We would like to point out that since November 2020, with the election of Mrs. Yoli Gat as A.B.A.'s Chairperson, we have resumed our direct talks with A.B.A, regarding subjects which are of mutual interest. Mrs. Yoli Gat was invited to speak at our General Assembly last June 2021. Her presentation of A.B.A's activities was met with great interest and appreciation.

**1. Synchronization of the Medical Data in the personal file in the home clinic and his file in the Kupat Cholim.** The need for such synchronization became even more acute during the Covid-19 outbreak, when it was impossible to exit our home even to go to our doctor at the Kupat Cholim. The lack of action by the Ministry of Health forced us to appeal for the assistance of the Supreme Court, who backed our claim but took into consideration the Ministry of Health's response, that they will deal with this once the Covid-19 crisis is behind us. We hope to find an open door with the new Minister of Health and his staff. The Supreme Court left the door open for us to return and present our case.

The achievement lies in the High Court decision to include, for the first time, an obligation on the part of the authorities to deal with the issue of synchronization. We see this as a partial achievement and will keep this issue on our agenda for the coming year.

**2. Tracking the implementation of Clause 27- Securities of the deposits.**

This clause came into effect in January 2020 and since then both the Association and the Commissioner keep following up on the homes' compliance. Out of 96 homes registered as Protected Living Homes with the Ministry of Welfare, 59 homes have already issued the securities.

**3. Raise of Maintenance Fees above the Index – Transparency**

This is still a matter of concern to a great number of our members. In some of the homes the system of hiring a CPA by the residents who cooperates with the home's CPA is already being applied. The two accountants have to agree on the fair and just percentage by which the maintenance fee should be raised, above the cost-of-living index.

Private companies are not obligated to make their financial data public. However, in a ruling on this issue (in a claim the Association made several years ago) the court stated that the homes should act with transparency regarding the raise above the cost-of-living index.

Should this not be the practice in your home, feel free to consult with us or with our legal advisors.

**4. Air-raid shelters (safe room in the apartment or on the floor)**

The last round of fighting around the Gaza Strip has brought this issue to the table yet again. Some homes do not have safe rooms and some others use them as storage rooms not leaving enough free space to be used by the residents in cases of an alarm. We have asked the Commissioner to address this issue.

**5. Additional Legal Activity:**

- **Extra pay for live-in caregiver** – each home levies an arbitrary sum. The Association placed a class action against the "Bait Bakfar" and "Migdaley Hayam Hatichon" chains, backed by an economist's expert opinion hired by the Association. The result, following an entire year of

arbitration was a considerable reduction of the monthly payments for the residents of both chains. A binding ruling was issued by the Court.

- **Class action against Mish'an regarding extra pay for live-in caregiver.** Following arbitration, we succeeded in reducing the monthly sum. An agreement was signed, duly made public, now awaiting final approval by the Attorney General and the Court.

- **Claim against Mish'an on non-compliance with Clause 27 (securities).** The first court session was held in June 2021. We will update on further developments.

- **Claim again "Bait Balev" re inclusion of Municipal Taxes in the monthly maintenance fee.** The claim of Beit Ildan residents came to a successful ending. Agreements were signed and approved by the Court. This means that the municipal taxes will be separated from the monthly maintenance fee and no VAT will be paid there-on and each resident will receive the tax discounts he/she is entitled to. The similar claim by the residents of Bait Balev Tel Aviv has also come to closure accordingly.

**6. The Association in the Media** - With the help of the Arik Rosenthal public relations office which we have hired, the press is collaborating with us. This made it possible to shed a light on the manner in which matters are being handled in senior residence facilities, especially during the Covid-19 outbreak.

We would like to thank the various reporters of the media networks (press, radio, television) for their willingness to make our important issues known to the public at large.

**7. Annual Deduction from the Balance of our Deposits instead of from the Original Sum.**

This issue was brought up during the Assembly General and we decided to investigate whether there are ways to protect the residents' rights.

**8. Flat Contents, Third-Party and Car Insurance.**

We have reached an agreement with an insurance company for a policy with improved terms and conditions for our members. The offer is valid till the end of 2022, and includes hearing aids and mobility scooters, as well as offering "by the mile" car insurance.

You are obviously free to choose any other insurance agent.

**9. With the Knesset finally resuming regular and orderly activity -On our Agenda are:**

Legislation on construction over a populated senior resident housing, synchronization of medical information, continued monitoring of the provision of securities for tenants' deposits, completion of the regulations of the Protected Housing Law, annual deduction from the balance of the deposit instead of the fund, Zero VAT.

*With the coming of the New Year, we wish you all a year during which  
we get rid of Covid-19 and resume living in good health, joy, and happiness,*

*SHANA TOVA*

*The Association Board Members*