

Rooming houses

A guide for residents
and operators





The app for renters

Learn your rights and responsibilities as a renter, understand condition reports, contact your agent and more – all from your smartphone.



Disclaimer

Because this publication avoids the use of legal language, information about the law may have been expressed in general statements. This information should not be relied upon as a substitute for professional legal advice or reference to the actual legislation, specifically the *Residential Tenancies Act 1997*.

Authorised and published
by the Victorian Government,
1 Treasury Place, Melbourne
April 2017

ISBN: 978 1 921079 70 2



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Additional copies

This guide is available from Consumer Affairs Victoria, consumer.vic.gov.au/forms or 1300 55 81 81.

Rooming houses: A guide for residents and operators

Rooming house operators must give a copy of this guide to every resident on or before the day they move in.

Telephone interpreting service

ENGLISH

If you have difficulty understanding English, contact the Translating and Interpreting Service (TIS) on 131 450 (for the cost of a local call) and ask to be put through to an Information Officer at Consumer Affairs Victoria on 1300 55 81 81.

AMHARIC

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المستهلك في فكتوريا على الرقم
1300 55 81 81.

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GREEK

Αν έχετε δυσκολίες στην κατανόηση της αγγλικής γλώσσας, επικοινωνήστε με την Υπηρεσία Μετάφρασης και Διερμηνείας (TIS) στο 131 450 (με το κόστος μιας τοπικής κλήσης) και ζητήστε να σας συνδέσουν με έναν Υπάλληλο Πληροφοριών στην Υπηρεσία Προστασίας Καταναλωτών Βικτωρίας (Consumer Affairs Victoria) στον αριθμό 1300 55 81 81.

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ITALIAN

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SOMALI

Haddii aad dhibaato ku qabto fahmida Ingiriiska, La xirii Adeega Tarjumida iyo Afcelinta (TIS) telefoonka 131 450 (qimaha meesha aad joogto) weydiisuna in lagugu xiro Sarkaalka Macluumaadka ee Arrimaha Macmiilaha Fiktooriya tel: 1300 55 81 81

SPANISH

Si usted tiene dificultades en comprender el idioma inglés, póngase en contacto con el Servicio de Traducción e Interpretación (Translating and Interpreting Service - TIS) al 131 450 (por el costo de una llamada local) y pida que le conecten con un funcionario de Información de Asuntos del Consumidor de Victoria (Consumer Affairs Victoria). Teléfono N° 1300 55 81 81.

TURKISH

İngilizce anlamakta güçlük çekiyorsanız, 131 450'den (şehir içi konuşma ücretine) Yazılı ve Sözlü Tercümanlık Servisini (TTS) arayarak 1300 55 81 81 numaralı telefondan Victoria Tüketicî İşleri'ni aramalarını ve sizi bir Danışma Memuru ile görüşmelerini isteviniz.

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Rooming house basics



This guide is for rooming house residents and operators. Operators must give a copy of this guide to every new resident.

About this guide

This guide explains what residents and operators must do to follow Victoria's rooming house laws.

Penalties for not complying with these laws apply.

This guide is not a legal document or substitute for professional legal advice.



Who are residents and operators?

A resident is a person who rents a room in a rooming house as their only or main residence. A resident does not need to have a tenancy agreement to live in a rooming house.

Note:

If a person has a valid tenancy agreement, they are a **tenant** under the law, and not a **resident**. This is important, as it affects things such as notice periods that a resident or operator must give. For more information, contact Consumer Affairs Victoria:

consumer@justice.vic.gov.au

1300 55 81 81



In this guide, a rooming house operator can refer to:

- the owner of the building
- a person who has leased a building and is operating it as a rooming house
- an agent or head tenant employed by the owner.

Rooming house operators must be licensed

From 26 April 2017, rooming house operators must be licensed by the Business Licensing Authority. For more information about the new licensing scheme and how to apply for a licence, visit consumer.vic.gov.au/roominghouseoperators.

What is a rooming house?

Under the *Residential Tenancies Act 1997*, a rooming house is a building where:

- one or more rooms is available for rent, and
- the total number of people who may occupy those rooms is four or more.

The Minister for Housing can also declare a property as a rooming house.

Also, in most rooming houses:

- residents share bathrooms, kitchens, laundries and other common areas
- the owner and their family generally do not live on the premises
- separate rental agreements may exist for different residents.

If a person is unsure if they are living in, or operating, a rooming house, they should contact their local council or Consumer Affairs Victoria.



Registering a rooming house

Under the *Public Health and Wellbeing Act 2008*, operators must register their rooming houses with the local council if they intend to rent out one or more rooms to four or more people.

Information and contact details for local Victorian councils are online at knowyourcouncil.vic.gov.au, in the local telephone directory or at local libraries.



When can an operator use a building as a rooming house?

For an operator to use a property as a rooming house, the property must be in an area where the local council allows this.

The operator must also:

- be licensed with the Business Licensing Authority
- register their rooming house with the local council
- get the necessary building or other permits that may be required
- meet the minimum health, building and fire safety standards.

Planning controls

Each municipality has a local planning scheme, which controls how land is used.

Operators must check with their local council's planning section to find out if:

- the building is located in an area where use as a rooming house is permitted
- a planning permit is required.

Changing the use of the building to a rooming house

If an operator changes the use of their building into a rooming house, the building must meet the relevant requirements of the Building Regulations 2006.

This may involve the operator arranging works such as:

- installing the necessary fire safety measures
- changing door hardware
- installing sanitary facilities
- other works.

Operators must find out if a building permit is required for any building work to change the use of the building to a rooming house. A council municipal building surveyor (MBS), private building surveyor (PBS) or other suitably experienced building professional can give advice.

For more information, operators should contact the building department of their local council.



Sometimes, an MBS, PBS or other qualified building professional may find that no building work is required for the new use as a rooming house.

Minimum standards in rooming houses



Operators must ensure their properties meet minimum standards. These include a range of **existing minimum standards** and **additional minimum standards** that came into force in 2013.

What are minimum standards?

The existing minimum standards for rooming houses are set out in the:

- *Residential Tenancies Act 1997*
- Building Regulations 2006
- Part 5 of the Public Health and Wellbeing Regulations 2009 (Prescribed Accommodation).

See '[Existing minimum standards](#)' on page 14 for an explanation of these standards.

Operators can view the laws mentioned in this guide at:



www.legislation.vic.gov.au

Additional minimum standards

Rooming house operators must comply with additional minimum standards set out in the Residential Tenancies (Rooming House Standards) Regulations 2012.

These standards relate to privacy, security, safety and amenity in rooming houses.

Residents' rooms

- any door used for entry to or exit from a resident's room must be fitted with a lock that is operated by a key from the outside, and can be unlocked from inside without a key
- a resident's room must have at least two working power outlets
- residents' windows must have a covering that provides privacy and can be opened and closed by the resident.

Bathrooms

A shared bathroom or toilet must be fitted with a privacy latch that can be securely latched from the inside without a key.

Kitchens

Each resident must have access to and use of food preparation facilities. These can be provided in the resident's room or a shared kitchen.

If these facilities are in a resident's room, they must include a:

- food preparation area
- sink
- oven and cook-top in good working order
- refrigerator with at least 80 litres capacity
- cupboard with a minimum 0.1 cubic metres (100 litres) of storage capacity.

A shared kitchen must have a:

- food preparation area
- sink
- oven and cook-top with four burners in good working order for every 12 or fewer residents who do not have an oven or cook-top in their room (based on the maximum number of residents the rooming house can accommodate)
- refrigerator with at least 400 litres capacity
- lockable cupboard for each resident, with a minimum 0.1 cubic metres (100 litres) of storage capacity.

Dining facilities in a common area

- enough chairs for the maximum number of residents that can be accommodated in a resident's room
- a table that can comfortably accommodate this number of chairs.

Shared laundries

- a wash trough or basin plumbed to a continuous and adequate supply of hot and cold water
- immediately next to the trough or basin, space with hot and cold water supply outlets suitable for a washing machine
- a clothes line or other clothes drying facility.

General rooming house standards

- an evacuation diagram that complies with section 3.5 and Appendix E of AS 3745 must be prominently displayed in each resident's room and in all shared areas
- internal rooms, corridors and hallways must have a level of natural or artificial light appropriate to the function and use of the room
- habitable rooms must have access to natural light during daylight hours, and artificial light during non-daylight hours, appropriate to the function and use of the room
- habitable rooms, bathrooms, shower rooms, toilets and laundries must have ventilation that complies with the relevant Building Code of Australia (see section 17 of the Residential Tenancies (Rooming House Standards) Regulations)
- all gas installations and fittings must be checked at least once every two years by a licensed gas fitter

- all electrical installations and fittings must be checked at least once every five years by a licensed electrician
- all power outlets and electrical circuits must be connected to circuit breakers that comply with AS/NZS 3000 and switchboard-type residual current devices that comply with AS/NZS 3190, AS/NZS 61008.1 or AS/NZS 61009.1
- each external window that is able to be opened must stay securely closed or open without a key
- each rooming house entrance must have a lock operated by a key from outside, and without a key from inside, the rooming house
- the main entry must have a window, peep-hole or intercom system, and a working external light fitting that provides enough light during non-daylight hours to provide for safe access and to screen visitors to the rooming house.

Records

Rooming house owners must keep the following records and make them available to the Director of Consumer Affairs Victoria on request:

- gas safety check – for two years after the check was made, including the details of the licensed gas fitter who performed the check
- electrical safety check – for five years after the check was made, including the details of the licensed electrician who performed the check.

Exemptions

In exceptional circumstances, the Director of Consumer Affairs may exempt a rooming house owner from some standards in the Residential Tenancies (Rooming House Standards) Regulations. The exemption may be unconditional or on specified conditions, and may be a total or limited exemption.

An exemption can only be granted when the rooming house owner:

- is not able to modify the rooming house to comply with the relevant standards due to the nature, age or structure of the rooming house, or
- is not able to modify the rooming house to comply with the relevant standards due to an obligation to comply with a competing law, or
- has sufficiently addressed the relevant standards by other means.

For more information, visit

[consumer.vic.gov.au/
minimumstandards](https://consumer.vic.gov.au/minimumstandards)

If a resident thinks their rooming house does not meet the minimum standards, they should contact Consumer Affairs Victoria.



Essential safety measures may also be determined by an MBS or PBS following building work where an occupancy permit is not required.

The MBS or PBS will be able to tell operators what essential safety measures they need to install and maintain.

Existing minimum standards

Building safety standards

The essential safety measures for rooming houses are set out in the Building Regulations 2006. An operator must ensure there is no danger to the safety of residents or anybody else using the building.

Operators must install and maintain essential safety systems and services for an existing building. They must also keep documentation, including records of maintenance, and complete annual essential safety measures reports.

The maintenance of essential safety measures is:

- set out in Part 12 of the Building Regulations
- listed on the occupancy permit (if one is required).

How does the size of the rooming house affect an operator's obligations?



The Building Regulations distinguish between small rooming houses (referred to as Class 1b) and large rooming houses (Class 3). The life and fire safety standards an operator must implement may differ depending on the size of the rooming house. Operators should contact their local council to find out more.

Table 1 (next page) shows the difference between small and large rooming houses.

Some exceptions to Table 1 apply, so operators should contact their local council for details.

Table 1: Small and large rooming houses

Type of rooming house	Number of residents	Total floor area
Small rooming house (Class 1b)	Up to 12 unrelated residents	Not more than 300m ²
Large rooming house (Class 3)	13 or more unrelated residents	More than 300m ²

Fire safety

Operators must have adequate and well-maintained hard-wired smoke alarms to protect residents.

An MBS or a PBS can tell operators the fire and life safety systems they have to install.

The Building Regulations require some operators to install an automatic fire sprinkler system to any buildings constructed (or for which a building permit was issued) before 1 July 2003.

Other fire-related measures operators may need to install and maintain include:

- appropriate means of escape, such as clear pathways to exits
- fire-fighting services and equipment, such as portable fire extinguishers, hose reels and hydrants
- fire alarms and sprinkler systems
- bushfire protection measures for relevant properties.

Other specific fire and life safety measures may also be required, and these will depend on the rooming house's size and other components. Local councils can give more information.



Signs and lighting

Operators must install and maintain appropriate signs and lighting. These may include:

- signs warning against the use of lifts in the event of a fire
- emergency lighting
- artificial lighting to help residents escape in an emergency.

Health and hygiene standards

As well as keeping the building safe, operators must also maintain minimum standards of health and hygiene. These are set out in Part 5 of the Public Health and Wellbeing Regulations 2009 (Prescribed Accommodation).

Space requirements
in rooming houses

There are slightly different rules for how much floor space is required per resident and per room for stays of fewer and greater than 31 days, as outlined in **Table 2a** and **2b**. These laws help ensure that residents have enough space and that the rooming house does not become overcrowded.

Important:

If a room is less than 7.5m², it cannot be used as a bedroom.



Table 2a: Space requirements for stays of 31 days or less

Size of bedroom	Maximum number of occupants
7.5m ² to less than 10m ²	2
10m ² or more	3 (add an extra 2m ² for each additional person)

Table 2b: Space requirements for stays of 32 days or more

Size of bedroom	Maximum number of occupants
7.5m ² to less than 12m ²	1
12m ² or more	2 (add an extra 4m ² for each additional person)

Conditions in the rooming house

All rooming houses must have:

- at least one toilet, one bath/shower and one wash basin for every 10 people
- bedrooms, toilets, bathrooms, laundries, kitchens, living areas and any communal areas in good working order, and in a clean and hygienic condition
- a continuous and adequate supply of hot and cold water
- drinking water fit for human consumption
- the bed linen changed weekly (if supplied), when the bed is vacated and before its re-use by another resident
- sewage and water discharged to a sewerage system or to another approved effluent treatment or disposal system
- vermin-proof bins that are cleaned regularly
- regular rubbish bin collection.

Keeping a register

Operators must keep a register of every resident for at least 12 months after the date of the last entry into the register. The register must include the resident's name and future address, and arrival and departure dates.

Advertising the rooming house

If an operator advertises their rooming house (for instance, in a newspaper or online), they must advertise it as a rooming house, and not any other type of accommodation.

Inspections

A rooming house will initially be inspected by an authorised officer from the local council.

Other inspections may then take place for health, building safety or other reasons, and may happen randomly or in response to a complaint.

Consumer Affairs Victoria may inspect a rooming house to:

- inform operators and residents of their rights and responsibilities
- ensure that if a resident has paid a bond, it has been lodged with the Residential Tenancies Bond Authority
- ensure it meets minimum standards.

A **building inspection** may be conducted by:

- an MBS from the local council
- a PBS appointed by the rooming house operator.

A building fire safety inspection may also be conducted by the Metropolitan Fire Brigade or Country Fire Authority.

The inspector may look for things such as:

- the general state of repair
- ventilation
- fire hazards
- the prominent display of essential health, building and fire safety measures
- fire prevention systems, including smoke detectors
- emergency lighting and exits
- any other matters that may risk the life, safety or health of anyone using the building.

Operators must keep records of maintenance of essential safety measures and the current essential safety measures report, as these are likely to be requested during an inspection. Operators face penalties if they do not keep adequate records.

An MBS or PBS may issue an operator with a building notice or building order if they believe the rooming house does not comply with the Building Regulations and is therefore unsafe.

For information about notices and orders that may be issued by an MBS or PBS, operators should contact the building department of their local council.



A **health** inspection by an environmental health officer from the local council or Department of Health and Human Services will look at things such as:

- the register of residents
- the number of bathrooms
- general hygiene
- room size
- rubbish collection
- pest control
- adequate supply of hot and cold water.

An inspection may result in an operator being given a written order or notice to carry out work.

When a resident moves in



Operators must give new residents certain forms and publications when they start living at the rooming house.

What must an operator give a resident?

1. This guide

An operator must give a copy of *Rooming houses: A guide for residents and operators* to every new resident, either before or on the day they move in. However, if a person has entered into a valid tenancy agreement, they are then a tenant, and must be given a copy of *Renting a home: A guide for tenants* instead.

Copies of this guide and *Renting a home: A guide for tenants* are available from Consumer Affairs Victoria.

consumer.vic.gov.au/renting

1300 55 81 81



2. Operator's contact details

These include the operator's full name, address and an emergency telephone number (an operator must also let residents know of any changes to their contact details within **seven days**).

If the operator employs an agent, then residents must be given the agent's full name and address.

3. Written statement outlining the resident's main rights and duties

This statement must be displayed in every resident's room and given to an occupant no later than the day they agree to start living at the rooming house. Copies of this statement are also available from Consumer Affairs Victoria and the Tenants Union of Victoria. See '[Tenants Union of Victoria \(TUV\)](#)' on page 46 for contact details.

4. House rules

An operator may choose to have a set of house rules, which describe the rules the residents must follow. The house rules usually include things such as:

- respecting other residents' right to peace and quiet
- not damaging any property or acting violently
- keeping rooms clean
- not using rooms for illegal purposes.

Residents must be given a copy of the house rules on or before the day they agree to move in, and they must be prominently displayed in each resident's room.

If an operator wants to make changes to the house rules, they must notify the resident in writing at least **seven days** before the changes come into effect.

If a resident believes any of the house rules are unreasonable, they may apply to the Victorian Civil and Administrative Tribunal (VCAT) to hear the matter. For more information, see [‘Using VCAT’](#) on page 43.



5. ‘Notice to Proposed Rooming House Resident’ form

This form explains to a resident if they have an exclusive right to their room, or if they may be sharing it with others. This form is available from Consumer Affairs Victoria.

6. A notice outlining the costs of any extra services the operator provides

This may include things such as room cleaning, linen or meals. If a resident uses these extra services, the operator must provide them with an itemised account detailing their use.

Charging a bond

An operator may ask a resident to pay a bond before the resident starts living at the rooming house, but it cannot be more than the equivalent of **14 days’ rent**.

If an operator takes a bond, they must give the resident a completed and signed ‘Bond Lodgement’ form for them to sign. Once this is done, the resident must be given a copy.

The operator **must** then send the form to the Residential Tenancies Bond Authority (RTBA) with the bond money within **10 business days**.

The RTBA will hold onto the bond during the time a resident lives in the rooming house.

RTBA forms can be generated at rentalbonds.vic.gov.au or printed forms can be provided by the RTBA:

rtba.vic.gov.au

1300 137 164



Bonds from the Director of Housing

If a resident is on a low income and can afford to rent privately, but is struggling to pay the up-front costs, they may be eligible for a bond loan from the Director of Housing (DoH).

A 'Bond Lodgement' form, especially designed for the DoH, must be used when the DoH contributes all or part of the bond. The DoH will issue the form with the bond payment when a bond loan is approved.

If a resident also contributes to the bond, a separate 'Bond Lodgement' form must be completed and sent to the RTBA within **10 business days**.

Residents should contact the DoH through the Office of Housing (see ['Office of Housing'](#) on page 46 for contact details) to find out if they are eligible.

Difference between bond and rent

The bond and rent are separate payments. A resident must not use any part of the bond as rent.

'Condition Report'

If an operator charges a bond from a resident, they must complete a 'Condition Report' with the resident.

Consumer Affairs Victoria provides 'Condition Report' forms.



This form allows the resident and operator to record the room's condition and write down any damage before the resident moves in.

The 'Condition Report' is important because it will be used as evidence if there is a future dispute about who should pay for any cleaning, damage or replacement of missing items. It can also help decide how a bond should be repaid at the end of a residency.

An operator must give the resident **two** completed and signed copies of the 'Condition Report'. The resident then has the right to:

- check and add comments to the 'Condition Report'
- state whether they agree with what the operator has written.

Once the resident is happy with the 'Condition Report', they must sign and give one copy back to the operator within **three days** of moving into the rooming house. The resident should keep the other copy until the end of their time at the rooming house.

Even if there is no bond, Consumer Affairs Victoria recommends the use of a 'Condition Report'.



During a resident's stay



Residents and operators have legal obligations regarding rent, entering a room, issuing notices and other matters. Some of these obligations will differ if an occupant has entered into a valid tenancy agreement. In such cases, the occupant is not a resident but a tenant. An operator's legal obligations regarding tenants are covered in *Renting a home: A guide for tenants*.

Rent

In most cases, a resident will have to pay their rent in advance. An operator cannot ask for more than **14 days'** rent in advance and they face penalties if they do.

A resident must pay their rent and continue to pay it when it is due.

If a resident does not pay rent by the due date, the operator may give them a 'Breach of Duty' notice for not paying their rent on time. If the rent is seven or more days behind, the operator can then give the resident a minimum **two-day** 'Notice to Vacate'.

Operators must not keep a resident's goods or documents to cover any rent owed. This includes items such as passports, licences and other forms of personal identification. If an operator tries to keep any of these things, residents should immediately contact Consumer Affairs Victoria:



consumer@justice.vic.gov.au

1300 55 81 81

Receipts for rent

An operator, agent or any other person who accepts payment must:

- give the resident a receipt:
 - immediately, if the resident pays in person
 - within **five business days**, if the resident does not pay in person but asks for a receipt
- keep a record of the payment for 12 months and, on request, give the tenant or resident a copy of the record within five business days.

The rent receipt must include:

- the operator's name and signature
- the resident's name
- the address of the rooming house
- the date of payment

- the name of the resident making the payment
- the period the payment covers
- how much was paid
- a statement that it is a receipt for rent.

If a resident has not paid their rent in person and has not requested a receipt, they have up to **12 months** after they paid to ask for a receipt.

Operators must keep records of all rents they receive for at least 12 months.

Changing the rent amount

An operator can increase the rent only once in any six-month period, and must give the resident at least **60 days'** written notice telling them of this increase.

However, an operator and resident may agree to an increase without this notice if a resident requests extra services, such as bed linen or meals. This agreement must be in writing and signed by both parties.

If an operator provides these services temporarily, they must lower the rent again once they stop providing them. The operator and resident should agree on the new rent amount. However, if they cannot agree, either party may apply to the Victorian Civil and Administrative Tribunal (VCAT) to hear the matter and make a ruling.

Operators must advise residents of any rent increase using a valid 'Notice of Rent Increase to Resident/s of Rooming House' form, available from Consumer Affairs Victoria:



consumer.vic.gov.au/renting

1300 55 81 81

Adding more residents to a room

If a resident has an **exclusive right** to their room, an operator may only add more residents to the room with their permission.

To change a resident's status from exclusive to a **shared room right**, the operator must give the resident a 'Consent to Increase in Room Capacity' form and get their permission to bring other people into the room.

The form:

- asks for all affected residents to agree (residents do not have to agree)
- offers a lower rent, starting from the date of the change
- informs residents that the operator has the right to choose the other residents of the room.

If a resident believes the rent is still too high, they may apply to Consumer Affairs Victoria for a rent assessment.



Every affected resident must sign this form before the change can happen. A resident may change their mind within **three days** of agreeing to share their room. The notice seeking permission is valid for **14 days**.

If residents agree, they may start sharing their room **seven days** after the last resident agrees to the change.

The number of people sharing a room cannot be increased if:

- the operator does not use a valid notice
- consent is not given by all residents in the room
- it results in overcrowding (for more information, see [‘Space requirements in rooming houses’](#) on page 16).

Applying for a rental assessment

A resident may ask Consumer Affairs Victoria for a rental assessment if the operator:

- increases the number of people in the room and does not reduce the rent
- increases the number of people in the room and the resident thinks the rent is still too high
- and resident cannot agree on the reduced rent amount
- gives the resident a ‘Notice of Rent Increase’ and the resident thinks the increase is too high.

The resident must ask for a rent assessment in writing within **30 days** of receiving the ‘Consent to Increase Room Capacity’ form or the ‘Notice of Rent Increase to Resident/s of Rooming House’ form.

Consumer Affairs Victoria will then give the resident a report. If the report says the rent is too high and the operator still disagrees, the resident may apply to VCAT within **30 days** of getting the report.

Repairs and maintenance

Residents have the right to an acceptable standard of accommodation.

If a resident requires repairs to the property, they should inform the operator as quickly as possible.

A resident must keep paying rent, even while waiting for repairs to be done. If the matter has gone to VCAT, a resident can ask for the rent to go into the Rent Special Account until the issue is resolved.

Who is responsible for repairs?

Operators are responsible for urgent and non-urgent repairs.

However, if a resident has caused the damage, the operator may ask them to pay for the repairs. An operator must still pay for the repairs until they are compensated, as otherwise they may not be meeting their obligations to other residents.

Urgent repairs

Urgent repairs are:

- a burst water service
- a blocked or broken toilet system
- a serious roof leak
- a gas leak
- a dangerous electrical fault
- flooding or serious flood damage
- serious storm or fire damage
- a failure or breakdown of any essential service or appliance relating to water, cooking, heating or washing clothes
- a failure or breakdown of the gas, electricity or water supply
- any fault or damage that makes the rooming house unsafe or insecure

- an appliance, fitting or fixture that is not working properly and causes a lot of water to be wasted
- a serious fault in a lift or staircase.

Steps a resident can take to have an urgent item repaired:



1. Advise the operator as soon as possible, who must respond immediately.
2. If the resident reasonably believes the repair is urgent and they are not getting a prompt response from the operator, the resident can authorise the repair for an amount of up to \$1,800.
3. The resident can then give the operator a notice asking that they pay them back for the cost of the urgent repairs. The operator has **14 days** to pay from the date they receive the notice.
4. If the operator does not complete the urgent repairs and the resident cannot afford to pay for them and if they are going to cost more than \$1,800, the resident may apply to VCAT, which will hear the matter within two business days. VCAT can then order the operator to arrange and pay for the repairs.

Non-urgent repairs

Any type of repair not mentioned in the 'Urgent repairs' section is generally considered to be a non-urgent repair.

Residents should use Consumer Affairs Victoria's 'Notice to Owner of Rooming House' form to ask the operator to fix a non-urgent repair.

The operator then has **14 days** to carry out the repair. If the operator does not fix the problem within this time, the resident may send a copy of the notice to Consumer Affairs Victoria, with a letter asking for an inspection and report.

If the operator does not carry out the repair even after the report from Consumer Affairs Victoria, the resident has **60 days** to apply to VCAT for a repair order.

Communication regarding repairs



All communication regarding repairs should be in writing. You can use electronic communication (for example, email) if both parties give prior consent to do so. Make sure that consent to electronic communication is in writing. For relevant forms and help completing them, residents should contact Consumer Affairs Victoria:

consumer.vic.gov.au/renting

1300 55 81 81

Who pays utility bills?

Generally, the operator is responsible for paying water, gas and electricity bills.

An operator may only charge a resident for a utility if the room has separate meters and if the resident has an exclusive right to the room.

In these cases, the operator must not charge the resident more than what the utility provider charges the operator.

Entry rights

In most cases, the operator must give the resident **24 hours' notice** before entering their room. The notice:

- must be in writing
- must state the reason for entry, and
- can be given by post, electronic communication (for example, email) or delivered personally between 8 am and 6 pm. Remember, both parties have to give prior consent to use electronic communication. Make sure that consent to electronic communication is in writing.

An operator may enter a room between 8 am and 6 pm, except on public holidays.

An operator may enter because:

- a resident is vacating and the operator wants to show the room to potential new residents
- the property is being sold or used as security and the operator wants to show it to a prospective buyer or lender
- the operator needs to do something the law requires them to do
- they reasonably believe the resident has not met their legal duties
- they wish to inspect the room and have not done so within the past four weeks.

An operator may enter a resident's room **without notice** if:

- the resident gives permission
- there is an emergency situation and entry to the room will save life or valuable property
- they are delivering services, such as bed linen.

Note:

When an operator enters a room, they must do so in a reasonable manner and not stay for any longer than necessary to achieve the purpose of their stay.



If someone breaks the rules

Both residents and operators can give a 'Breach of Duty' notice to the other person if that person has not met certain obligations under the *Residential Tenancies Act 1997*. Once a 'Breach of Duty' has been given, the person who received it must fix the situation. Contact Consumer Affairs Victoria for information on how to issue a 'Breach of Duty' notice.

Breach of Duty' forms are available from Consumer Affairs Victoria.

consumer.vic.gov.au/renting

1300 55 81 81



A **resident** may issue a 'Breach of Duty' if an operator:

- is not keeping facilities in good condition
- has inconvenienced or disrupted them during repairs or renovations
- does not provide substitute facilities during repairs or renovations
- does not give the resident 24-hour access to their room or bathroom
- is not respecting their right to privacy, peace and quiet
- is not keeping their belongings safe
- does not provide information required by the *Residential Tenancies Act 1997*
- does not give them at least **seven days** written notice of proposed changes to the house rules
- does not take steps to ensure residents follow the house rules.

An **operator** may issue a 'Breach of Duty' if the resident is:

- using the room for non-residential purposes
- not paying their rent on time
- interfering with the peace and quiet of other residents
- not keeping their room clean and clear of health or fire hazards
- installing fixtures without the operator's written permission
- not notifying or compensating the owner for any damage caused by them or their visitors

- keeping a pet without the operator's consent
- not giving the operator a key to their room
- not following the house rules.

If an operator has served two 'Breach of Duty' notices for the same breach and the resident still does not fix the problem, the operator may then issue them with a 'Notice to Vacate'.

Respecting privacy

Residents have a right to privacy, peace and quiet. This means that they must not unnecessarily disturb other residents.

The operator must also respect a resident's right to privacy, peace and quiet.

Security of goods

An operator must take all reasonable steps to make sure that a resident's property is secure, especially in a shared room.

If a resident thinks their property is not safe, they may contact Consumer Affairs Victoria:

consumer@justice.vic.gov.au

1300 55 81 81



When a resident is leaving



When a resident wants to leave the rooming house, they must give the appropriate notice. An operator must also give the right notice if they want a resident to vacate. Occupants who have entered into a valid tenancy agreement are classed as tenants, and different notice periods may apply. In such cases, owners and tenants should refer to *Renting a home: A guide for tenants*.

When a resident wants to leave

A resident must give an operator at least **two days'** notice if they want to leave the rooming house.

However, if the rooming house becomes unsafe to live in for any reason, the resident may leave immediately.

The resident can tell the operator they are leaving in person but, if the operator asks, the resident must give notice in writing.

When giving notice, a resident should use the 'Notice to Owner of Rooming House' form, available from Consumer Affairs Victoria.



consumer.vic.gov.au/renting

1300 55 81 81

A resident must pay the rent and any other charges up until the day they told the operator they would be leaving.

If a resident leaves without giving notice and the room remains empty, they may have to pay rent for **two days** after they leave, unless another person moves into the room immediately.

Abandoning the room

If a resident abandons their room and it has been **14 days** since their last rent payment was due, the operator may rent the room to someone else.

The operator may also apply to the Victorian Civil and Administrative Tribunal (VCAT) to allow them to rent the room to someone else.

**When an operator asks
a resident to leave**

When an operator asks a resident to leave the rooming house, they must use either a 'Notice to Leave' or 'Notice to Vacate', depending on the situation. These forms are available from consumer.vic.gov.au/renting

Table 3 (next column) shows when an operator may issue a 'Notice to Leave'. The notice bans the resident from the rooming house for **two days**. The resident may return after two days if the operator does not apply to VCAT for a hearing.

**Table 3: When an operator may
issue a 'Notice to Leave'**

Reason for issuing a 'Notice to Leave' (must be issued as soon as possible after one of the below has occurred)	Notice required
The resident or their visitors: <ul style="list-style-type: none">• have committed a serious act of violence• are putting others' safety in danger.	Immediate

Table 4 shows when an operator may issue a resident with a 'Notice to Vacate'.

Table 4: When an operator may issue a 'Notice to Vacate'

Reason for issuing a 'Notice to Vacate'	Notice required
<p>The resident or their visitors are:</p> <ul style="list-style-type: none"> • putting others' safety in danger (unless a 'Notice to Leave' has been given for this reason) • causing serious disturbance to the peace and quiet of other residents. 	Same day
The resident or their visitors cause serious damage to the house intentionally or recklessly.	Same day
The resident owes at least seven days' rent.	2 days
The room is being used for illegal purposes.	2 days
The resident does not comply with a VCAT compliance order or compensation order.	2 days
The resident has already been given two 'Breach of Duty' notices and the same duty is breached again.	2 days
The rooming house mortgagee gains possession of the rooming house.	28 days
The rooming house is to be sold immediately after the termination date with vacant possession or other relevant condition.	60 days
<p>The operator is doing maintenance or construction work and:</p> <ul style="list-style-type: none"> • has received all relevant permits • needs an empty room to do the works • does not have an equivalent room available to provide the resident. 	60 days
VCAT has made an order requiring the operator to serve the notice.	At least 120 days (The operator must provide the minimum number of days' notice that is indicated in the VCAT order)
The operator has no licence to operate a rooming house.	120 days
No specified reason.	120 days

An operator cannot give a resident notice to vacate if the resident is using their legal rights, or saying that they will.



Sometimes, a rooming house operator rents the building from somebody else. In such cases, the owner of the building may give the rooming house operator a 'Notice to Vacate'. If the building owner wants the residents to leave, they must give them at least **45 days'** notice.



When a resident's notice period runs out

If an operator gives a resident valid notice and the resident has not left the rooming house by the due date, the operator may apply to VCAT for a possession order.

An operator may also apply to VCAT if the resident has given notice of their intention to vacate, and they are still in the room **seven days** after the end date on their notice.

Can a resident challenge a 'Notice to Vacate'?

If a resident is given a 'Notice to Vacate' and they think it is unreasonable, they may apply to VCAT within **30 days** of getting that notice.

For more information about challenging a notice, residents may contact Consumer Affairs Victoria:

consumer@justice.vic.gov.au

1300 55 81 81



How is notice given?

When sending a notice, the minimum notice period starts the day after the notice is:

- given by hand or sent via electronic communication such as email (Note: this requires both parties to give prior consent, preferably in writing), or
- calculated to have been given when sent by ordinary post or registered post.

To calculate the earliest termination date, you must allow a total time that includes both:

- delivery of the notice (delivery is the day it is given by hand, or sent via electronic communication such as email, or the day it would be received by post), and
- the required minimum notice.

The date the notice takes effect is the day after the minimum notice period ends.

From 4 January 2016, Australia Post introduced three delivery speeds for ordinary post – express, priority and regular. Priority and regular speeds also apply for registered post, which must be used if sending a notice to vacate.

Residents and operators who post notices, such as Notices to vacate, should factor in longer mail delivery times which reflect the chosen delivery speed. Extra days should also be added for any public holidays that fall within the postal period.

For more about Australia Post’s mail delivery options and times, visit auspost.com.au

To help calculate the total minimum days to allow, depending on the notice period required and the method of postal delivery, visit www.vcat.vic.gov.au/resources/giving-notices-residential-tenancies-list

Table 5 shows the number of days residents and operators should allow when delivering a notice, with a minimum notice period of 28 days.

Can a resident be forced to leave?

Suspending or evicting a resident using a ‘Notice to Leave’

If an operator reasonably believes a resident or their visitor has committed a serious act of violence or put the safety of other occupants in danger, the operator may give an official ‘Notice to Leave to Resident/s of Managed Premises or Resident’s Visitor’ form. This suspends the residency.

The resident or their visitor must then leave the rooming house and are not allowed back for **two days**. During this time, the operator may apply to VCAT to ask that the resident or their visitor not be allowed back permanently.

Table 5: Total number of days to allow if the minimum notice period is 28 days

Method of delivery	Posted Sunday or Monday	Posted Tuesday to Friday	Posted Saturday
Regular post	34	36	35
Priority post	32	34	33
Given by hand or sent via email	30	30	30

It is an offence for a resident or their visitor to return to the rooming house during the suspension period.



The resident must continue to pay rent and other charges during the suspension period. If VCAT decides that the resident should not have been suspended, the operator must let them back into the rooming house.

During the suspension period, the operator may apply to VCAT to evict the resident. The operator must do this within **two business days** of serving the notice. Until VCAT decides the matter, the resident must stay out of the rooming house. The resident must contact VCAT as soon as possible to find out the date and time of the hearing.

If the operator does not apply to VCAT to permanently evict the resident, the resident may return to the rooming house once the suspension has finished.

Evicting a resident using a 'Notice to Vacate'

If an operator wishes to evict a resident, they must first give them an appropriate 'Notice to Leave' (as outlined in [Suspending or evicting a resident using a 'Notice to Leave'](#) on page 36 or 'Notice to Vacate'.

If the resident has not left by the date given on the 'Notice to Vacate', the operator may apply to VCAT for an 'Order for Possession'.

This order may instruct the resident to vacate. It may also allow the operator to get a 'Warrant for Possession', which may then be carried out by the police to evict the resident.

Important:

The only legal way to evict a resident is by applying to VCAT. An operator cannot use force or any other method to try to remove a resident. Only the police can carry out an eviction, and only when they are acting on a 'Warrant for Possession' issued by VCAT.



Facing eviction?

If a resident is facing eviction and they do not know what to do, they should contact Consumer Affairs Victoria immediately. Consumer Affairs Victoria can provide information, or direct residents to other organisations that can help.

Consumer Affairs Victoria:
consumer@justice.vic.gov.au
1300 55 81 81



After a resident has left



After a resident leaves the rooming house, the resident and operator must decide what to do with any bond repayments or goods left behind.

Repaying the bond

If a resident has left the property in a good condition and paid all their rent, then the operator must arrange to repay them their bond, if they paid one.

The operator and resident must complete and sign a 'Bond Claim' form, and send it to the Residential Tenancies Bond Authority (RTBA).

'Bond Claim' forms can be generated from the RTBA
Online website at rentalbonds.vic.gov.au

Printed forms are available from the RTBA:

rtba.vic.gov.au

1300 137 164



- abandons the premises
- leaves unpaid bills
- loses or damages the operator's goods
- has not paid all their rent.

An operator cannot make a claim on the bond for fair wear and tear.

Residents and operators should try to work out how the bond money is to be distributed. If they cannot agree, either party may apply to VCAT to decide the matter.

Repaying bonds from the Director of Housing

The RTBA will repay a Director of Housing (DoH) bond to the DoH once it receives the completed 'Bond Claim' form.

If a 'Bond Claim' form is not lodged, the DoH may not know that the resident has left the rooming house; in these cases, the bond will remain registered as an outstanding debt against the resident.

If the 'Bond Claim' form is never lodged, the bond remains with the RTBA. If a resident then applies for another bond, DoH will note that there is an outstanding amount from the previous loan.

If an operator wants to be paid money from a DoH bond, they may apply to VCAT to make a decision.

An operator may apply to the Victorian Civil and Administrative Tribunal (VCAT) to make a claim on the bond if the resident:

- or their visitors have caused damage to the rooming house
- has not kept their room clean

Goods left behind

If a resident leaves any belongings or personal documents behind, they should make arrangements with the operator to collect them.

An operator cannot refuse to give back a resident's goods, even if the resident owes rent. If a resident suffers a loss because an operator did not comply with the law, the resident may apply to VCAT for compensation.

However, the resident must pay back any reasonable costs an operator incurred by storing or moving the goods.

Belongings left behind

An operator may remove and dispose of the **belongings** a resident leaves behind, but only if they are:

- perishable foodstuffs
- dangerous
- of no monetary value.

An operator must:

- take reasonable care of any other belongings left behind
- take reasonable steps to notify a former resident of when and where they can collect those goods.

If a resident does not claim their goods after **28 days**, the operator may sell the goods. They may then apply to VCAT to get back any storage, advertising and sale costs.

If an operator believes that the goods may have monetary value or is unsure of their value, they should request an inspection of goods left behind from Consumer Affairs Victoria. The inspector will examine the goods and tell the operator what to do with them.



Documents left behind

The rules for **documents** left behind are slightly different, as these must be stored for **90 days**. Documents include:

- marriage and divorce certificates
- educational certificates
- birth certificates
- passports
- medical records
- computer hard drives
- USB memory sticks
- CDs and DVDs
- still and video cameras
- electronic data storage devices
- photographs
- personal memorabilia.

An operator must try to notify the resident to let them know when and where the documents can be collected.

Leaving a forwarding address

It is a good idea for a resident to leave a postal address and phone number when they leave the rooming house.

The resident should leave their new contact details with:

- the rooming house operator
- VCAT
- the RTBA (via the 'Bond Claim' form).

This will make it easier for these people or organisations to contact the resident for any reason, especially if the resident is to receive bond money or is scheduled to appear at a VCAT hearing.

Closing down a rooming house



If an operator wants to close down their rooming house, they must follow the appropriate notice periods, as given in ['Table 4: When an operator may issue a 'Notice to Vacate''](#) on page 34.

An operator should also contact their local council and tell them they are closing their rooming house. This will allow the council to contact relevant agencies who may be able to arrange new accommodation and other support for residents.

Solving disputes



Ideally, operators and residents should sort out any problems between themselves and reach a lawful agreement.

However, if they cannot reach an agreement, they may ask Consumer Affairs Victoria to conciliate the dispute. Experienced conciliators will try to resolve the dispute without the need to attend court or tribunal hearings.

Dispute Settlement Centre of Victoria

The Dispute Settlement Centre of Victoria can also hear disputes involving operators and residents, and help them reach agreement.

**Dispute Settlement
Centre of Victoria**
disputes.vic.gov.au

03 8684 1333
1300 372 888



Using VCAT

If operators and residents have tried all avenues to solve a dispute, and still cannot reach an agreement, they may have to apply to the Victorian Civil and Administrative Tribunal (VCAT).

Operators and/or residents may apply to VCAT for issues including:

- bonds
- rent assessments
- house rules
- notices
- evictions
- goods left behind
- compensation
- repairs and maintenance.

**VCAT application
forms are available
from VCAT**

vcat.vic.gov.au

1800 133 055

or

Consumer Affairs Victoria:

consumer.vic.gov.au/renting

1300 55 81 81



VCAT produces a booklet and video, *Taking it to VCAT*, which provides practical information about preparing for, and attending, a hearing. Both are available from VCAT:

vcat.vic.gov.au

1800 133 055



What happens at a VCAT hearing?

It is important to be well prepared for the hearing. The VCAT member will hear and consider all the evidence presented by both sides. This might include evidence from witnesses or looking at photographs and other documents brought to the hearing by the operator or resident.

VCAT's decisions are usually made on the day of the hearing and must be obeyed by both parties in the same way as a court order.

VCAT will consider urgent hearings in cases of extreme hardship. The applicant must include a letter outlining the reasons why they require an urgent hearing when they send their application.

If an applicant needs an interpreter, they should tell VCAT when they apply. Generally, friends or relatives are not allowed to act as interpreters.

Note: VCAT may make a decision even if one party does not show up to the hearing.

A Day at the Bench is a DVD with information on how VCAT works and how to prepare for a hearing. Copies are available from the Tenants Union of Victoria:

tuv.org.au

03 9416 2577



Useful contacts

Consumer Affairs Victoria

Consumer Affairs Victoria can give advice on a range of issues including:

- bonds
- lease agreements
- repairs and maintenance
- rent increases
- rights and obligations of operators and residents
- notice periods
- goods left behind.

We can also help resolve disputes and run information sessions for the rooming house sector.

consumer.vic.gov.au

consumer@justice.vic.gov.au

Phone 1300 55 81 81

Local councils

Rooming houses must be registered with their local councils. Councils can also provide information about rooming house laws.

knowyourcouncil.vic.gov.au

Department of Health and Human Services

The department can provide information on health and hygiene issues in rooming houses.

health.vic.gov.au/about/legislation/public-health-and-wellbeing-act

enquiries@health.vic.gov.au

Phone 03 9096 9000

Victorian Building Authority (VBA)

The VBA is responsible for the building and plumbing control system in Victoria. It is located in Melbourne with regional offices in Ballarat, Bendigo, Morwell and Wangaratta.

vba.vic.gov.au

Phone 1300 815 127

Fax 03 9618 9062

Goods Shed North
733 Bourke Street
Docklands VIC 3008

Victorian Civil and Administrative Tribunal (VCAT)

VCAT operates like a court but is not as formal, and deals with a wide range of issues, including rooming house disputes.

vcat.vic.gov.au

vcat-rt@vcat.vic.gov.au

Phone 03 9628 9800

Phone 1800 133 055
(country callers, freecall)

Fax 03 9628 9822

55 King Street
Melbourne VIC 3000

Victorian Legislation and Parliamentary Documents

Refer to this website (under 'Victorian Law Today') to see an Act or Regulation.

www.legislation.vic.gov.au

Residential Tenancies Bond Authority (RTBA)

The RTBA holds all residential tenancy bonds on behalf of rooming house residents and operators. It can only repay bonds if all parties to a bond agree, or as directed by VCAT or a court.

rtba.vic.gov.au

rtba@justice.vic.gov.au

Phone 1300 137 164
(local call charge)

Locked Bay 007
Wendouree VIC 3355

Registered Accommodation Association of Victoria (RAAV)

RAAV represents owners and operators of private rooming houses and other registered accommodation in Victoria. RAAV can assist its members with a wide range of services, including information, support, access to financial advice, insurance and more.

raav.org.au

info@raav.org.au

Phone 0412 008 996

PO Box 504
North Melbourne VIC 3051

Office of Housing

The Office of Housing provides housing help to eligible Victorians. The department's housing website provides information about housing in Victoria and includes a Housing Options Finder tool to help people understand the services and supports they might benefit from.

housing.vic.gov.au

Phone 1300 650 172

TTY 13 36 77 then ask for
1300 65 01 72

Speak and listen users

Phone 1300 55 57 27 then ask for
1300 65 01 72

Tenants Union of Victoria (TUV)

The TUV provides information, advice and advocacy services for Victorian tenants and residents.

tuv.org.au

Phone 03 9416 2577

Fax 03 9416 0513

55 Johnston Street
Fitzroy VIC 3065

1800RESPECT

1800RESPECT provides a counselling helpline, information and support for people experiencing sexual assault or domestic and family violence. The service is available 24 hours a day, seven days a week.

1800respect.org.au

Phone 1800 737 732

Housing for the Aged Action Group (HAAG)

HAAG offers information, advocacy and access to accommodation services for older renters.

oldertenants.org.au

haag@oldertenants.org.au

Phone 1300 765 178

Phone 03 9654 7389

Fax 03 9654 3407

1st Floor Ross House
247–251 Flinders Lane
Melbourne VIC 3000

Peninsula Community Legal Centre (PCLC)

PCLC's services include support for rooming house residents, as well as negotiations and representation at VCAT. The service caters for people in Melbourne's south and south-eastern suburbs.

pclc.org.au

pclc@pclc.org.au

Phone 03 9783 3600

Phone 1800 064 784
(country callers)

441 Nepean Highway
Frankston VIC 3199

Dispute Settlement Centre of Victoria (DSCV)

The DSCV can help resolve a wide range of issues, without the parties involved having to resort to legal action.

The service is free. To find your nearest office, visit the DSCV website.

disputes.vic.gov.au

dscv@justice.vic.gov.au

Phone 1300 372 888

Fax 03 8684 1311

Level 4, 456 Lonsdale Street
Melbourne VIC 3000

Victorian Equal Opportunity and Human Rights Commission (VEOHRC)

VEOHRC provides information about equal opportunity rights and responsibilities and helps people resolve complaints of discrimination or harassment through its free conciliation service.

humanrightscommission.vic.gov.au

information@veohrc.vic.gov.au

Phone 1300 292 153

TTY 1300 289 621

Interpreters 1300 152 494

Fax 1300 891 858

Level 3, 204 Lygon Street
Carlton VIC 3053

Checklist for operators

When you establish your rooming house, ask...

- ☐ Have I registered the rooming house with council?
- ☐ Do I have the appropriate permits?

Before you start operating your rooming house, ask...

- ☐ Am I licensed with the Business Licensing Authority?
- ☐ Am I meeting minimum standards?
- ☐ Have I installed the right fire safety equipment?
- ☐ Do I have appropriate signage and lighting?
- ☐ Do my residents have enough space?
- ☐ Do I have a register to record all past and current residents?
- ☐ Do I keep appropriate records of all safety and health and hygiene maintenance?

When a resident moves in...

Do I give them:

- ☐ a copy of this guide
- ☐ my contact details
- ☐ a statement outlining the resident's main rights and duties
- ☐ a copy of the house rules, if there are any
- ☐ a 'Notice to Proposed Rooming House Resident' form
- ☐ details of any extra rent that may be charged for additional services?
- ☐ Is the bond I charge equal to or less than **14 days'** rent?
- ☐ Do I lodge the bond with the RTBA?
- ☐ Do I complete and sign a 'Condition Report' with the resident?

During a resident's stay...

- ☐ Do I provide rent receipts on time?
- ☐ Am I keeping rent receipts for at least **12 months**?
- ☐ Do I give at least **60 days'** notice if I want to increase the rent?
- ☐ Am I getting their permission to add more people to their room (if existing residents have an exclusive room right)?
- ☐ Am I fixing urgent repairs immediately?
- ☐ Am I fixing non-urgent repairs within **14 days**?
- ☐ Am I giving the correct notice before entering a resident's room?

When a resident is vacating, am I...

- ☐ Giving the appropriate notice?
- ☐ Leaving enough time to serve the notice?
- ☐ Going through VCAT if I want to evict a resident?

After a resident has left...

- ☐ Have I agreed with the resident on the return of the bond?
- ☐ Have I lodged the 'Bond Claim' form with the RTBA?
- ☐ Have I tried to arrange for the resident to collect any goods they have left behind?
- ☐ Am I taking reasonable care of any belongings left behind?
- ☐ Am I storing any documents left behind for at least **90 days**?
- ☐ Have I asked for an inspection report from Consumer Affairs Victoria if I do not know what to do with goods left behind?

Checklist for residents

Before you move into a rooming house, ask...

- ☐ Is the rooming house operator licensed?
- ☐ Is the rooming house registered with council?

Does the rooming house have:

- ☐ locks on the bedroom, bathroom and toilet doors
- ☐ communal food preparation area with sink, stove and fridge
- ☐ good external and common area lighting?

Does the bedroom have:

- ☐ suitable ventilation and light
- ☐ window coverings for privacy and to keep light out when required
- ☐ walls in a reasonable condition without major holes, cracking, staining, rips or graffiti?

When you move into a rooming house, ask...

- ☐ Have I paid a bond?
- ☐ If so, has the bond been lodged with the RTBA and do I have proof of this?

Has the operator given me:

- ☐ this guide
- ☐ the house rules, if any
- ☐ a 'Notice to Proposed Rooming House Resident' form
- ☐ a statement outlining my main rights and duties
- ☐ their contact details
- ☐ details of any extra rent that may be charged for additional services
- ☐ a 'Condition Report' to fill in and sign?

During your stay, ask...

- ☐ Am I paying my rent on time?
- ☐ Does the operator give me a rent receipt when I ask for one?
- ☐ Has the operator asked my permission to bring other people into my room if I have an exclusive room right?
- ☐ Does the operator give me at least **60 days'** notice of any rent increase, and only once in any six-month period?
- ☐ Is the operator fixing repairs on time?
- ☐ Am I respecting the right of other residents to privacy, peace and quiet?
- ☐ Are my belongings safe?

When you are leaving the rooming house, ask...

- ☐ Am I giving the operator the right amount of notice?
- ☐ Is the operator giving me the right amount of notice?

After you have left, ask...

- ☐ Have I agreed with the operator on the return of the bond, if I paid one?
- ☐ Have I signed the 'Bond Claim' form?
- ☐ Have I arranged with the operator to collect any goods left behind?
- ☐ Have I left a forwarding address?

consumer.vic.gov.au

1300 55 81 81 (local call charge)



RentRight smartphone app:

consumer.vic.gov.au/rentright



Services from Consumer Affairs Victoria are also available at Ballarat, Bendigo, Box Hill, Broadmeadows, Dandenong, Geelong, Mildura, Morwell, Wangaratta and Warrnambool. Our mobile service regularly visits rural communities.

April 2017

TIS

Translating and Interpreting Service **131 450**

TTY

Textphone or modem users only, ring the National Relay Service (NRS) on **133 677**, then quote **1300 55 81 81**.

Callers who use Speech to Speech Relay dial **1300 555 727**, then quote **1300 55 81 81**.