

Which housing option is right for me?

The housing option that best suits your needs will depend on a range of factors, most of which are practical (such as the cost).

However before you sign anything, it is worth taking the time to consider the legal status of each accommodation type, as this could help you make your final choice.

practical & personal considerations

The best option will largely depend on the availability of your preferred accommodation type and your own particular needs. For example, you might want fully catered accommodation that is close to the campus, in which case your options are on-campus accommodation, student hostel accommodation or homestay. However if you are studying in an area where these options are limited, you may need to consider rooming house accommodation or a share house.

Common practical considerations include:

- > access to public transport
- > cost (eg bond, rent and any paid services)
- > flexibility and security of the lease term
- > independence and privacy
- > whether the accommodation is furnished (eg bed, desk, wardrobe)
- > availability of catered services (eg cooked meals, laundry)
- > distance to the campus
- > distance to shops and services (eg doctor)
- > study facilities
- > telephone and internet access
- > recreational and/or sporting facilities

legal considerations

Your legal rights and responsibilities vary depending on whether you live in homestay accommodation, on campus or in a rooming house, or in a property that you have rented with others or on your own. Even if your accommodation options are limited by availability or practical considerations, it is a good idea to be aware of the legal status of

each accommodation type before you sign a lease or make any payments.

RTA coverage

The *Residential Tenancies Act (RTA) 1997* protects the rights of landlords and tenants in Victoria. The RTA covers tenancy issues such as:

- > repairs
- > rent increases
- > eviction
- > compensation

Unfortunately however, the RTA does not cover every type of accommodation. If your accommodation is not covered, you will have very little legal protection as a tenant.

who is not covered?

University-managed accommodation is not covered by the RTA and in most cases neither is homestay. However, if the homestay provider (or 'host') is renting out one or more rooms to four or more people, the premises might be classified as a 'rooming house' under the RTA, which means that you will have legal protection.

who is covered?

Legal coverage depends on the circumstances. In general, if you have 'exclusive possession' of a property and pay rent to a landlord or real estate agent, you will probably be covered by the RTA.

Also, if you have 'exclusive possession' of a room in a house with 3 or more others, you will probably be covered under the rooming house provisions of the RTA.

Be aware that some student hostel operators falsely claim that they operate as 'student accommodation' and they are affiliated with an educational institution. Therefore, they claim, the accommodation is not covered by the RTA. However under the RTA, they must be able to provide a written agreement to demonstrate that they are affiliated with an educational institution.

continued overleaf...

what about co-tenants?

The RTA defines the legal relationship between a landlord and tenant, but it does not cover the relationship between co-tenants. This means that disputes between tenants cannot be resolved in the same way as a dispute between a landlord and tenant.

Unfortunately the Tenants Union cannot assist with a co-tenant dispute because we cannot take sides between tenants. If you are involved in a dispute with another tenant you can contact a Community Legal Centre for advice, or arrange a mediation session through the Dispute Settlement Centre of Victoria (providing that everyone involved in the dispute agrees to attend).

➔ For more information on living in a share house see our ***Shared households*** fact sheet and ***Keeping the 'mates' in housemates***.

what if I'm not sure I'm covered?

If you're not sure whether or not your accommodation type is covered by the RTA, contact the Tenants Union or your student housing service for advice.

➔ For more information on choosing accommodation, see our student housing fact sheet ***What are my housing options?***

For more information phone the Tenants Union Advice Line on ☎ (03) 9416 2577.