



your step-by-step guide to rent increases

May 2010

See the *Rent increases* fact sheet for more information.

If your landlord reduces any services or facilities provided with the property (eg shared laundry) but doesn't reduce the rent, you can ask Consumer Affairs Victoria for a rent assessment and take it to the Tribunal.

START HERE

Have you been given notice of a rent increase?

YES

Does the rent increase take effect 6 months or more since the last increase?

NO

YES

If there is a clause in your fixed-term tenancy agreement allowing for rent increases more than once every 6 months it is invalid.

You cannot be given a rent increase more than once every 6 months.

The landlord must give you 60 days' notice in writing and they must use the proper form.

NO

Do you think the rent increase is too much?

YES

Try negotiating with the landlord. They may agree to reducing the amount of the increase, especially if you're an established and reliable tenant and you'd have to move out because you can't afford the increase.

A rent increase notice is invalid if it does not include the following information:
> notice that you can apply to Consumer Affairs Victoria within 30 days if you think the increase is excessive
> that it is a notice of rent increase
> the address of the rented property
> the amount of the rent increase
> the date that the increase comes into effect (minimum 60 days plus 2 extra days if the notice is mailed)

Write to Consumer Affairs Victoria to request that an inspector come and assess your property. You must make the request within 30 days of receiving the rent increase notice.

Address your request to:
The Director
Consumer Affairs Victoria
GPO Box 123
Melbourne VIC 3001

NO

Does the inspector say that the rent increase is too much?

YES

The Tribunal can consider the amount of the rent increase, and the number and \$ amount of rent increases given over the past 24 months. The Tribunal may also consider the market value, location and the state of repair of the property.

Find out the rent paid for similar properties in the same area and use this as evidence of current market value.

Ask for a copy of the inspector's report to attach to your application to the Victorian Civil and Administrative Tribunal (VCAT). Ask the Tribunal for an order that the rent increase is excessive. You must apply within 30 days. The Tribunal can order that the rent not be increased at all or that it be increased by a lesser amount.

Pay the increased amount until you get a Tribunal decision. The Tribunal can order that you be reimbursed for any increased rent that you paid.

If the landlord or agent has given you a valid notice of a rent increase and you refuse to pay it, after 14 days you will be in rent arrears. See the **Avoiding eviction for rent arrears** fact sheet for more information.