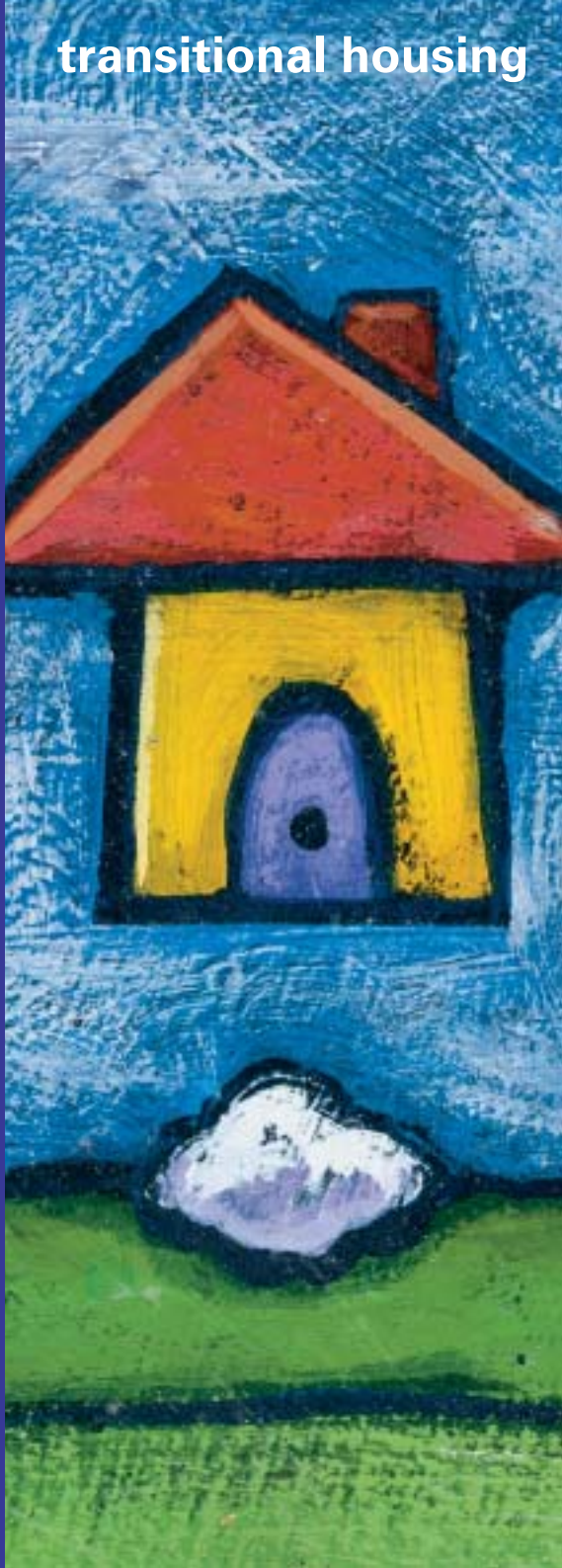


# resident's handbook

transitional housing



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# **Transitional Housing Resident's Handbook**

a guide for Victorian transitional housing residents

## **Transitional Housing Resident's Handbook**

2nd Edition June 2004

(Formerly Transitional Housing Survival Kit)

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# Contents

<b>Introduction</b> .....	<b>1</b>
About this guide .....	1
The Tenants Union .....	1
What is the transitional housing program? ....	2
Transitional housing & the law .....	3
Top 5 tips for transitional housing residents ..	4
<b>Starting your residency</b> .....	<b>5</b>
Tenancy agreements .....	5
<b>During your residency</b> .....	<b>7</b>
Access .....	7
Electricity, gas & water charges .....	7
Maintenance .....	8
Modifications for disability .....	9
Repairs .....	9
House rules .....	11
Privacy & entry to your property or room ....	12
Rents .....	15
Rent arrears .....	17
Disputes between residents .....	18
Pets .....	19
<b>Ending your residency</b> .....	<b>20</b>
When your Transitional Housing Manager wants you to leave .....	20
When you want to leave .....	21
Abandoned goods .....	22
<b>When you have a problem with your transitional housing</b> .....	<b>24</b>
Compensation & compliance .....	24
The Tribunal .....	24
Making a complaint .....	26
Appeals against Transitional Housing Manager decisions .....	27

## **Disclaimer**

Information is correct at the time of printing but may be subject to change. Please check details with the Tenants Union of Victoria. This booklet is a guide only and should not be used as a substitute for the *Residential Tenancies Act 1997* or professional legal advice.

# Introduction

## About this guide

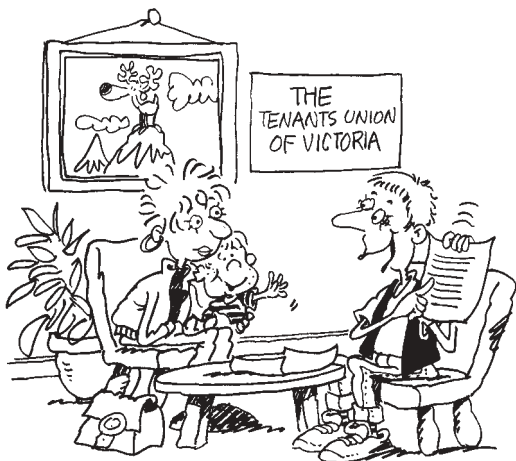
The Tenants Union of Victoria has written this guide for transitional housing residents. It explains your legal rights as a transitional housing resident and gives you advice on how to protect your rights. Along the way it provides plenty of useful tips.

## The Tenants Union ☎ 9416 2577

The Tenants Union of Victoria is a free and confidential tenancy advice service. We offer a statewide advice and legal service for transitional housing residents.

Transitional housing residents needing free legal advice can phone the Tenants Union on ☎ 9416 2577. If you live outside Melbourne and you can't afford a long STD call, we can call you back.

If you need an interpreter, call us through the Telephone Interpreting Service on ☎ 131 450.



The Tenants Union can:

- > give you advice about your legal rights as a transitional housing resident
- > help you fill in forms relating to your transitional housing
- > help you at the Victorian Civil and Administrative Tribunal (the Tribunal), which handles disputes between transitional housing residents and Transitional Housing Managers
- > refer you to other support services

## **What is the transitional housing program?**

The Transitional Housing Program is managed by the Department of Human Services. The program funds several community agencies to provide short-term and medium-term accommodation to:

- > families and single people who are homeless or at risk of homelessness
- > women and their children who are escaping domestic violence
- > young people (15 to 25 years) who are homeless or escaping domestic violence

The agencies that provide transitional housing act as landlords/agents for the Department of Human Services. They are called Transitional Housing Managers or THMs.

The Transitional Housing Program also helps with applications for the early allocation of public housing, and provides financial assistance for some types of housing expenses. It can also connect you with other services such as alcohol and drug treatment, mental health care and other support services.

## Transitional housing & the law

The Transitional Housing Program is managed in keeping with the Department of Human Services program guidelines and the *Residential Tenancies Act 1997* (the Act). The Act covers landlords and tenants in Victoria.

The Act covers 3 types of accommodation, all of which are used for transitional housing:

- > private and public rental housing
- > rooming house accommodation\*
- > caravan park accommodation

\*A **rooming house** is a building that has 1 or more rooms available for rent to at least 4 people, or a building that has been declared a rooming house by the Minister for Housing. Your Transitional Housing Manager can tell you if your rental property has been declared a rooming house.

(If you are part of a family household, you will sign a residential tenancy agreement and not a rooming house residency agreement. The rooming house residency agreement would only apply if you are a single person sharing with other single people. Single people sharing can also be residential tenants, so ask your Transitional Housing Manager which agreement applies to you.)

### Residential tenancy or rooming house residency?

If you have a tenancy agreement, you are a tenant. If you have a residency agreement, you are a rooming house resident. If you are not sure which agreement (lease) you have, check with your Transitional Housing Manager. This booklet has information for both types of agreements.

## **Top 5 tips for transitional housing residents**

- 1** If you are having a tenancy problem and you have a support worker, you can ask them to talk to your Transitional Housing Manager and act on your behalf.
- 2** If you are having a dispute with your Transitional Housing Manager over your legal rights, get independent advice from the Tenants Union or another tenant advice service.
- 3** If you cannot find the answer to your tenancy problem in this guide, or if you receive a Notice to Vacate, a Notice to Leave or a Breach of Duty Notice, contact the Tenants Union or another tenant advice service as soon as possible.
- 4** Never sign forms or agreements that you cannot read or that you do not understand or agree with. The Tenants Union can help you with forms relating to your tenancy.
- 5** The only people who can evict you are the police, and even then they must be acting on a Possession Order and a Warrant of Possession from the Tribunal, after you have been served a Notice to Vacate.

# Starting your residency

## Tenancy agreements

At the start of your residency you might be asked to sign a tenancy agreement or lease. This sets out the terms and conditions of your residency, such as the amount of rent you will pay. A lease is a contract and by signing it, you are agreeing to its terms and conditions. This means it is very important that you understand what you are agreeing to. If in doubt, contact the Tenants Union.

The lease will name your Transitional Housing Manager as the 'Landlord/Owner'. You will be named as the 'Tenant/Resident'. You should be given a copy of the lease once it has been signed.

The lease may be a fixed-term or periodic lease. A **fixed-term** lease runs for a set period of time and has a specific start and end date. In most cases the initial term is for 3 months, although it can be for less. A **periodic** lease runs from month to month until either you or your Transitional Housing Manager end your residency.

**tip>** If you are unclear about anything in your lease, ask the Tenants Union for advice before you sign.

## Reviews

If you have a fixed-term lease, your Transitional Housing Manager will review it at least 6 weeks before it expires. The review will look at whether or not the lease should be extended for longer. If you have a support worker, they may be consulted as part of the review.

The review will look at whether:

- > you have a critical, ongoing need for transitional housing
- > there is other suitable accommodation available to you
- > the priority status of any public housing application has changed

If your lease is extended, it will probably be a 3-month extension. In most cases, only two 3-month extensions are granted (a maximum of 9 months in total), but this may be extended if you are on an early public housing waiting list.

In special circumstances the maximum stay is 12 months, unless you are aged between 15 and 17—then the maximum stay is 18 months. Where extensions are granted beyond 9 months (or 18 months if you are aged between 15 and 17), the lease is extended on a periodic basis and further reviews take place once a month. If you are a young person aged 18 or over, you may also need a longer stay if you are at school or participating in a training or employment program.

**tip>** The aim of the Transitional Housing Program is to help you re-establish secure housing. With this in mind, the maximum time of stay should be flexible. If you need more time but your Transitional Housing Manager is sticking to the set maximum, contact your support worker to try and arrange for more time or contact the Tenants Union.

# During your residency

## Access

If you are a rooming house resident (see page 3 for more information), your Transitional Housing Manager must allow you:

- > 24-hour access to the rooming house and the communal bathroom and toilet facilities
- > access during 'reasonable' hours to other communal facilities

## Electricity, gas & water charges

If your property is separately metered, you will have to pay the utility charges (electricity, gas and water). A separately metered property is one that has meters to measure your use of electricity, gas and water and nobody else's. Your Transitional Housing Manager or the supply company can tell you if your property is separately metered.

In some cases, 'service charges' may apply (see 'Service charges' on page 8).

**tip>** If you paid for the use of electricity, gas or water when your Transitional Housing Manager was supposed to pay, they must pay you back. If they refuse, contact the Tenants Union.

**tip>** If your room has a heater but the room is not separately metered, your Transitional Housing Manager cannot charge you for use of the heater.

**tip>** If you have a Health Care card you are eligible for winter energy concessions. To claim your concession you will need to present a current Health Care card when you pay the bill.

## **Service charges**

Your lease may state that you are responsible for the payment of charges relating to heating, water, laundry and other shared services provided by the Transitional Housing Manager. These charges are called 'service charges'.

Service charges only apply to properties where it is not possible for separate meters to be installed such as walk-ups or high-rise estates, or ordinary houses or flats that are used for shared housing and are declared rooming houses. The service charge will be added to the rent or charged separately, depending on the type of property.

**tip>** If you have to pay service charges, your Transitional Housing Manager cannot charge you more than the utility supply companies charge.

## **Maintenance**

Your Transitional Housing Manager is responsible for keeping your property and/or room in good repair.

In turn, you are responsible for keeping your property or room in a reasonably clean condition. You cannot instal any fixtures (such as picture hooks or a basketball hoop) on the property or in your room without your Transitional Housing Manager's written agreement. You may be asked to provide access for gardeners or to maintain the garden yourself.

Your Transitional Housing Manager should provide basic furnishings. They are also responsible for the maintenance of white goods (such as a fridge), furnishings and fittings that they have provided for your use.

If there is damage to any part of the premises or to any of the furnishings provided by your Transitional Housing Manager, you must notify them as soon as possible.

**tip>** If you cannot supply your own bed linen or small household items such as plates, knives and forks, your Transitional Housing Manager or support worker should be able to provide these items or help you to get them.

## **Modifications for disability**

If you need modifications such as handrails and other safety fixtures, you need to present medical documents to your Transitional Housing Manager. In some properties, the only modification that can be made is the installation of handrails.

There are a small number of transitional housing properties that have been modified for wheelchair access. If you are homeless and no modified property is available, your Transitional Housing Manager should work with your support worker to arrange a suitable long-term alternative.

## **Repairs**

If repairs are needed, the steps you need to follow depend upon whether the repair is urgent or non-urgent. If you need help following any of these steps, contact your Transitional Housing Manager, support worker or the Tenants Union of Victoria.



## Urgent repairs

The following problems are treated as urgent:

- > a burst water service
- > a blocked or broken toilet
- > 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 in the supply of water, hot water, cooking, heating or laundry services provided by your Transitional Housing Manager
- > a failure or breakdown of gas, electricity or water supply
- > a breakdown in water appliances supplied by your Transitional Housing Manager that will lead to a large amount of water being wasted
- > any fault or damage that makes the premises unsafe or not secure
- > a serious fault in a lift or staircase

If you have any of the problems listed above, the first step is to ask your Transitional Housing Manager to arrange for an urgent repair.

Your Transitional Housing Manager should give you the Department of Human Services after hours emergency phone number at the start of your tenancy in case urgent repairs are needed between 5pm and 9am or on weekends or public holidays. The After Hours Emergency Repairs Service can be contacted on ☎ 9429 1366 or ☎ 1300 650 740. A contractor should deal with your problem within 24 hours.

If they cannot be contacted or the problem isn't fixed immediately, contact the Tenants Union or your support worker as soon as possible.

**tip>** Keep a record of your attempts to get the problem fixed (write down the details of phone calls, times and dates).

If you are living in a rooming house, a repair is not considered urgent if there is no immediate danger to your health or safety and you can use other facilities in the property. For example, if the toilet you normally use is blocked but there is another communal toilet you can use, you will have to use the non-urgent repair procedure (see below). However, this must be fair and reasonable. It doesn't mean for example, that if your stove isn't working you should be expected to use an outside barbeque instead.

### **Non-urgent repairs**

If the problem is not urgent, you should ask your Transitional Housing Manager to arrange for the problem to be fixed. If it isn't fixed promptly, contact the Tenants Union or your support worker.

If the repairs are needed because you weren't taking proper care of the premises, you may have to pay for repairs.

### **House rules**

If you are a rooming house resident (see page 3 for more information), your Transitional Housing Manager can make house rules for the use of rooms and facilities. They must give you a copy of the house rules when you move in and they must make sure that house rules are applied equally to all residents.

Your Transitional Housing Manager can change the rules, but they must give you 7 days written notice.

**tip>** If you think any of the rules are unfair, you can apply to the Tribunal. However, you should continue to obey the house rules until the Tribunal hearing. The Tenants Union can help you apply to the Tribunal.

**tip>** House rules do not apply to you if you are living in a rooming house as a residential tenant (see page 3 for more information).



## Privacy & entry to your property or room

You have a legal right to privacy and peace and quiet. Your Transitional Housing Manager's right of access to your property or room depends on whether you are a tenant or a rooming house resident (see page 3 for more information). However, before we explain how the rules differ between tenants and rooming house residents, here are some general tips:

**tip>** The Tribunal has the power to stop rooming house managers (including Transitional Housing Managers) from harassing residents. If you think this is happening to you, start keeping a record of their visits (including when they visit, how long they stay and who is with them) and contact the Tenants Union for advice.

**tip>** Even though a manager (or Transitional Housing Manager) may have certain rights to enter your room or property, they must behave in a reasonable manner and they must leave as soon as they have finished what they came for.

**tip>** If the person who enters causes damage to your property, you may be entitled to claim compensation (see 'Compensation & Compliance' on page 24 for more information).

In most cases, if your Transitional Housing Manager wants to enter your room or property they must:

- > give you at least 24 hours written notice of their intention to enter, stating when and why they intend to enter
- > deliver the notice by mail or in person between 8am and 6pm (if the notice is delivered by mail, they must allow an extra 2 business days for delivery)
- > only enter between 8am and 6pm, and not on a public holiday

The exceptions to these rules only apply if you are living in a rooming house (see 'Rooming House Residents Privacy Rights' on page 14) or if you have agreed to the visit within the last 7 days.

**tip>** Nobody other than you and your Transitional Housing Manager should have a key to your property or room without your written permission, including your support worker.

**tip>** Support workers cannot enter your property or room without your permission.

**tip>** If your Transitional Housing Manager wants to share information about you with anyone (such as your support worker), they must provide a 'release of information' form for you to sign. They can only share information with the people you name on the form.



## **Tenants' privacy rights**

If you are a tenant (see page 3 for more information), your Transitional Housing Manager can legally enter your room or property when:

- > they need to save your (or someone else's) life or valuable property
- > they need to enter to carry out one of their responsibilities (such as carry out repairs)
- > they have reasonable grounds to believe that you have not lived up to your responsibilities (for example, they suspect you are doing something illegal on the property)
- > they want to inspect the premises and an inspection has not been made within the last 6 months
- > they have served you with a Notice to Vacate and they want to show the premises to a prospective tenant in the last 14 days of your tenancy
- > you have agreed to the entry within the last 7 days
- > they have a reasonable excuse

## **Rooming house residents' privacy rights**

If you are a rooming house resident (see page 3 for more information) your Transitional Housing Manager can legally enter your room or property without notice when:

- > they need to save your (or someone else's) life or valuable property
- > they need to provide a service you have paid for

There are some situations where a Transitional Housing Manager can legally enter your room, after they have given you written notice. This is when:

- > they need to carry out repairs
- > they believe you are using your room for an illegal purpose

- > they want to inspect the room and they haven't done so for 4 weeks
- > you are due to move out and they need to show the room to a new resident
- > they have a reasonable excuse

**tip>** You have a right to 'exclusive occupation', which means that you can lock the door of your room and you have your own room number.

**tip>** Your Transitional Housing Manager does not need to give you notice to enter a common area.

## Rents

The amount of rent you pay is based on your income. You will not have to pay more than 25% of your income in rent, and you will not have to pay more than 14 days rent in advance.

**tip>** You have the right to choose the method you use to pay your rent.

### Market rents

The Department of Human Services calculates how much rent you should pay for your property or room. This amount is called the 'market rent'. (If you have a lease, it will state the market rent for your property or room.) However, if you are eligible for a rental rebate, your rent will be less than the market rent (see Rental Rebates on page 16 for more information). The Department of Human Services will advise your Transitional Housing Manager of the market rent for your property or room.

**tip>** You cannot be charged more than the market rent.

If the market rent for your transitional housing property increases and you are not eligible for a rental rebate (which is unlikely), your Transitional Housing Manager must give you 60 days written notice of the increase. You can challenge this increase at the Tribunal if you

think it is too much, but you must do so within 30 days of receiving the rent increase notice. Contact the Tenants Union or your support worker for advice.

## **Rental rebates**

At the start of your residency your Transitional Housing Manager will ask you for details of your income. They will then work out a rental rebate based on your income. The rental rebate will probably result in you paying less than the market rent. (Remember, you cannot be charged more than the market rent.) The amount you end up paying is called the 'rebated rent'.

Your rebated rent cannot be more than 25% of your household income. Some income is not taken into account, such as Mobility Allowance, Child Disability Allowance and some other allowances paid by the government. Only 11% of Family Tax Benefits is taken into account.

**tip>** If you have no income at the start of your residency, your Transitional Housing Manager can excuse you from paying rent until you receive a pension or benefit through Centrelink. If you receive a back payment from Centrelink, you will have to pay back the rent from the time that the Centrelink payment dates back to.

**tip>** If you have no income, your Transitional Housing Manager can help you get assistance from Centrelink or another support agency (such as a Migrant Resource Centre).

**tip>** If you are not sure how your rental rebate was calculated, contact your Transitional Housing Manager or the Tenants Union.

**tip>** Your Transitional Housing Manager or support worker will help you work out your rental rebate. Your Transitional Housing Manager will provide you with a Rental Rebate form when you sign up. Rental Rebate forms are also available from the Office of Housing or the Tenants Union.

## Changes in income

If you have an increase in income and you do not tell your Transitional Housing Manager, you could end up in rent arrears (behind in your rent) if your rebate is reviewed.

**tip>** If you have a drop in income and you do not tell your Transitional Housing Manager, your rebate will not be as high as it should be and you will end up paying more than you should. If a Rent Review finds that your rental rebate has been too low, you should receive a refund.

## Paying your rent

It is important to always keep rent or bank receipts in case there is a disagreement about how much rent you paid. If you pay your Transitional Housing Manager in person, they must give you a receipt on the spot. Otherwise they must give you a receipt within 5 business days of you asking for one.

## Rent arrears

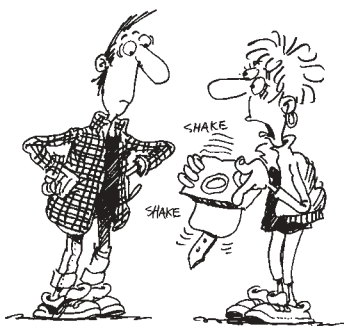
If you know that you will not be able to pay your rent, you should inform your Transitional Housing Manager as soon as possible. If you find yourself in rent arrears, it is best to pay what you can afford, even if it's not the full amount, and contact your Transitional Housing Manager to discuss a catch-up arrangement.

If you are a tenant, your Transitional Housing Manager can give you a 14-day Notice to Vacate if you owe 14 days rent.

If you are a rooming house resident, your Transitional Housing Manager can give you a 2-day Notice to Vacate if you owe 7 days rent (unless you are living in a rooming house but you have signed a tenancy agreement—see page 3 for more information).

**tip>** You do not have to move out when the notice period on a Notice to Vacate expires, unless you want to (see 'Notices to Vacate' on page 20 for more information).

**tip>** To have you evicted for rent arrears, your Transitional Housing Manager must first apply to the Tribunal. You should receive a copy of their Tribunal application at the same time as you receive the Notice to Vacate. If you receive a Notice to Vacate for rent arrears, or you cannot come to an agreement with your Transitional Housing Manager about paying back the arrears, you should contact the Tenants Union as soon as possible for assistance (see 'Notices to Vacate' on page 20 for more information).



### **Tribunal hearings for rent arrears**

If your Transitional Housing Manager applies to the Tribunal because you are in rent arrears, **you must attend the Tribunal hearing**. If you do not attend they are highly likely to be granted a Possession Order. A Possession Order could lead to your Transitional Housing Manager asking the police to evict you.

**tip>** If you cannot attend the Tribunal hearing, you can apply for an adjournment (see 'The Tribunal' on page 24 for more information).

**tip>** Never ignore a Notice to Vacate or a Notice of Hearing from the Tribunal, or you could be evicted.

### **Disputes between residents**

If problems arise between you and another transitional housing resident, try to resolve the problem as soon as possible. Start by trying to talk to the other resident.

**tip>** You can also ask your Transitional Housing Manager or your support worker to help you resolve a dispute with another resident.

**tip>** If you think mediation might help, you can contact the Dispute Settlement Centre of Victoria (which has an 85% success rate). This is a free service and it operates statewide.

Unfortunately, the Tenants Union cannot help you with a dispute with another resident, as this could result in a conflict of interest.

## **Pets**

Generally, pets are allowed in transitional housing properties. However, if you are a rooming house resident (see page 3 for more information), you must get your Transitional Housing Manager's consent before you keep a pet. It is a good idea to get their agreement in writing.

If you are a tenant, you do not need your Transitional Housing Manager's consent to keep a pet unless you have signed a lease containing a 'no-pets' clause. Even then, they would have to prove that your pet was causing a nuisance or damaging the property before you could be evicted for keeping a pet.

If the property is part of a body corporate, it may have a 'no pets' rule. If this is the case, you will need to discuss this with your Transitional Housing Manager.

**tip>** If your Transitional Housing Manager does not agree to you keeping your pet, contact the Support and Accommodation Rights Service (SARS) on ☎ 1800 066 256 (Freecall).

**tip>** If you are served with a Breach of Duty Notice or a Notice to Vacate because of your pet, contact the Tenants Union for advice.

# Ending your residency

Your Transitional Housing Manager must give you a Notice to Vacate if they want to end your residency.

You must give your Transitional Housing Manager a Notice of Intention to Vacate if you want to end your residency (see 'Notice of Intention to Vacate' on page 21 for more information).

**tip>** Make sure you hand back the keys on the day you move out. You can be charged rent up until you hand in the keys.

## When your Transitional Housing Manager wants you to leave

### Notices to Vacate

There are several different Notices to Vacate, ranging from an Immediate Notice to a 120-day Notice to Vacate. The amount of notice given depends on why the Notice to Vacate is being served, and there are several possible reasons.

Rather than going into detail about Notices to Vacate here, we will make the following important points:

- > if you receive a Notice to Vacate and you don't want to move out or you need more time, contact the Tenants Union or another tenant advice service as soon as possible
- > you do not have to move out when the notice period on a Notice to Vacate expires. If your Transitional Housing Manager still wants you to vacate after this time, they must apply to the Tribunal for a Possession Order
- > it is illegal for your Transitional Housing Manager to personally evict you. Only the police can evict you, and even then they

must be acting on a Possession Order and a Warrant of Possession from the Tribunal

## **Notice to Leave**

If you are a resident in a rooming house, caravan park or managed premises (a building with 2 or more rented premises and an on-site manager), and you or your visitor have been violent or threatened violence towards another resident or neighbour, your Transitional Housing Manager can serve you and/or your visitor with an immediate Notice to Leave. A Notice to Leave suspends you from the premises for 2 business days. (A business day is any day other than a Saturday or Sunday or public holiday.)

A Notice to Leave is not an eviction notice and your tenancy is not terminated.

**tip>** You cannot be given a Notice to Leave if you have already been given a Notice to Vacate for the same act of violence or danger.

**tip>** If you are given a Notice to Leave you must leave the premises immediately, even if you do not agree with the notice or think it is unfair.

**tip>** This is a complex area of law and the consequences can be very serious. We strongly advise you to contact the Tenants Union as soon as possible if you receive a Notice to Leave.

## **When you want to leave**

### **Notice of Intention to Vacate**

If you want to move out of your transitional housing property, you must give your Transitional Housing Manager a Notice of Intention to Vacate. The amount of notice you need to give your Transitional Housing Manager depends on your circumstances.

In most cases, if you are a tenant (see page 3 for more information), you must give your Transitional Housing Manager 28 days written notice. However, your Transitional Housing

Manager may be happy to accept less notice if you discuss it with them first.

**tip>** If you have a periodic lease and you are offered public housing, you only need to give 14 days notice. If you want to give less than 14 days notice, your Transitional Housing Manager will probably be happy to accept this.

If you are a rooming house resident (see page 3 for more information), you must give your Transitional Housing Manager 2 days notice. This notice can be verbal, unless your Transitional Housing Manager requests it in writing.



## **Abandoned goods**

If you move out of your transitional housing property or room but leave personal documents or belongings behind, your Transitional Housing Manager must look after them for 28 days. Your Transitional Housing Manager must try to inform you about how you can collect your goods.

However, perishable food or goods that have been assessed as worthless or dangerous can be disposed of immediately.

Contact your Transitional Housing Manager as soon as possible to arrange to collect your goods. If they have had to remove your goods

from the property, your Transitional Housing Manager can legally ask you to pay for the cost of notifying you and for removing and storing your goods. Your goods can be sold if you haven't reclaimed them within 28 days. An inspector from Consumer Affairs Victoria can determine the worth of any abandoned goods.

**tip>** Your support worker may be able to assist with finding removalists and storage for your goods.

**tip>** If your goods are lost or damaged as a result of being removed and stored, you may be able to claim compensation. In some cases, if your Transitional Housing Manager refused to return your goods they could be prosecuted by Consumer Affairs Victoria. If this happens to you, contact the Tenants Union for advice.

# **When you have a problem with your transitional housing**

## **Compensation & compliance**

If your Transitional Housing Manager has not met their legal responsibilities you can apply to the Tribunal for financial compensation or a Compliance Order. (A Compliance Order is a legally binding direction by the Tribunal that must be followed.)

If you want to make a compensation claim or get a Compliance Order, contact the Tenants Union.

Be aware that your Transitional Housing Manager can also apply to the Tribunal for compensation or a Compliance Order if you do not meet your legal responsibilities. To do so, they must first give you a Breach of Duty Notice. If you receive a Breach of Duty Notice, contact the Tenants Union for advice.

## **The Tribunal**

The Victorian Civil and Administrative Tribunal hears disputes between transitional housing residents and Transitional Housing Managers.

At the time of printing, a Tribunal application costs \$31. If you are on a low income, you can apply to have the fee waived. You will need to fill out a separate application form for the fee to be waived.

You must send a copy of your Tribunal application to your Transitional Housing Manager within 7 days of sending your application to the Tribunal.

**tip>** If your problem is urgent, (for example, you need urgent repairs), inform the Tribunal at the time that you apply.

**tip>** If you need an interpreter, tell the Tribunal before the date of the hearing. This is a free service.

The Tenants Union can help you prepare for your Tribunal hearing and in some cases, we can represent you at the hearing. You can also ask your support worker to help you prepare and they may represent you at the Tribunal.

**tip>** If you receive a Notice of Hearing you should contact the Tenants Union or another tenant advice service as soon as possible, as the notice usually arrives just a few days before the hearing.

Victorian Civil and Administrative Tribunal (VCAT)

55 King Street Melbourne

☎ 9628 9800

☎ 1800 133 055 (Freecall)

Fax 9628 9822

Hearings are also held throughout suburban and country Victoria.

### **Applying for an adjournment or review hearing**

If it is impossible for you to attend the hearing on the set date (for example, you will be in hospital) you can apply for an adjournment. An adjournment means the hearing is reset for a later date. It helps your application if you can discuss this with your Transitional Housing Manager beforehand and they agree to the adjournment.

**tip>** You should apply for an adjournment as soon as you know that you will not be able to attend the hearing. If you leave it too late to apply, the Tribunal may not agree to the adjournment. The Tenants Union can help you apply for an adjournment.

If you missed the Tribunal hearing because of an emergency (for example, you had an accident on the way to the Tribunal) you can apply to the Tribunal for a review hearing. You must be able to provide documentation to support your claim that you could not make it to the hearing. The Tenants Union can help you apply for a review hearing.



## **Making a complaint**

If you have a tenancy problem, you can contact the Tenants Union. If you have a problem with your support worker or their agency, you can contact the Support and Accommodation Rights Service (SARS) on ☎ 1800 066 256 (Freecall).

Your Transitional Housing Manager should have a complaints procedure you can follow if you have any complaints about their service. You can also contact SARS (see above) or your Department of Human Services Regional Office. Look under 'Human Services, Department of' in the Business Listings section in the front of the *A-K White Pages*.

## Appeals against Transitional Housing Manager decisions

You can appeal Transitional Housing Manager decisions on your application for housing if you believe they are unfair or biased. Appeal forms are available from the Department of Human Services or the Tenants Union. The Tenants Union can help you fill in the Appeals form. You can attend the Appeals Office hearing to present your side of the story, and you can also have someone represent you at the Appeals Office. You can contact the Appeals Office on ☎ 9616 7526 or ☎ 1800 807 702 (Freecall for country areas).



## Notes

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# Transitional Housing Resident's Handbook

This handy guide outlines the rights and responsibilities of Victorian transitional housing residents. It also provides tips on how to protect these rights.

It covers:

- > abandoned goods
- > compensation
- > electricity, gas & water charges
- > eviction
- > house rules
- > pets
- > privacy
- > rent
- > rent arrears
- > repairs
- > the Tribunal