

GSA Rental Housing Toolkit



Developed in collaboration with
the NHMRC Centre of Research
Excellence in Healthy Housing



Healthy Housing
Centre of Research Excellence

Acknowledgment of Country

GSA and the NHMRC Centre of Research Excellence in Healthy Housing acknowledge the Traditional Owners of the land on which we work, the Wurundjeri people of the Kulin nation. We pay our respects to Aboriginal and Torres Strait Islander cultures; to Elders past, present, and emerging; and to all Aboriginal and Torres Strait Islander peoples, including members of the Stolen Generations.

Disclaimer: GSA (Graduate Student Association) and the NHMRC Centre of Research Excellence in Healthy Housing [1196456] have taken all reasonable measures to ensure the information in this toolkit is accurate at the time of publishing. Information provided here is intended as a guide only, not an endorsement or a substitute for legal advice. Make sure housing options or services are right for you (e.g. by visiting their website or contacting them directly) before signing a contract or paying fees.

GSA Rental Housing Toolkit

Developed in collaboration with the NHMRC Centre of Research Excellence in Healthy Housing

Through research and advocacy, GSA and the CRE have developed an understanding of the challenges graduate students face in Victoria's housing market. We recognise that graduate students are a diverse community with unique needs. We acknowledge that, now more than ever, graduate students are faced with rising rental prices, decreasing rental vacancies and substandard living conditions in rental properties. With lower incomes and limited rental histories, graduate students are particularly at risk of homelessness and lower standards of living.

This toolkit has been developed to equip graduate students with practical information to help them find and secure a place to live. This includes information about the application process for private rental properties, as well as insider tips from graduate students themselves. Whether you are beginning your search or getting ready to move into a new home, this toolkit offers guidance for every stage of the process.

We also understand that finding accommodation is one part of puzzle, and that issues can arise even when a rental property is secured. Throughout the toolkit, you can find key information about your rights and responsibilities as a tenant under Victorian rental laws. Find out more about common issues renters can face, as well as actions you can take to address them.

The toolkit ends with a support services directory listing organisations and programs you can contact for further assistance. This includes housing support, legal support, food relief and more.

We hope you find this toolkit a valuable resource for your life and study in Victoria.

Cheat Sheet

For information about your rental rights and legal support:

Tenants Victoria

Free and confidential legal advice, assistance and advocacy for Victorian renters, including through their renter support line.

Link: tenantsvic.org.au/ | Phone number: (03) 9416 2577

UMSU Legal

Free and confidential legal help from qualified lawyers on a variety of issues, including renting, employment law, consumer law, family violence, fines and car/bike accidents.

Link: umsu.unimelb.edu.au/support/legal/

For advice on renting:

Consumer Affairs Victoria

Consumer Affairs Victoria is Victoria's consumer marketplace regulator. They support Victorians to exercise their consumer rights and ensure that businesses and rental providers do the right thing.

Link: www.consumer.vic.gov.au/housing/renting

For crisis and emergency accommodation:

Call the 24-hour, statewide, toll-free number at 1800 825 955 to speak with a housing and support worker if you are homeless, at risk of homelessness or escaping family violence.

To find homelessness and housing support services in your local area, visit: services.dffh.vic.gov.au/getting-help

For issues with your rental provider:

The Victorian Civil and Administrative Tribunal (VCAT) resolves legal disputes between renters and rental providers, including those related to excessive rent increases, bond claims, repairs and maintenance and possession orders.

Link: www.vcat.vic.gov.au/case-types/residential-tenancies
Phone number: 1300 018 228

Contents

Finding a place to stay

Types of Accommodation	8
The private rental application process	14
Tips from graduate students	20
Things you should know when looking for housing	22
Moving In	28

Your rights as a renter

Responsibilities	34
Before you start your tenancy	36
What does the law say about...?	42
At the end of your tenancy	50
Where to get help when things go wrong	52
Victorian Civil and Administrative Tribunal (VCAT)	54

Additional Information

Support Services Directory	56
About Us	58
Glossary	60

Finding a place to stay



IN THIS SECTION

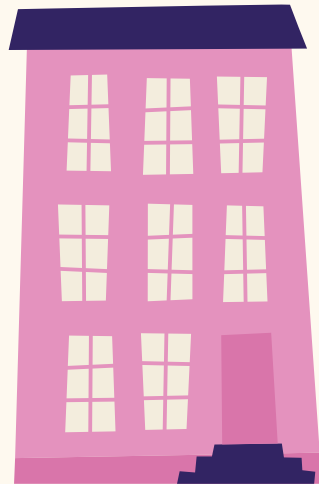
- Types of accommodation options for students in the state of Victoria
- How to find available rental properties
- What to expect when applying for rental properties
- Tips from current graduate students to help you in your search
- How to set yourself up for a stress-free moving day

Types of accommodation

Finding a suitable place to stay is essential to your life and studies as a graduate student. When you begin your search for a new home, you will need to consider your own unique needs.

Maybe you prefer to live alone, with friends or with your family. You might prefer to live near campus, or close to public transport. There are different types of housing available, offered through different providers.

- 1 Purpose-built Student Accommodation
- 2 Residential Colleges
- 3 Private Rental Properties
- 4 Homestays
- 5 Short-term Accommodation



Note: This information is intended as a guide only. You should learn more about housing providers (for example, through their websites) when deciding if they are suitable for your needs.

Purpose-built Student Accommodation

Purpose-built student accommodation offers apartment-style living close to campus. The rooms are often furnished, with utilities (e.g. water, electricity and internet) included as part of your fees. Many student accommodation providers offer study rooms, gyms, support services and social activities for residents. However, meals are not usually included.

University of Melbourne Owned Accommodation

Lisa Belleair House
(hosts up to 285 residents)

Little Hall
(hosts up to 669 residents)

The Lofts at Melbourne Connect
(hosts up to 527 residents, exclusive to graduate students, some rooms available for couples)

Other Student Accommodation Providers

Student Village Melbourne
(Partnered with Uni Melb)

UniLodge Lincoln House
(Partnered with Uni Melb, other UniLodge locations also available around Melbourne)

Scape, Iglu, Journal, Yugo, Y Suites, Dwell Village, Birch Ridge and Carlton Melbourne College (CMC)

Is purpose-built student accommodation right for you?



- Proximity to campus
- Access to shared facilities and activities/events
- Utilities/furnishings usually included
- Options for various preferences and budgets (shared, studio, ensuite)
- Flexibility for shorter stays



- Not ideal for students with partners/children
- Meals are usually self-provided
- Shared with students from other universities
- Apply early due to limited spots
- Application fees may apply
- Costs may exceed private rental sector



To see accommodation options for students near regional campuses, visit: study.unimelb.edu.au/accommodation/regional-accommodation

Residential Colleges

Residential colleges offer students on-campus living in furnished rooms. Included in the fees are meals, utilities and access to academic support, social events and career development initiatives. Many residential colleges feature facilities like gyms, study spaces and libraries.



University Owned Colleges

- International House
- Medley Hall

Affiliated Residential Colleges

- Graduate House
- Janet Clarke Hall
- Newman College
- Ormond College
- Queen's College
- University College
- St Mary's College

Are Residential Colleges right for you?

- Proximity to campus
- Access to shared facilities and activities/events
- Utilities/furnishings usually included
- Meals may be included as part of your fees
- You can apply for a scholarship or bursary to help cover the cost of fees.



- Not ideal for students with partners/children
- Apply early due to limited spots
- Colleges assess academics, extracurriculars, and personality for student selection
- Application fees may apply
- Costs may exceed purpose-built student accommodation



To find out more about residential colleges, visit: www.colleges.unimelb.edu.au/

Private Rental Properties


Renting through the private rental market allows you to choose a home or apartment suitable to your own needs, in the location of your own choosing. You can also choose to live with other people in a share house or apply with someone you already know.


While it can often be cheaper than other housing options, the application process can be harder as rental providers often prefer those with previous rental history. It can also be more competitive, with many potential tenants applying for the same rental property.

If you decide to live in a private rental property, you may need to pay for utilities in addition to rent. You will also need to factor in travel times to and from campus. See **page 16** for more information about finding and applying for private rental properties.



Are Private Rental Properties right for you?

- Flexibility in terms of location, amenities, and lease terms. 
- May be more affordable
- Greater diversity of housing types and locations (e.g. homes that are more suitable for students with children)
- Option to apply with a friend/partner who is familiar with renting in Australia and has previous rental history
- More privacy compared to other housing options


- Travel times and cost may vary 
- You may need to pay for utilities.
- May need to buy all furnishings
- Competitive application process
- The quality of private rentals can vary widely, and you may encounter maintenance problems, or difficulties with rental providers, agents and even housemates




Homestays

A homestay allows you to live with a local person or family in their own home. If you are new to Victoria, a homestay can help you transition to life with the support of people who are familiar with the area. Many homestays provide a furnished room and meals as part of your fees. However, internet and phone use may not be included.

Are Homestays right for you?

- This option can be more affordable
 - Furnishings and meals may be included as part of your fees
 - This option can provide an opportunity to immerse in the local culture and lifestyle, and an ideal environment for language practice and improvement.
- 

- May not be suitable for students with partners/children
 - May need to factor in travel times and cost
 - Application fee may apply
 - May need to pay for internet and/or phone usage
- 

To learn more about homestays and find homestay providers, visit:
study.unimelb.edu.au/accommodation/homestay

Short-term Accommodation

Short-term accommodation options allow you to stay in a temporary location while you search for a place to live. Options for short-term accommodation include hotels, hostels and short-term rentals (like those on Airbnb and Stayz).

It is a good idea to book before you arrive, especially if you plan to arrive during busier periods in the year – like during the Australian Open in January – when accommodation is in high demand.

To find out more about accommodation options for University of Melbourne graduate students, visit the Student Accommodation website:
study.unimelb.edu.au/accommodation

The private rental application process

From searching for suitable properties, to signing a rental agreement, the application process for private rental properties can be time-consuming and competitive.

Here you'll find useful information and tips to help you be savvy in your search for a new place to live.



1. Planning your budget

When starting your search, it is a good idea to understand your financial situation and what you can afford to spend. Rental prices vary from suburb to suburb. Generally, living closer to the Melbourne CBD is more expensive and living in regional Victoria is less expensive.



For recent information about rental prices in Victoria, visit:
dffh.vic.gov.au/publications/rental-report

Knowing in advance how much you can expect to pay for things like transport, groceries and rent can also help you manage your budget.

Use the Study Australia Cost of Living calculator to calculate your expected weekly spending habits: studyaustralia.gov.au/en/life-in-australia/living-and-education-costs

Make sure to include any costs associated with starting a new rental agreement into your budget. This can include the bond, any rent you must pay in advance, any furniture you have to buy and the costs associated with moving.

To find more financial support services (including free financial counselling services), visit the **Support Services Directory** on **page 56**.

2. Finding available rental properties

Once you have a good understanding of your current financial situation, you can begin your search for suitable properties within your budget. There are various websites and apps you can consult to find available rentals:

- **UoM Off-Campus Housing Network** – housing.unimelb.edu.au/
Peer-to-peer platform for University of Melbourne students to find or share off-campus private rental listings.
- **realestate.com.au/rent**
Website listing properties available to rent from various real estate agencies
- **domain.com.au/rent**
Website listing properties available to rent from various real estate agencies
- **flatmates.com.au**
Website to find flatmates/established share houses with available rooms
- **flatmatefinders.com.au**
Website to find flatmates/established share houses with available rooms
- **Fairy Floss Real Estate** – www.facebook.com/groups/117412174975402
Facebook group where members can list properties available for rent
- **Rent.com.au/mobile**
Website/mobile app with features to find and apply for rentals
- **TenantApp** – www.tenantapp.com.au/Rentals
Website/mobile app with features to find and apply for rentals

While many real estate agents list their properties online, you can also contact a real estate agent directly to see listings for properties available to lease.

Consider meeting with an agent in person to discuss your housing needs. They may be able to help you find a place if you are struggling.

Examples of real estate groups include:

- Jellis Craig
- Nelson Alexander
- LJ Hooker
- Belle Property
- Ray White

To find other relevant real estate agents, agencies and services, use the search tool at Real Estate Industry of Victoria (REIV):
reiv.com.au/choose-a-member

3. Inspections

Once you have chosen a property you'd like to rent, it is a good idea to inspect it to make sure it meets your expectations and suits your needs. Rental providers/agents will usually arrange a time for their property to be inspected. This is called an open inspection. Inspect the property thoroughly. An inspection can help you decide whether you can see yourself living comfortably in your new home.

Make sure you check the following at the inspection:

- Does the property look as advertised in photos?
- Is there enough space to store everything you need?
- Is there public transport nearby?
- Do the amenities (heating, stove, dishwasher etc.) work as they should? – Ask the rental provider/agent to make sure)
- Are there structural issues (large cracks in the walls/ceilings) or signs of mould (this could include condensation, musty smells, water stains on the carpet/walls/ceilings, etc.)?
- If you're inspecting an apartment: is it safe and secure? Are there security gates and cameras?



Applying for rental properties can be competitive and you may see a crowd of people on the day of the inspection. Arrive at the inspection on time, be polite and professional and bring copies of your documents (driver's license/passport, payslips, bank statements, rental references, etc.) so you can apply on the spot if you decide the property is right for you.

It can be helpful to meet the rental provider/agent at the inspection and discuss what you like about the property. This can help you make a good impression. Try to also keep records of your correspondence with the rental provider/agent in writing.

Some rental providers/agents will let you inspect the property virtually. This can be helpful if you are not able to make it to an inspection in person. You can also ask a friend to inspect the property on your behalf. However, these options are not the same as physically inspecting the property yourself. You should ask the rental provider/agent additional questions to make sure that the property is suitable for you before applying.

Note: The sites, information and groups listed on the opposite page are provided as a guide only (not as an endorsement). Be wary of misleading information and scams when navigating rental advertisements. Always inspect a property before paying any money and/or signing a rental agreement. For more information about misleading information and scams, see **page 24**.

4. Applying for your chosen rental property

Once you've determined a rental property is suitable for you, you will need to complete an application form. Rental providers/agents will also ask you to provide key documents as part of your application.

This can include photo identification (driver's license, passport, etc.), rental payment receipts, bank statements and details about your previous rental history. Different providers may ask for different documentation.

Visit **page 27** to see what information you can, and cannot, be asked to provide in a rental application.

Your rental application will be compared to others. If you're a first-time renter, you may need to provide some additional information to stand out and show that you can reliably pay the rent.



Consider providing a cover letter along with your application. Make sure the cover letter is tailored to the property you are applying for. It is a good idea to highlight what made you want to live there.

You could ask a colleague or someone who knows you at the University to provide a reference. You may also be asked to nominate a guarantor (for example, a parent) who can pay your rent if you are unable to.

If you're applying in a group, make sure all lease holders have submitted the application.

Once you've applied, contact the rental provider/agent to follow up on your application.

To see a sample rental application cover letter, visit realestate.com:
www.realestate.com.au/advice/how-to-write-a-cover-letter-for-a-rental-application/

5. Signing the rental agreement (lease)

If your application is successful, the rental provider will invite you to sign a rental agreement (also known as a 'lease'). The rental agreement is a legal contract between you and the rental provider. It includes important information like the length of the agreement and the amount of rent to be paid. Make sure you read the rental agreement carefully before signing it.

For more information on rental leases, and other things to keep in mind before starting your tenancy, see **page 38**.

Before you move in, you will also usually be asked to pay a bond and a proportion of your rent in advance. Like a deposit, a bond is a refundable payment that may be available to cover some costs if your rental provider can show you caused some sort of damage or loss (such as not leaving the house clean the way it was provided to you).

Your rental provider does not keep the bond. They must complete a bond lodgement form and lodge your bond with the Residential Tenancies Bond Authority (RBTA) who hold your bond. In most cases, your bond must not be more than one month's rent.

For more information about bonds and advance payments, visit Youth Central:
www.youthcentral.vic.gov.au/advice-for-life/housing/renting-and-sharehousing/signing-a-lease



Tips from current graduate students

Looking for insider advice to help you prepare a standout application? See what current graduate students have to say about their experiences of finding and applying for rental properties in Victoria.

"If you are at an inspection, ensure that as soon as you have received the link, you apply for the place. A lot of estate companies look at applications first come first served basis. Keep documents saved in phone or in the application app itself."

"Make the application about YOU. While this sounds obvious, majority of the applications will be what is typically asked for in the application portal. These typical portals miss a personalised touch that really portrays who you are. While this will work for established applicants, it will not work for first time renters".

"Once you're at an inspection, make an effort to connect with the real estate agent and build rapport so that even if you do not secure the property you've visited, you will hear about more options through the real estate. Try to see if there are properties that have not been listed yet so that you are the first in".

"Look at housing provided by independent or small real estate companies (Remember to research real estate companies, it's always helpful to look at Google reviews). Bigger real estate companies prefer potential tenants to visit the office first".

"It's always helpful to ask the agent during the inspection what the owner is looking for".

"Student accommodation agreements usually end late-January/early July (to align with university intake periods). This makes January and June particularly challenging periods to secure a place, with some inspections attracting around 100 people. Try to start your search before these major intake periods to avoid the competition".

"Make sure that all your referees have sent in their references, otherwise the application is marked incomplete by the real estate agency".

"Rentals go quickly in Melbourne. If you are interested in a place, where possible try to go to the first rental inspection available, especially if it is a weekday time. Weekends are busier and often not the first inspection, so the house might already be under application. Introduce yourself to the real estate agent to make a good impression. Have your documents ready and know the agency's application process. Always inspect the house before applying."

"Keep applying continuously! Houses are always coming up in the rental market, keep a notification set for the particular housing type you need in an area".

"It is easier to apply once you arrive in Australia. They will ask for your Australian number and address, so it might be harder if you apply from your original country. I recommend that future students use temporary accommodation first before signing a long-term rental agreement. It also helped me find suitable properties since I already knew my needs (such as distance from campus, public amenities, and options for public transportation)".

Don't be disheartened if your application isn't successful! Finding a home can be challenging, especially if you are trying to do so for the first time. You may need to apply to multiple rental properties before finding your new home. It may be helpful to ask the rental provider/agent why your application was unsuccessful, so you can make changes the next time you apply.



Things you should know when looking for housing



Renting with other people

If you're planning to live in a rental property with other people (for example, in a share house), you should learn more about your rights and responsibilities under different renting arrangements.

- **Co-renting** involves each person renting the property signing the rental agreement. Under this arrangement, all co-renters are responsible for paying rent. If you are co-renting, you can be held liable if other co-renters fail to pay rent or cause damage to the property.
- **Sub-letting** involves a sub-renter renting part or all of a property from a head renter, who in turn is renting the property directly from the rental provider. The head renter's name is on the rental agreement, while the sub-renter's name is not. Under this arrangement, the head renter must seek permission from the rental provider to sub-let. The head renter also takes on the responsibilities of a rental provider. If you are a sub-renter, your relationship with the head renter is the same as the head renter's relationship with the rental provider.

For more information about different renting arrangements in share houses, visit **Tenants Victoria:** tenantsvic.org.au/advice/different-tenancies/share-houses/

Rent bidding

Rent bidding involves potential tenants offering to pay more than the advertised rental price to secure a rental property. Under Victorian rental laws, rental providers and their agents cannot invite rental bids or solicit offers to pay rent higher than the advertised price. Rental providers can only advertise rental properties at a fixed price. However, some renters make their own unsolicited bids and offer to pay higher rents or more rent in advance. If you encounter rent-bidding in the rental application process, it is a good idea to seek advice from a legal support service. For a list of free legal support services, visit the **Support Services Directory** on **page 56**.

Misleading information and scams

Make sure to inspect the property you want to rent in person before signing a rental agreement. This can help you identify misleading rental ads and avoid rental scams. If you speak with someone, confirm afterwards in writing to ensure you have a record of your correspondence.

Under Victorian rental laws, rental providers/agents cannot encourage you to enter into a rental agreement by making false or misleading representations about the rental property.

Unfortunately, potential tenants can be targeted by scammers in rental scams. Scammers can pose as legitimate rental providers/agents and advertise properties that don't exist or are not actually available to rent.

After paying the bond or rent in advance, the scammer will stop responding, leaving the victim with no home and a sudden loss of funds. Some scammers target international students and other groups who are not familiar with Victorian rental laws and processes.



Here are some warning signs that a rental advertisement may be a scam:

- **The rental advertisement is 'too good to be true' and the rent is a lot lower than what is common for that area.** Always try and inspect a property and meet the rental provider/agent in person to make sure it matches the advertisement. You can also search the property on trusted real estate websites or Google maps for an additional check.
- **The rental provider/agent is asking you to pay money in exchange for an inspection.** You should not be charged any fees for an inspection.
- **The rental provider/agent is trying to get you to pay the bond/rent in advance urgently (usually before even seeing the property).** The scammer might make excuses for why you're not able to see the property, like claiming to be overseas. Do not pay any money or provide any sensitive information before seeing the property. If you're unsure, you can also ask for proof that the person you're talking to has the right to rent the premises.
- **You are being asked to pay a very high amount for the bond or more than a month's rent in advance.** Scammers will also often ask you to pay by cash or wire transfer. Bonds must be lodged with the Residential Tenancies Bond Authority (RBTA). In most cases, your bond must not be more than one month's rent.
- **The rental provider/agent does not request or provide the usual key information needed for a rental application (e.g. – their contact details, a rental application form or a rental agreement itself).** Trust your instincts. If something seems suspicious, cease contact and report the scam to Scamwatch.

If you've been scammed, there are steps you can take to minimise the damage and prevent others from falling victim to the same scam.

For more information on what you should do if you've been scammed, visit Scamwatch:

www.scamwatch.gov.au/protect-yourself/what-to-do-if-youve-been-scammed

Parents and guardians

If you are the parent or guardian of a child, it is a good idea to research what local schools your child can attend when you move to your new property.

To find local schools by area, visit Find My School: findmyschool.vic.gov.au/

For an additional list of support services for families, visit the **Support Services Directory** on **page 56**.



Databases, registers and blacklists

Before you sign a rental agreement, you can check the Consumer Affairs rental non-compliance register to see if your potential rental provider/agent has:

- Been given a VCAT order for breaching their duties under Victorian rental laws
- Been convicted of an offense under Victorian rental laws

To view the rental non-compliance register, visit Consumer Affairs Victoria: www.consumer.vic.gov.au/resources-and-tools/search-public-registers/rental-non-compliance-register

Other, less formal, databases also exist where renters can submit anonymous reviews of rental properties. e.g. shitrentals.org

Rental providers/agents can also screen potential tenants through renter databases (also known as blacklists). If they want to use a renter database, they must notify you when you are applying to rent their property. You can only be listed in a renter database under specific circumstances and only for 3 years, maximum.

For more information about renter databases, visit Tenants Victoria: tenantsvic.org.au/advice/ending-your-tenancy/tenant-databases-blacklists

Discrimination and inappropriate questions in rental applications

It is illegal for rental providers/agents to refuse to rent their property to you, or discriminate against you, on the basis of certain personal characteristics. These personal characteristics include your:

- Age, race or disability
- Gender identity or sex
- Sexual orientation and lawful sexual activity
- Marital status
- Pregnancy and breastfeeding
- Parent/carer status
- Employment activity or profession
- Religious belief or activity
- Political belief or activity

Rental providers/agents are also prohibited from asking you inappropriate questions when applying for rental properties.

If you believe you have been discriminated against in a rental application – or asked inappropriate questions – and you would like to seek advice or make a report, visit the **Support Services Directory** on **page 56** for a list of free legal services.



Rental providers can ask you for:

- Identification (for example, a driver's license or passport)
- References
- Employment history and proof of income
- Rental history and rent payment receipts
- Bank statements (excluding daily transactions, see more info opposite)

Rental providers cannot ask you:

- For your bond history
- To provide bank statements with daily transactions included
- If you have taken legal action against a rental provider, or been involved in a dispute with them
- Questions about personal protected attributes, unless a written reason why they are seeking that information has been provided



Moving in

Moving into a new property can be an exciting, if hectic, process. This is especially true if you are moving to Victoria from another state or country. To minimise stress, and make your transition to a new place easier, you should start making plans to move well before your moving date.

Moving Checklist

- Once you have signed your new lease, give your current rental provider notice that you intend to end your rental agreement and move out. For more information on ending your tenancy, see **page 50**.
- Make sure utilities and services (electricity, gas, water, internet, etc.) are connected to the property before you move in. This process can sometimes take a while, so make a start well before you move in. Make sure to also let service providers from your current property know that you are moving, so you don't continue getting billed after you leave.
- Update your address with the University, your bank, Centrelink and other services you use. For a fee, you can also arrange to have your mail redirected to your new address. **Visit Australia Post for more information:** auspost.com.au/receiving/manage-your-mail/redirect-hold-mail/redirect-mail
- Organise how you will move your belongings to your new home. Make sure to arrange any removalist services in advance. You can also hire a van if you prefer to move things yourself.
- Sell or donate any unwanted belongings. For a list of op shops, visit the **Support Services Directory** on **page 56**.
- Collect boxes and start packing your belongings. Try packing items from each room together to help with organisation. Make sure to label each box to make things easier when unpacking.

- If you're a new international student arriving in Victoria from overseas, you can arrange a free airport pickup. **Visit the University of Melbourne for more information:** students.unimelb.edu.au/new-students/new-student-checklist/international-student-checklist/airport-pickup-service
- Buy any essential items you will need. Most private rental properties in Victoria are unfurnished so you will likely need to buy a bed, couch, fridge, etc. You may also need to buy cutlery, pots and pans. Consider shopping at op shops to save money. Visit the **Support Services Directory** on **page 56** for a list of op shops.
- Do a thorough clean of your current rental property before you move out. You may want to contact a professional cleaning service to do this for you.
- If you're living with others (e.g. – in a share house), it can be a good idea to discuss expectations early on. Try to plan how you will share responsibilities for cleaning, paying bills/other expenses, etc. at the start of your tenancy to avoid disagreements later on.
- Do a thorough inspection of your new home and complete a condition report. A condition report is a record of the condition of the property at the start of your tenancy. The rental provider/landlord may not identify issues as part of their initial inspection, so it is important that you take photos and record any issues that you find. It can provide evidence in the event of a dispute. See **page 40** for more information about condition reports.

Your rights as a renter



IN THIS SECTION

- Your rights and responsibilities as a renter
- Important legal information you should know before your tenancy starts
- What the law says about issues renters can face
- What you can do if things go wrong

Do you live in purpose-built student accommodation, a rooming house or other tenancy?

Most of the information provided in this section applies to private residential properties. If you live in a different type of housing, this information may not apply to you.

Examples of different tenancies include:

- Rooming houses/boarding houses – a building or apartment with 1 or more rooms are for rent and 4 or more people can live.
- Purpose-built student accommodation – in Victoria, student accommodation that is owned or affiliated with a university may not be covered under the Residential Tenancies Act. If you are living in student accommodation, you may not be protected in the same way other Victorian renters are.

It is important to understand what type of tenancy or residential arrangement you have. Not all residential agreements fall under Victorian rental laws. Your legal protections, rights and responsibilities can vary depending on what type of residential agreement you have.

Now that you've found a place to stay, you will need to take steps to understand what the law says about renting in Victoria.

Renters and rental providers both have certain responsibilities under Victoria's rental laws: the Residential Tenancies Act 1997.

Whether you are about to start your tenancy, already renting, or planning to leave, you should learn more about:

- Your responsibilities
- Your rental provider's responsibilities
- Where to find support if things go wrong

To find out more about your legal protections, rights and responsibilities when renting in different types of tenancies, visit Tenants Victoria:

tenantsvic.org.au/advice/different-tenancies/

Tip: If you are unsure about any of the words used in this section, see the Glossary on **page 60** for definitions.

Find support in your language

If you speak a language other than English, you can find information and support at:

- tenantsvic.org.au/advice/language-resources
- housing.vic.gov.au/interpreter-services
- legalaid.vic.gov.au/help-your-language

Responsibilities of a...

Renter

- Making sure not to damage the property
- Keeping the property reasonably clean
- Not using the property for illegal activities (for example, selling drugs)
- Allowing your provider to enter the property on dates and times that you have both agreed on, or if they have given you the proper notice required by the law (for example, to inspect the property)



Rental provider

- Making sure the property is in good repair, and that repairs are completed adequately and on time
- Making sure the property is in a reasonably clean condition and vacant before you move in
- Allowing you 'quiet enjoyment' of the property (for example, by not entering the property without giving you the required notice)

For more information about you and your rental provider's legal responsibilities, visit **Tenants Victoria**: tenantsvic.org.au/advice/landlord-problems

Before you start your tenancy

Being aware of Victorian laws, standards, processes and resources can help make your transition to a new home easier.

A good place to start is the Consumer Affairs Renters Guide. This document outlines what is expected from you and your rental provider, according to Victorian rental laws.

The Renters Guide includes information about bonds, maintenance and rent increases. Your rental provider must give you a copy of the guide at the start of your tenancy.



To find a copy of their Renters Guide, visit Consumer Affairs Victoria:
www.consumer.vic.gov.au/housing/renting/starting-and-changing-rental-agreements/resources-and-guides-for-renters/resources-and-guides-overview

Rental agreements/leases

A rental agreement (or lease) is a contract between you and your rental provider. Rental agreements can be for fixed term (e.g. – 12 months), or periodic (from month to month).

Tip: Consider your financial situation before signing a fixed-term lease. It can be expensive if you want to move out early. Visit the **Support Services Directory** on **page 56** for free financial counselling services.

Rental agreements can be written or verbal. However, it is recommended that you enter into a written rental agreement. A written rental agreement is called a 'residential rental agreement', and it must be on the form provided by Consumer Affairs Victoria.

Because there are laws specifying what a written rental agreement can and can't include, you can better protect your legal rights if your agreement is in writing.

Tip: Make sure you carefully read and understand the rental agreement before signing it. Visit the **Support Services Directory** on **page 56** for free legal services you can consult for advice.

A written rental agreement must include:

- The date of the agreement
- The address of the rental property
- The length of the agreement, and whether it is fixed term or periodic
- The amount of rent and how it is to be paid
- How rent increases will be calculated
- The amount of bond
- Other conditions and rules
- Any special terms



There are also some conditions that legally cannot be included in a rental agreement. If your rental provider includes any of these prohibited conditions in your rental agreement, it is not valid. You can report offenses to Consumer Affairs Victoria and your rental provider may have to pay penalties.

To learn more about what can't be included in a rental agreement, visit Tenants Victoria: tenantsvic.org.au/advice/starting-your-tenancy/rental-agreements/

There is some essential information a rental provider must tell you before you enter into a rental agreement with them. This includes whether they have the right to rent out the property, whether they plan to sell the property and whether the property is heritage listed. If your rental provider does not provide this information before you sign the rental agreement, you can report this to Consumer Affairs Victoria.

Before you move in, your rental provider must also provide:

- Their (or the agent's) full name, postal address and email address (if they agreed to receive notices and documents electronically)
- A copy of the rental agreement (if it's in writing)
- A copy of the Consumer Affairs Renter's guide
- A condition report
- A phone number for any urgent repairs needed out of business hours
- A set of keys for each renter who has signed the rental agreement

Tip: Before entering into a rental agreement, check the Consumer Affairs rental non-compliance register to see if your potential rental provider has been given an order by VCAT for breaching their duties, or has been convicted of an offense under Victorian rental laws:

www.consumer.vic.gov.au/resources-and-tools/search-public-registers/rental-non-compliance-register



For more information about what your rental provider must tell you before you sign a rental agreement, visit Tenants Victoria: tenantsvic.org.au/advice/starting-your-tenancy/before-you-sign/

Condition reports

A condition report is a record of the condition of a property, both inside and outside, at the start of a rental agreement. This includes information about:

- Anything that is damaged or unclean
- Safety checks (for example, the date of the last smoke alarm test)
- Whether the property has connections to a telephone and/or internet line

For more information about condition reports, visit Tenants Victoria:

tenantsvic.org.au/advice/starting-your-tenancy/condition-reports/

Your rental provider must complete and sign the condition report and give you two copies (or one copy, if sending electronically) before you move in. You should check the report to see if everything is accurate. If you disagree with anything in the condition report, you can make your own comments in the 'renters comments' sections. You will need to return a copy of your signed and completed condition report to your rental provider within five business days of moving in.

A condition report can be valuable evidence if there is a dispute (for example, if your rental provider makes a bond claim). You should be thorough when completing the condition report and take photos of all areas of the property at the start of the rental agreement. You can attach these photos to the condition report. Make sure to include a label and the date the photo was taken.

If you did not receive a condition report before you moved in, you can use the Consumer Affairs Victoria template to complete your own. You will need to give a copy of your signed and completed condition report to your rental provider within five business days of moving in.

To see the Consumer Affairs Victoria condition report template, visit:

www.consumer.vic.gov.au/housing/renting/rent-bond-bills-and-condition-reports/condition-reports

At the end of your tenancy, your rental provider or agent must complete the 'Exit condition report' section of the condition report. This must be done within ten days of the end of the rental agreement. Your rental provider must give you a reasonable opportunity to be there when they complete the 'Exit condition report' section of the original report. It is recommended that you are present when they do this so you can make sure the report is filled out accurately.

Minimum standards

For most rental properties, your rental provider must make sure that the property meets basic minimum standards before you move in. Some examples of minimum standards include:

- Working sinks and stovetops in the kitchen
- Functioning locks on the external entry doors
- Working toilets
- No mould or damp
- The property must be structurally sound and weatherproof

For more information about rental minimum standards, visit Consumer Affairs Victoria:

www.consumer.vic.gov.au/housing/renting/repairs-alterations-safety-and-pets/minimum-standards/minimum-standards-for-rental-properties

You should inspect the property you want to rent and confirm whether it meets the minimum standards before signing the lease. See **page 46** for more information about inspections.

Your rental provider must disclose whether the property meets the minimum standards before you enter an agreement. Your provider can face penalties if they do not provide this information.

What can I do if my rental home does not meet minimum standards?

- **If you have not signed a lease** – you can request that the rental provider makes repairs/changes before signing a lease.
- **If you have signed a lease but haven't moved in yet** – you can end your rental agreement, or request that the rental provider make urgent repairs.
- **If you have moved in** – your rental provider must organise urgent repairs to make sure the property meets minimum standards.



What does the law say about...?

The information provided on the following pages is intended to be a general guide. For more detailed information about any of the issues below – or for information about other issues – please visit the Tenants Victoria and/or Consumer Affairs Victoria websites.

If you are experiencing a renting-related issue, you should speak to a legal support service for tailored advice. Visit the **Support Services Directory** on **page 56** for a list of free legal support services.



Evictions

The rental provider must follow these steps to evict you. Otherwise, it is an illegal eviction.

- 1 Give you a notice to vacate. The rental provider must have a lawful reason to evict you for the notice to be valid (e.g. – if you haven't paid rent, have caused serious damage to the property, etc.)
- 2 Apply to VCAT for a possession order
- 3 Receive a warrant of possession from VCAT
- 4 Give the warrant of possession to the police. The police will then use this to evict you. Your rental provider cannot personally carry out an eviction or lock you out.

If you do not want to be evicted, you can dispute the rental provider's claim at the hearing VCAT sets after receiving the rental provider's application for a possession order. See **page 54** for more information about VCAT.

If you are being illegally evicted, you should call the police. You can also lodge a complaint with Consumer Affairs Victoria and apply to VCAT.

Family violence

Family violence refers to violent, threatening, coercive or controlling behaviour that occurs in family, domestic or intimate relationships. It can include, but is not limited to, assault, stalking and intentionally damaging property.

If you are experiencing family violence while renting, there are protections in Victorian rental laws which can help you. Even if you are not on the rental agreement, you can apply to VCAT and get an order to remove the renter that has been violent against you and put the agreement in your name. VCAT may be able to give you an order that lets you end the agreement early without paying lease break fees.

If you are experiencing family violence and want to change the locks in your home, you will have to ask the rental provider/agent for permission if the lock is part of a master key system. You can change the locks without permission if the key is not part of a master key system, but to exclude a co-renter, it is best to have a safety notice from the police or some form of intervention order from the Magistrates' Court.

You can install removable security devices (e.g. – alarm systems and cameras) without your rental provider's permission, unless you live in a heritage listed property. The devices also must not interfere with your neighbours' privacy or damage or cause permanent change to the property. For permanent security devices (e.g. – hardwired alarm systems), you will need to ask your rental provider for permission first. Your rental provider cannot unreasonably deny you permission to do so.

Tenants Victoria has developed a Family Violence Protection Tenancy Kit with more detailed information about protections in renting laws for people affected by family violence. To see a link to this resource (and other family violence support services), visit the **Support Services Directory** on **page 56**.

Getting your bond back

Your bond should be refunded to you at the end of your tenancy unless your rental provider makes a claim for compensation.

Your rental provider can ask to keep all (or part) of the bond if you:

- Damaged the property or made modifications without asking
- Have not left the property in a reasonably clean condition
- Owe the rental provider rent
- Have taken items from the property that belong to the rental provider

Both you and your rental provider can start the bond claim. The bond is lodged with the Residential Tenancies Bond Authority (RTBA). You can use the RTBA website to make a bond claim. This does not cost anything.

If you make the bond claim yourself, your rental provider and other renters will be notified and given 14 days to dispute the claim with a VCAT application. If no one disputes the claim within this timeframe, the RTBA will refund the bond to you.



Inspections and privacy

The rental provider/agent must allow you 'quiet enjoyment' of the property. They are allowed to enter the property, but there are rules outlining when they can enter and what they can do when they are on the property. They must also give you proper notice and state why they want to enter the property.

Reasons for entering the property include:

- Carrying out legal duties (e.g. – repairs) (minimum 24 hours notice required)
- Having reasonable grounds to believe you have broken your obligations (e.g. – by damaging the property) (minimum 24 hours notice required)
- Carrying out an inspection for family violence proceedings in VCAT (minimum 24 hours notice required)
- Showing the property to potential renters and buyers (minimum 48 hours notice required)
- Carrying out routine inspections (minimum 7 days notice required)
- Having the property valued (minimum 7 days notice required)
- Taking photos/videos to advertise the property (minimum 7 days notice required)

You have a right to refuse entry if the rental provider/agent has not given enough notice, if the visit is during a public holiday or before 8am/after 6pm or if they want to do a routine inspection less than 6 months after the last one.

If the rental provider/agent enters the property without following the rules, you can report them to Consumer Affairs Victoria or applying to VCAT for a restraining order.



Leaving before the rental agreement ends

You may be asked to pay 'lease break fees' if you want to leave the rental property before the end of the rental agreement.

Although you don't have to pay a penalty for breaking the rental agreement, your rental provider can ask you to cover any reasonable losses they might incur. This can include costs for lost rent, reasonable costs for advertising the property and a 're-letting' fee.

In some circumstances, you can end the rental agreement early without paying lease break fees (e.g. – if you have applied to VCAT to end your agreement early due to experiencing severe hardship or family violence).

If you think the lease break fees you are being asked to pay are too high, you can make an application to VCAT.

Making changes to the property

If you want to make changes to the rental property, you may need to ask your rental provider for permission first. If you do make changes, you are usually responsible for restoring the premises to its original condition (save for fair wear and tear).

You can install the following without permission from your rental provider:

- Non-permanent window film
- Wireless doorbell
- Curtains (you must keep the original curtains)
- Adhesive child safety locks on drawers and doors
- Pressure mounted child safety gates
- A lock on the letterbox

You can install the following without permission from your rental provider, unless the property is heritage listed:

- Picture hooks or screws for wall mounts/shelves/brackets (unless the surface is exposed brick or concrete)
- Wall anchors (unless the surface is exposed brick or concrete)
- LED light bulbs that don't need new light fittings
- Low flow showerheads (you must keep the original shower head)
- Blind or cord anchors
- Safety devices (alarm systems, etc.) which don't impact the privacy of neighbours, can be easily removed and are not hardwired to the property
- Hardware mounted child safety gates (unless the walls are exposed brick or concrete)

For other changes you want to make, you must ask the rental provider for permission first. Your rental provider cannot unreasonably refuse to the changes. There are some circumstances where a rental provider can reasonably refuse to let you make changes to the property (e.g. – if the changes would significantly change the property or result in additional maintenance costs for the rental provider if the changes were not reversed when you leave).

If your rental provider has refused to give permission for reasonable changes, you can make an application to VCAT.

Overdue rent

The rental provider/agent can give you a 14-day notice to vacate if your rent is 14 days in arrears. The notice must be in writing and the rental provider must follow the proper legal procedures if they want to evict you. See **page 43** for more information about evictions.

You do not have to leave the property because you received a notice to vacate. If you have been struggling to pay your rent, you can contact the rental provider/agent to try and negotiate a payment plan for any money owing. Make sure that the agreement is put in writing.

If the rental provider applies to end your agreement because of rent arrears, you can still explain your situation to VCAT. VCAT may either give you a payment plan to repay the arrears over a reasonable period, or give you more time before the agreement is ended.

You may find it helpful to consult with a financial counsellor. Visit the **Support Services Directory** on **page 56** for a list of free financial support services.

Rent increases

Your rental provider must follow specific rules if they want to increase your rent. For all rent increases, you must be given a proper notice of rent increase advising you of your rights and describing the method used to determine how the rent was increased.

If you think the rent increase is too high, you can challenge it by applying to Consumer Affairs Victoria. This is called a rent assessment, and it is free to do so. You will need to use the 'Request for rental assessment' form on the Consumer Affairs Victoria website.



At the end of your tenancy

A fixed-term rental agreement will automatically be renewed as a periodic agreement at the end of the lease period if neither the tenant nor the rental provider ends the agreement. If the tenant and rental provider prefer, they can also agree to sign another fixed-term rental agreement instead.



There are certain requirements you and your rental provider must follow if either (or both) of you want to end the rental agreement.

- **If you want to want to end the rental agreement** – You will usually need to give your rental provider a notice of intention to vacate. It will need to be given in writing and you will need to sign it. See Consumer Affairs Victoria to use their ‘Notice to rental provider of rented premises’ form. In this form, you will need to state the date you are leaving the premises and the reason you want to leave. The required minimum notice period will depend on the reason you provide.
- **If you want to want to end your rental agreement before it ends** – This also known as ‘lease breaking’ and you will usually need to pay ‘lease break’ fees. In some cases, you may not need to pay lease break fees (for example, if you transfer your agreement to someone else). See **page 47** for more information.
- **If your rental provider wants to end the rental agreement** – They must give you a notice to vacate and provide valid reasons for doing so. The notice period will depend on the reason your rental provider is giving the notice to vacate. In some cases, you may be able to challenge a notice to vacate. Visit the **Support Services Directory** on **page 56** for free legal services you can contact if you have received a notice to vacate.
- **If your rental provider wants to evict you** – They must 1. give you an official notice to vacate, 2. apply to VCAT for a possession order, 3. get a warrant of possession from VCAT, 4. give the warrant of possession to the police, which allows the police to evict you. If your rental provider does not follow these steps, it is an illegal eviction. See **page 43** for more information.
- **If you and your rental provider both want to end the rental agreement** – It is recommended that this decision is put in writing. This agreement should include any costs/terms and conditions and the date the agreement ends. Both you and your rental provider should sign this agreement and you should make sure to keep a copy.
- **If you have a fixed term rental agreement**, and neither you nor your rental provider give notice to end it, the rental agreement will automatically continue a month-by-month basis.

For more information about ending your tenancy, visit Tenants Victoria:
tenantsvic.org.au/advice/ending-your-tenancy/

Where to get help when things go wrong

Tip: If you are experiencing issues related to renting, contact a free legal service for advice. In most cases, you can explain your specific circumstances and receive tailored support from these services. Visit the **Support Services Directory** on **page 56** for a list of free legal services.



You and your rental provider both have responsibilities under the Residential Tenancies Act 1997. If either of you breach these duties, you can be given 'notice for breach of duty'. This notice requires the person who has breached their duties to fix the problem and not commit similar breaches again and/or pay the other party compensation.

To find out more about breach of duty notices and view the official Consumer Affairs Victoria form, visit Consumer Affairs Victoria:

www.consumer.vic.gov.au/housing/renting/legal-and-dispute-support/when-a-renter-or-rental-provider-breaks-the-law

If you believe that your rental provider is not meeting their responsibilities, you can make a complaint at Consumer Affairs Victoria. However, Consumer Affairs Victoria will expect you to try and solve the issue with your rental provider directly before making a complaint.

To see the Consumer Affairs Victoria complaint form, visit Consumer Affairs Victoria: forms.consumer.vic.gov.au/gcf

Consumer Affairs Victoria recommends that you try to solve disputes with your rental provider by talking to them first. If that doesn't work, you can make a complaint or give your rental provider a formal written notice.

Victorian Civil and Administrative Tribunal (VCAT)

If neither of the above options work, you can go to the Victorian Civil and Administrative Tribunal (VCAT). You will need to fill out an application form. If your application is accepted, you will get a notice from VCAT telling you when your hearing will be and how you will need to attend (phone, videoconferencing or in person).

If you are given a notice of hearing from VCAT, you will need to send evidence to VCAT before the hearing and start preparing your case. At the end of the hearing VCAT will make an order (for example, they may order your rental provider to pay you money).

To learn more about VCAT and residential tenancies, visit VCAT:
www.vcat.vic.gov.au/case-types/residential-tenancies

What to expect when going to VCAT:

- VCAT will usually ask for you to pay an application fee when making an application. In some cases, you may be able to receive fee relief (for example, if you are experiencing financial hardship).
- If your hearing runs for more than 1 day, VCAT will ask you to pay a hearing fee. Most cases involving residential tenancies are resolved within 1 day.
- If English is not your first language, you ask VCAT to arrange for you to have an interpreter for free. It is best to ask for an interpreter as early as you can.
- You and your rental provider must follow the order made by VCAT. If your rental provider does not follow the order, you will need to ask a court to enforce VCAT's order. Depending on the amount of money VCAT has ordered them to pay, this could be the Magistrates Court of Victoria, or the County Court/Supreme Court.

To find out more about resolving disputes with your landlord, visit Tenants Victoria: tenantsvic.org.au/advice/landlord-problems/

If you are having issues with your flatmates or neighbours:

VCAT can help you resolve issues between you and your rental provider. VCAT cannot help you resolve issues between you and your flatmates or neighbours. If you are experiencing issues with your flatmates or neighbours, you will need to contact the Dispute Settlement Centre of Victoria (DSCV).

To find out more, visit the Dispute Settlement Centre of Victoria (DSCV):
www.disputes.vic.gov.au/

Support Services Directory

Urgently need a place to stay? Looking for a free meal? Want free advice about health, the law or money issues? Visit the Support Services Directory and find support from a variety of providers.

Scan the QR code to learn more about the following services:



- University of Melbourne services
- Employment and career support services
- Housing support services
- Health services
- Material aid services
- Safety services
- Food relief services and discounted food
- Legal services
- Financial support services
- Other services
- Support services for diverse communities



About Us



GSA

The University of Melbourne Graduate Student Association (GSA) is an independent association that provides all enrolled graduate students at the University with representation, events, training and support.

As the largest dedicated postgraduate association in Australia, GSA plays a vital role in representing student interests, fostering cohesive communities, supporting Grad Groups, and delivering year-round events, programs and support to the graduate student community.

Our vision is to empower graduate students through meaningful connections and experiences, achieved through proactive representation, impactful services, and strong partnerships with the University and relevant stakeholders. We are committed to being the heart of graduate student life, supporting you throughout your studies at the University of Melbourne.

NHMRC Centre of Research Excellence in Healthy Housing

The NHMRC Centre of Research Excellence in Healthy Housing [1196456] engages in research that aims to improve our understanding of how our housing, and housing system, influences population health and health inequalities. We are situated within the Centre for Health Policy at the Melbourne School of Population and Global Health.

Glossary

Agent: An agent is a dedicated property manager or a real estate agent, who is paid by the landlord and is responsible for managing the day-to-day running of the rental property.

Arrears: Rent arrears refers to when a renter is late paying their rent because they haven't paid by the due date or when they have not paid at all.

Bond: A bond is the amount of money that you may be asked to pay at the start of your tenancy. The bond is a security in case there is a dispute at the conclusion of the tenancy. The bond will be held by the bond authority until the tenancy ends and will be returned to renters when they move out.

Bond claim: A bond claim is what occurs when a renter and the rental provider can't agree on the bond, then either the renter or the rental provider can apply to VCAT for a bond claim and will receive a decision.

Co-renting: Co-renting refers to when several people rent a property together, for example a share house.

Order (VCAT): When VCAT makes a decision about a case, they also make an order. An order is the legally correct term for a decision or instruction the parties involved must follow. An order can be final or interim and can be monetary or non-monetary.

Purpose-built student accommodation:

Purpose-built student accommodation offers apartment-style living close to campus. The rooms are often furnished, with utilities (e.g. – water, electricity and internet) included as part of your fees.

Rental agreement/lease: A rental agreement is a contract between the renter (tenant) and rental provider (landlord).

Rental provider/landlord: A rental provider is a person whose property is let under a residential rental agreement.

Rent bidding: Rent bidding refers to when higher offers than the advertised price of a rental property are encouraged by real estate agents or landlord or offered unsolicited by prospective tenants.

Rooming house/boarded house: A rooming house refers to when a room is rented out in a house, and a boarder rents the room and lives with the homeowners.

Share house: A share house refers to when two or more renters enter into a rental agreement with a rental provider, and everyone's name is on the agreement.

Subletting: Subletting refers to the renting of part or all of a property from another person who rented it directly from the rental provider.

VCAT: The Victorian Civil and Administrative Tribunal (VCAT) is responsible for hearing disputes between rental providers and renters. The decisions made by VCAT must be followed by rental providers and renters.

Sources



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