

How to help with housing

A day of tenancy issues training for community workers and lawyers



Why do this training?

Too often tenants come off second best in disputes with landlords and agents even though in many cases the law is on their side. With some knowledge and referral pathways you can help even up the contest.

After this training day you will know what to do when that client has a rental housing issue. You will know the basics of housing and rental laws, how to navigate your client through the legal maze and the best referral pathways. You will be empowered to directly help them achieve a positive outcome.

Who should attend?

This day is intended for all knowledge levels, with the morning for community workers and the afternoon for legal workers, but you are welcome to attend the whole day.

What will be covered?

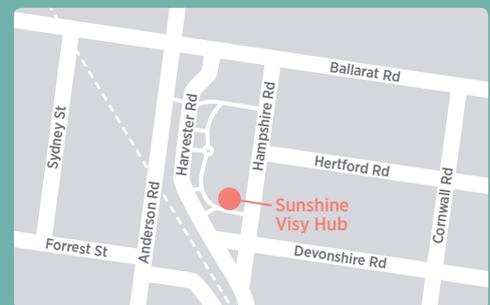
Topics to be covered include:

- identifying housing rights
- duties of landlords and tenants
- compliance
- compensation
- rent increases
- repairs
- eviction
- attending the Tribunal with your client.

Tuesday 11 November 2014

9.30 am – 4.30 pm

Sunshine Visy Hub
80B Harvester Rd, Sunshine,
Victoria



Investment of \$40 to cover morning
and afternoon tea and lunch

RSVP by 4 November 2014 by
telephone (03) 8312 2010 or email
legal@communitywest.org.au

Brought you by the Western Legal
Assistance Forum partners: Community
West, the Tenants Union of Victoria and
Victoria Legal Aid



Program



9.30 am – 9.45 am Introduction and welcome

9.45 am – 10.30 am Identifying housing rights

In order to assist our clients we need to understand the nature of their legal interest to reside in their home. This session explores the distinction between residential tenants (including co-tenants and sub-tenants), rooming house residents, caravan park residents and licensees, and provides an overview of the various landlords in Victoria.

10.30 am – 10.45 am Morning tea

10.45 am – 12.30 pm Duties (landlord and tenant), compliance, compensation, rent increases and repairs

This session will provide a brief overview of the duties between landlords and tenants, and rooming house owners and residents. The topic will address questions identifying a duty, giving and receiving a breach of duty notice, and the implications of when a party breaches their duty under the *Residential Tenancies Act 1997*.

The session will also examine the use and application of compliance orders in relation to terminating a tenancy, defending and claiming compensation as a result of a party breaching a duty provision, challenging invalid notices of rent increase, and how to get repairs done in the most efficient way possible.

12.30 pm – 1.15 pm Lunch

1.15 pm – 2 pm Eviction

This presentation will explore the ins and outs of eviction, including:

- **notices to vacate:** different types that commonly arise in private rental and rooming house accommodation, rights and requirements of a valid notice;
- **VCAT possession order hearings:** VCAT's key considerations, evidence and conduct at the Tribunal, types of order, VCAT fee amendments;
- **warrants of possession:** what they are, process, expiry periods, DHS 'legal' agreements;
- **applications for review:** how to lodge, effect of lodgement, VCAT's key considerations, effect of successful review application; and
- **referral points:** major tenancy referral pathways.

2 pm – 3 pm Referrals – panel discussion

Hear from representatives of key referral pathway organisations about what assistance each organisation provides to the community and how you can access their services. There will be the opportunity for audience questions to panel members.

3 pm – 3.45 pm VCAT

VCAT operates according to its own processes that can be different from those familiar with courts. It is underutilised by tenants and should be seen as an accessible forum for protection of rights. This session provides a practical overview of essential procedural issues to demystify the vagaries of VCAT.

3.45 pm – 4.15 pm Final scenarios

4.15 pm – 4.30 pm Feedback and close