

Rent receipts

The person who accepts your payment must give you a receipt immediately if you pay in person, or within five business days if you ask for a receipt later. Your receipt must include:

- Operator's name and signature
- Address of the rooming house
- Your name and date of payment
- Amount paid and how many days this covers

Who pays utility bills?

The operator is responsible for paying water, gas and electricity bills. If your room has a separate meter, and you have exclusive rights to that room, you can be charged but the operator cannot give you a bill for an amount higher than the utility provider charges.

Entry rights by the operator

Unless you grant permission or it is an emergency, you should get 24 hours' notice in writing. This Notice must state the reason for entry, be given to you personally or sent by registered post. The operator may only enter your room 8am — 6pm (not public holidays).

Urgent repairs

Faults or damage which make the rooming house unsafe or insecure include:

- Dangerous electrical fault or gas leak
- Failure of the gas, electricity or water supply
- Burst water service or faulty appliance, fitting or fixture resulting in water wastage
- Blocked or broken toilet system
- Serious roof leak
- Serious storm, flooding or flood damage
- Fire damage
- Breakdown of any essential water, cooking, heating or washing appliance
- Safety issue with a lift or staircase.

If you decide to leave

You must give at least 2 days' notice. You can do this by talking to the operator but, if they request, you must give them written notice. When giving written notice, you should use the 'Notice to Owner of Rooming House' form. If the rooming house becomes unsafe to live in you have the right to leave immediately but you will need to collect evidence to prove this.

You must pay rent plus any other charges until the day you told the operator you are leaving. If you leave without notice, you may have to pay for 2 extra days unless someone moves into your room immediately.

Tenancy

You can legally be asked to leave the rooming house **immediately** if you:

- Deliberately or recklessly cause or allow serious damage
- Put people or property in danger
- Seriously disrupt residents.

Facing eviction?

If you are facing eviction and do not know what to do, contact Consumer Affairs Victoria immediately. They can provide information, or direct you to other organisations that can help.

Consumer Affairs Victoria

Phone: 1300 55 81 81

Email: consumer@justice.vic.gov.au

Tenants Union of Victoria

Advice line: 9416 2577

Website: www.tuv.org.au

Resources:

Consumer Affairs Victoria: *Rooming Houses — A Guide for Residents and Operators;*

Department of Human Services: *Standards — Rooming Houses;*

Tenants Union of Victoria: *Tenants Handbook*

Living in a Rooming House

August 2017

Know your rights



● **minimum standards** ●

● **sharing your room** ●

● **rent** ●

● **eviction** ●



35 Beach Street, Frankston
Phone: 9783 7284

Call the **Consumer Affairs Hotline** on **1300 365 814** to help identify unregistered and sub-standard rooming houses. You do not need to leave your name.

A rooming or boarding house is a building where four or more people, who are not related to the landlord, have separate agreements to pay rent.

If you have a valid **Tenancy Agreement** you are a **tenant** and not a **resident**. This affects the length of Notice you or the rooming house operator must give. You do not need a tenancy agreement to live in a rooming house.

By law, rooming houses must meet health and safety standards and be registered with the local council. Everyone has the right to live in clean and safe accommodation.

General standards

- Emergency exit routes on display
- Level of light appropriate to room use in hallways and internal rooms
- Habitable rooms must have natural light during the day and lighting at night
- Rooms must be ventilated
- Licensed gas fitter inspects gas installations and fittings every two years
- Licensed electrician inspects electrical installations and fittings every five years
- All power outlets and electrical circuits must be connected to circuit breakers
- Opening external windows must be able to stay securely open or closed without a key
- Entrance has a key operated lock from outside, but does not need a key to exit
- Working light outside the main entry door for safe access at night
- Main entry door must have a window, peep-hole or intercom system to screen visitors.

Some minimum standards

- Clean and well maintained living conditions in all rooms and communal areas
- 24 hour access to a shared bathroom, toilet and kitchen
- At least one working toilet, bath or shower and wash basin for every 10 people
- Continuous and adequate hot/cold running water to kitchens, bathrooms and laundry
- Enough vermin proof bins to hold all rubbish
- Bins cleaned and collected regularly
- Working smoke alarms
- No blocked doorways and pathways to exits
- Portable fire extinguishers

Your right to privacy

Shared bathrooms and toilets must be fitted with a strong privacy latch that can be secured from the inside without using a key.

Vacancy advertisements

Newspaper or online advertisements must present the housing as a rooming house, and not any other type of accommodation.

Sharing in a rooming house

To have a room by yourself, or with people you choose to live with, the owner must give you an *'Exclusive Occupancy Right'*. If the owner wants to change this (put more people in your room) they must give you a *'Consent to Increase in Room Capacity'* form. If you decide to agree, your rent must reduce from date of the change.

A *'Shared Room Right'* agreement must state:

- Maximum number of people who can share
- Amount of rent you will pay
- The rent payable if it was not shared.

In a Shared Room the owner has the right to choose the other residents and does not have to notify you of another person moving in.

Your room

Rooms with a floor area **less than 7.5 square metres** cannot be used as a bedroom.

- Your door must be fitted with a lock opened by key from outside and unlocked from the inside without a key.
- Room has at least two working power points
- Your window(s) can be opened and closed by you and have covers for privacy.
- You have the right to privacy and the security of your belongings.

Shared kitchens

Everyone must have access to a kitchen with:

- Sink and food preparation area
- One oven and four burner cook-top in good working order every 12 residents
- Refrigerator (min 400 litres capacity)
- Lockable cupboard for each resident (minimum 100 litres of storage).

Shared laundry

- Washing trough with a drainage outlet
- Continuous and adequate supply of hot and cold water
- Hot and cold water taps that are able to be fitted to a washing machine
- Clothes line or clothes drying facility.

Rent

- You must pay your rent when it becomes due. If it is seven or more days behind, you can be given a minimum two day 'Notice to Vacate'.
- The rooming house operator **cannot keep your goods or documents** (including passports, licences and other forms of personal identification) **to cover any rent owed**.
- The operator can be fined if they ask for more than 14 days' rent in advance.