

# A Breach of duty notice for your SDA provider

An Easy Read guide for you



## How to use this guide



Consumer Affairs Victoria (CAV) wrote this guide. When you see the word 'we', it means CAV.



We have written this guide in an easy to read way.

We use pictures to explain some ideas.



We have written some words in **bold**.

We explain what these words mean.

There is a list of these words on page 14.



This Easy Read guide is a summary of a notice.



You can find the notice on our website at

[www.consumer.vic.gov.au/sda](http://www.consumer.vic.gov.au/sda)



You can ask for help to read this guide.

A friend, family member or support person may be able to help you.

## What's in this guide?

What is specialist disability accommodation?	4
What is this guide about?	5
Things your SDA provider must do	6
Why are you giving your SDA provider the notice?	9
Reasons	10
Sending the notice	12
Word list	13
Contact us	14

## What is specialist disability accommodation?



### **Specialist disability accommodation (SDA)**

is accessible housing for people with disability.



SDA is part of the National Disability Insurance Scheme (NDIS).



When you live in SDA, we call you an SDA resident.



The housing is provided by an SDA provider.

## What is this guide about?



This guide is about a notice for your SDA provider.



The notice is called a **Breach of duty notice**.



A Breach of duty notice is like a formal complaint.



It explains:

- what the issue is
- how it needs to be fixed.

## Things your SDA provider must do



There are things your SDA provider must do while you live in your SDA.



They are part of your **SDA residency agreement**.



Your SDA residency agreement is an agreement between you and your SDA provider.



It explains:

- how you can expect to be treated
- the things you must do.



Your SDA provider must treat you with respect.



They must protect your privacy.



They must put in things you need to support you to live your daily life.

For example, an accessible toilet.



They must quickly fix anything that gets broken or damaged.



They must make sure the SDA is secure.



If you want a pet but your SDA provider says you can't have one, they must have a good reason.



If your SDA provider doesn't do these things, you can give them a Breach of duty notice.



If they don't fix the issue, you can go to the **Victorian Civil and Administrative Tribunal (VCAT)**.



VCAT helps solve legal problems for people in Victoria in a way that is quick and fair.



## Why are you giving your SDA provider the notice?



On the following pages, we explain the reasons why you might give your SDA provider a Breach of duty notice.



Each reason has a number.

This number is about the part of the law the reason comes from.



When you fill out the notice, you need to write the:

- number
- reason.



The law that applies is the *Residential Tenancies Act 1997*.



This law protects the rights of:

- people living in SDA
- SDA providers.

## Reasons



498M(1)(a) – your SDA provider hasn't treated you with:

- dignity
- respect.



498M(1)(b) – your SDA provider hasn't been looking after your SDA very well.



498M(1)(c) – your SDA provider hasn't been protecting your privacy.



498M(1)(d) – your SDA provider hasn't made sure your SDA is secure.



498M(1)(e) – when your SDA provider fixed something or made changes to your SDA, it caused too much **disruption** to you or the other residents.



A disruption is something that stops you from doing normal things.

498M(1)(f) – your SDA provider didn't:



- quickly fix something or make changes you needed to your SDA



- hire good people to fix something or make changes you needed to your SDA.



498M(2) – your SDA provider won't:

- let you keep a pet at your SDA
- give you a good reason why you can't have a pet.

## Sending the notice



You can give your SDA provider the notice:

- in person
- in the mail
- by email.



You can only send your SDA provider the notice by email if your agreement says it is ok.

## Word list



### **Breach of duty notice**

A Breach of duty notice is like a formal complaint.



### **Disruption**

A disruption is something that stops you from doing normal things.



### **Specialist disability accommodation (SDA)**

Accessible housing for people with disability. It is part of the NDIS.



### **SDA residency agreement**

Your SDA residency agreement is an agreement between you and your SDA provider.



### **Victorian Civil and Administrative Tribunal (VCAT)**

VCAT helps solve legal problems for people in Victoria in a way that is quick and fair.

## Contact us



**1300 55 81 81**

The cost is the same as a local call.

If you speak a language other than English, please contact TIS – Translating and Interpreting Service.



**131 450**

Ask to talk to an Information Officer at Consumer Affairs Victoria on

**1300 55 81 81**

TTY

If you use textphone or modem, call the National Relay Service.



**133 677**

Give them our number – **1300 55 81 81**



If you use Speech to Speech Relay call

**1300 555 727**

Give them our number – **1300 55 81 81**



[www.consumer.vic.gov.au/sda](http://www.consumer.vic.gov.au/sda)



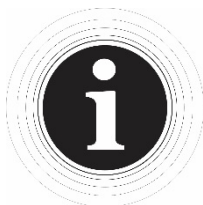
[/ConsumerAffairsVictoria](https://www.facebook.com/ConsumerAffairsVictoria)



[@consumervic](https://twitter.com/consumervic)



[www.youtube.com/user/consumervic](http://www.youtube.com/user/consumervic)



The Information Access Group created this Easy Read document using stock photography and custom images.

The images may not be reused without permission.

For any enquiries about the images, please visit

[www.informationaccessgroup.com](http://www.informationaccessgroup.com). Quote job number 3131-B.