

# Notice to Rooming House Resident Consent to Increase in Room Capacity

Residential Tenancies Act 1997 Section 94B and 94D

- If the room is occupied by more than one resident under an exclusive occupancy right (for example, if the residents are domestic partners or members of a family) it is recommended that a separate Notice be addressed and given to each of the residents. In the event of a dispute, a Tribunal or Court may decide that addressing and giving notice to and gaining consent from only the "main" resident was not sufficient.
- If the room is occupied by more than one resident under a shared room right, a separate Notice must be given to each resident of the room and all residents must consent for the increase in room capacity to be valid.
- In all cases the Notice is only valid for 14 days. Consent given after that time has no effect.
- All 3 pages of this form are to be given to the resident. Owners may wish to photocopy the top page for their records.

<b>Date of Notice</b>	
Name of rooming house (if applicable)	
Address of rooming house	
Name of owner (cannot be agent's name)	
Address of owner (can be agent's address)	

## Important Notice to the resident/s

Room Number

Name of resident

The rooming house owner is giving you this Notice in accordance with section 94B of the Residential Tenancies Act 1997. The purpose of the Notice is to ask for your consent to increase your room capacity. This means the number of people who can share your room will increase.

**The rooming house owner cannot increase the room capacity unless every resident of the room gives their consent in writing.**

The rooming house owner wants to increase the total number of people who can occupy the room at any time to:

New room capacity

## What does it mean if I consent to an increase in room capacity?

If consent is given, the rooming house owner will have the right to:

- choose any other resident/s to share your room and
- place the other resident/s in the room without notifying you

Your rent will be reduced

from the existing amount of \$  per  Week   
 Fortnight   
to the new rent amount of \$   Month

These changes will take effect at the end of the 7th day from the date all current resident/s in the room have consented.

**If you need further information about this Notice, call Consumer Affairs Victoria on 1300 55 81 81 or visit the Victorian Consumer & Business Centre at 113 Exhibition Street, Melbourne.**

Consumer Affairs Victoria,  
113 Exhibition Street, Melbourne  
Telephone: 1300 55 81 81  
Website: [www.consumer.vic.gov.au](http://www.consumer.vic.gov.au)

RT 47 (13/6/06)



## How do I consent?

Your consent must be in writing. To consent to the increase in room capacity, sign below and return the last page of this Notice to the owner. Keep the rest of the form for your records.

I consent to the increase in room capacity as specified in this Notice.

Signature of resident

X

Printed Name

Date

## What if I change my mind about the increase?

**Any resident can withdraw their consent at any time within 3 days of the date on which they consented. It only takes one person to withdraw consent to stop the increase.**

Your withdrawal must be in writing. To withdraw your consent to the increase in room capacity sign below and give the second page of this Notice to the owner.

Keep the top page of this form for your records.

I wish to withdraw my consent to the increase in room capacity as specified in this Notice.

Signature of resident

X

Printed Name

Date

## What happens after I consent?

The change can only go ahead if:

- any other residents of the room also give their consent
- no resident withdraws their consent within 3 days of giving it.

If you consider that the reduction in rent is insufficient and the rent is excessive you can write to the Director of Consumer Affairs to investigate and report but you must do this within 30 days of the date of this Notice.