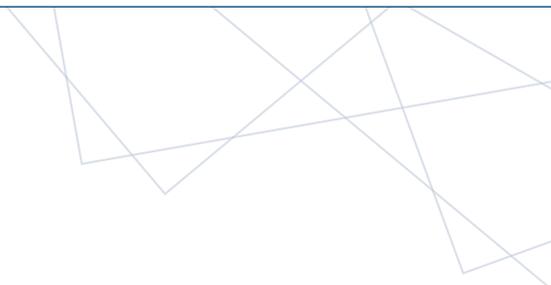


CONSUMER AFFAIRS VICTORIA

ANNUAL REPORT 2010-11

Serving consumers and business

DEPARTMENT
OF JUSTICE



DIRECTOR'S FOREWORD

Dear Minister

In accordance with the *Fair Trading Act 1999*, the *Credit (Administration) Act 1984* and the *Veterans Act 2005*, I have pleasure in submitting the Consumer Affairs Victoria Annual Report for the year ended 30 June 2011, for you to present to the Houses of Parliament.

Yours sincerely

Dr Claire Noone
Director
Consumer Affairs Victoria



The Hon. Michael O'Brien MP
Minister for Consumer Affairs



Penny Armytage
Secretary
Department of Justice

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PP No 49, Session 2010-11

This has been a year of change, refocus and reinvigoration of Consumer Affairs Victoria as we responded to the needs and priorities of a new Government and Minister.

We embraced frontline service delivery as our primary focus and ensured our services were accessible to all Victorians. This included expanding our reach into regional Victoria and increasing the number of locations we visit regularly from 25 to 33. In times of need, we mobilised extra services, including completing two flood recovery tours of the Grampians region in February.

We made better use of new technologies, developing our first mobile phone application, MyShopRights, which since its launch has been downloaded almost 10,600 times. We hosted a highly-successful webinar to educate businesses on the implications of the Australian Consumer Law (ACL) and developed an online scams quiz to help consumers recognise what to avoid.

The ACL came into full effect on 1 January 2011, marking the culmination of many years of work by Consumer Affairs Victoria. We launched education campaigns to inform businesses and consumers about their rights and obligations under the new law, and conducted one of our largest-ever training efforts to update staff working on the front line. We also expanded our services to include small businesses, which are also consumers as defined in the ACL.

We actively helped businesses comply with consumer laws and broadened our partnerships with industry and

stakeholders. This included engaging with certain businesses to help them reduce complaints, and new processes that enabled us to resolve more disputes quickly.

When traders did the wrong thing, we enforced the law. This year we took court action against 89 traders and signed 27 traders to enforceable undertakings. We also increased our focus on unlicensed motor car trading, launching a dob-in hotline to help identify illegal operators.

We could not have achieved the successful and far-reaching outcomes detailed in this report without the diligence, enthusiasm and commitment of our staff. I thank them for embracing the challenges of this year and I am pleased to present this report of our activities in 2010-11.

Dr Claire Noone





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OUR VISION

Informed and responsible consumers and businesses

OUR GOALS

- Empower consumers and businesses to know their rights and responsibilities
- Promote a well-functioning market economy
- Protect vulnerable and disadvantaged consumers
- Reinvigorate the organisation

OUR PRINCIPLES

The following principles underpin our approach to promoting informed, confident, protected consumers:

- Education: consumers and traders need to know and understand their mutual rights and responsibilities so as to promote compliance and minimise disputes
- Effectiveness: where regulation is required, it should impose the lowest costs necessary to achieve its goals
- Equity: consumer policies and laws must strike a balance, in terms of the obligations they impose, that is fair and equitable to all
- Enforcement: laws designed to protect consumers must be appropriately enforced if they are to deter illegal behaviour
- Evolution: consumer affairs policies and regulation must keep pace with changing business and consumer practices and preferences, or risk obsolescence

OUR FUNCTIONS

Consumer Affairs Victoria is the state's consumer affairs regulator. At 30 June 2011, we were responsible for administering 34 Acts of Parliament. Our role is to:

- Provide advice and information to consumers and businesses
- Promote high-quality business practice
- Ensure laws are appropriately enforced
- Review and update consumer affairs policy and regulation
- Register and license businesses and occupations
- Provide a dispute resolution service for consumers, businesses, tenants and landlords

We support the Ministerial advisory roles in the Consumer Affairs portfolio, including the Consumer Credit Fund Advisory Committee, Estate Agents Council, Sex Work Ministerial Advisory Committee and the Funeral Industry Ministerial Advisory Council. We also provide administrative support to several statutory offices and bodies including the Business Licensing Authority, Motor Car Traders Claims Committee and the Residential Tenancies Bond Authority.

2010–11 YEAR IN REVIEW – HIGHLIGHTS

CHAPTER 1: SERVICES FOR CONSUMERS

- Made better use of new technologies, including MyShopRights app downloaded almost 10,600 times
- Increased regular visits from 25 to 33 locations across Victoria, including mobile services to communities needing extra support
- Tripled the number of onsite conciliations of domestic building disputes
- Introduced more effective ways of resolving less complex complaints
- Responded quickly to help consumers and traders affected by natural disasters, including two flood recovery tours of affected regions
- Launched an interactive online quiz to help consumers identify and avoid scams

CHAPTER 2: SERVICES FOR BUSINESS

- Educated businesses about their rights and obligations under the Australian Consumer Law, including hosting a highly-successful webinar
- Focused on small business as consumers, including working with the Small Business Commissioner to coordinate handling of disputes
- Implemented 'new licensee visits' across the state to educate newly-licensed motor car traders, estate agents and other occupations about their obligations
- Updated key information on retirement village residents' and operators' rights and obligations

CHAPTER 3: TAKING ENFORCEMENT ACTION

- Took court action against 89 traders and signed 27 traders to enforceable undertakings, publicising the outcomes to further discourage non-compliance
- Launched a campaign against unlicensed motor car traders, including a dob-in hotline and a state-wide inspection program to identify unlawful traders
- Prevented thousands of unsafe toys from reaching children, seizing almost 45,000 unsafe products during a state-wide pre-Christmas blitz

CHAPTER 4: RESPONDING TO THE CHANGING MARKETPLACE

- Provided national leadership in ensuring a seamless transition to the Australian Consumer Law, which came into full effect on 1 January 2011
- Completed reforms of estate agents audit forms, and reforms in the licensed occupations sector, estimated to reduce regulatory burden by \$4.26 million per year
- Led a national harmonisation project on the regulation of fundraising
- Completed legislative reforms to improve protections for rooming house residents and for people who own a transportable home and rent the dwelling's site

CHAPTER 5: CORPORATE IMPROVEMENTS

- Refocused on frontline service delivery, changed our organisational structure and continued to work on reinvigorating the organisation
- Completed one of our largest ever training efforts, to educate staff about the Australian Consumer Law, including delivering 53 sessions on 11 different topics
- Overhauled our staff induction manual and created a recruitment toolkit for managers hiring staff
- Created a database 'calendar' of all of our events and activities state-wide

2010 – 11 YEAR IN REVIEW – ACTIVITIES

CALLS ANSWERED FOR INFORMATION AND ADVICE

General consumer	141,716
Renting	87,315
Building	39,871
Registration	86,207
Estate agents	10,151
Residential Tenancies	
Bond Authority	95,321
Occupational licensing	28,326
Other	29,312
Total calls answered	518,219

CONSUMER.VIC.GOV.AU

Visitor sessions	1,400,629
Unique visitors	912,632

VICTORIAN CONSUMER & BUSINESS CENTRE

COUNTER ENQUIRIES

Consumer	2,735
Residential tenancy	1,636
Occupational licences/registration	2,321
Business names	18,575
Building	788
Bonds	1,544
Liquor licence/permission	4,297
Concierge/fast service	4,533
Other	3,195
Total counter enquiries	39,624

ADVOCACY/FINANCIAL COUNSELLING

Consumers helped by advocacy	3,905
Callers referred to financial counselling	3,525

COMMUNITY EDUCATION SESSIONS

Fair trading/scams	636
Building and renovating	36
Motor cars	144
Residential tenancy (tenants/landlords)	235
Real estate (agents/consumers)	51
Owners corporations	32
Retirement villages	42
Incorporated associations	57
Product safety	100
Other	424

RESIDENTIAL TENANCY INSPECTIONS

Repair report inspections	1,387
Abandoned goods inspections	3,653
Rental assessment inspections	2,463

RESIDENTIAL TENANCIES BOND AUTHORITY

Bonds lodged	191,100
Bond repayments	167,900
Bonds transferred	57,900
Bonds held	463,013
Value held	\$610.58 million

DISPUTES FINALISED

General disputes	3,858
Residential tenancy	900
Building	2,356
Estate agents	491
Finalised by regional offices	4,830
Total disputes finalised	12,435

LICENSED OCCUPATIONS/ REGISTRATIONS (TOTAL ON REGISTER)

Business names	395,592
Estate agents	9,476
Motor car traders	2,251
Incorporated associations	36,756
Co-operatives	698
Travel agents	918
Fundraisers	1,777
Secondhand dealers and pawnbrokers	5,116
Introduction agents	59
Patriotic funds	611
Limited partnerships	174
Conveyancers	668
Owners corporation managers	541
Retirement villages	397
Funeral service providers	378
Sex work service providers (licensees)	140
Sex work service providers (brothel manager approvals)	716

ENFORCEMENT OUTCOMES

Prosecutions finalised	33
Civil actions finalised	56
Parties signed to enforceable undertakings	27
Fines and consent orders	\$224,950
Costs orders obtained	\$250,382
Court Fund/VCAT penalties	\$161,417

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SERVICES FOR CONSUMERS

Highlights

- + Made better use of new technologies, including MyShopRights app downloaded almost 10,600 times
- + Increased regular visits from 25 to 33 locations across Victoria, including mobile services to communities needing extra support
- + Tripled the number of onsite conciliations of domestic building disputes
- + Introduced more effective ways of resolving less complex complaints
- + Responded quickly to help consumers and traders affected by natural disasters, including two flood recovery tours of affected regions
- + Launched an interactive online quiz to help consumers identify and avoid scams

Frontline service delivery was a primary focus for us this year. We continued to provide a high-quality information and advice service to Victorians across the state, putting extra effort into ensuring our services were widely accessible.

EMPOWERING CONSUMERS WITH INFORMATION AND ADVICE

Confident consumers, aware of their rights and responsibilities, are more likely to make decisions that promote their interests. Our free telephone enquiry service empowers consumers with the knowledge to make these informed decisions.

In 2010–11, we answered a total of 518,219 calls, including 141,716 calls on general consumer issues, 87,315 calls on renting, and 39,871 on domestic building matters.

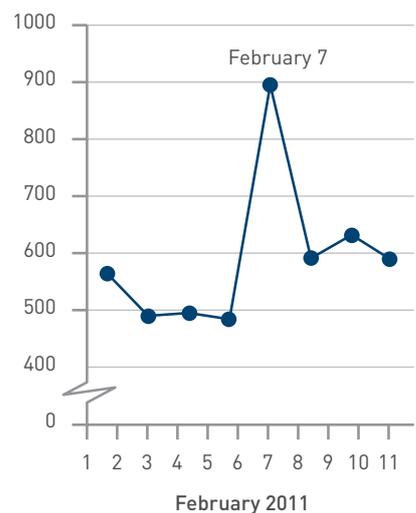
Our enquiry line for matters regarding estate agents answered 10,151 calls and 95,321 calls were about the Residential Tenancies Bond Authority. We answered 86,207 calls on registration, including business names, and 28,326 on occupational licensing.

February and March were our busiest months, with greater call volumes across all lines. In February, calls to our building and renting lines increased 30 per cent in the week following heavy rains and floods in regional and metro areas.

We introduced two new lines in May – a dob-in hotline to target unlicensed motor car traders and a line dedicated to helping small business.

Consumer Affairs Victoria's website was another vital source of information and advice. We constantly updated and revised our content to ensure it was up-to-date, comprehensive and relevant. More than 900,000 people visited our site in 2010–11.

Calls to Building and Renting Lines



VALUING OUR DATA

We value the data we collect from all areas of our business. It helps us target operational activities, identify and address emerging trends and issues, and ensure our decisions are evidence-based. This year, we strengthened our use of data analysis and environmental scanning and tracked more information. For example, this year our data helped us decide which issues were most urgent for flood-affected communities, where to target our enforcement activities, which products posed the greatest safety risk, and who was likely to stock these unsafe products.

EDUCATING CONSUMERS ABOUT IMPORTANT ISSUES

As well as answering consumer calls, we educated consumers in many other ways about important issues such as the Australian Consumer Law (ACL).

Australian Consumer Law

In May, we launched an education campaign on the ACL, which included radio ads and posters displayed in bus terminals, tram stops and shopping centres. The campaign promoted the new law and what rights it conferred, and encouraged consumers to download our free mobile phone app and visit our website. During the campaign, an average of 660 Victorians downloaded the MyShopRights app per week, compared to 120 per week before the campaign started. Traffic to relevant pages on our website increased three-fold during the campaign. We also updated our online information about shopping rights and translated it into 20 languages. In addition, we educated consumers about scams and how to avoid them (see p.9).

Domestic building

The home shows were another way we connected with consumers this year. Our staff provided advice on topics such as planning, building and renovating, as well as the responsibilities involved with being an owner builder and working with an owners corporation committee. We also held 36 information sessions on domestic building and included articles on consumers' building rights and obligations in our *Herald Sun* column *The Regulator*.

We used Twitter to alert consumers to information sessions, and updated our web content to help people after the Victorian floods.

Buying and selling cars

To educate consumers about buying and selling cars, we updated our *Better Car Deals* guide to include more comprehensive and easier to read information, and we updated our web content. In May, Minister for Consumer Affairs Michael O'Brien MP launched a hotline for consumers to 'dob in' suspected unlicensed motor car traders, using social media to direct consumers to our website and the hotline.

Renting

We produced a new guide on owners corporations and new translations of our renting guide. We have distributed almost 1,800 copies of *Renting a home: guide for tenants (Chinese)* since it was released in March. We worked on updating our guide for rooming house operators and residents, which will include a poster highlighting key rights and responsibilities. We will work closely with the Tenants Union of Victoria on its distribution. We also distributed torch key-rings, featuring our contact details, to rooming house residents.

State-wide presentations

We continued to provide state-wide education sessions to consumers on a wide range of topics, including real estate, pre-paid funerals and residential tenancy. We tailored our presentations and targeted community groups known to be more vulnerable to detriment, such as seniors, Indigenous consumers, multicultural and refugee groups.



At home shows, our staff provided advice on topics such as planning, building and renovating.

TACKLING TRAVELLING CON MEN

Travelling con men, also known as itinerant traders, travel from region to region running well-rehearsed scams. They offer home repairs such as asphaltting and roof repairs, without completing the work or doing such a poor job that the work needs to be re-done.

Can you pick the con man?

They look professional but they could be professional con men. Victorians are being ripped off by travelling con men who pose as tradespeople offering cheap deals for 'today only'. Be suspicious of people who:

- knock on your door unexpectedly
- offer cheap deals for 'today only'
- ask for cash up front
- offer to drive you to the bank to get money for payment
- pressure you to accept their offer

Report suspicious tradespeople to Consumer Affairs Victoria on
1300 55 81 81

Or call Crime Stoppers confidentially on 1800 333 000 if you can identify someone engaged in criminal activity.

Logos for Victoria, Leader, and other partners are visible at the bottom of the poster.

Our education campaign included posters, to alert consumers to travelling con men tactics and advise them to call us to report suspicious tradespeople.

Partnering with Crime Stoppers

Building on a previously successful partnership, we worked with Crime Stoppers Victoria again this year to tackle the problem. We ran joint community announcements on regional television and in community newspapers from January to March. In the aftermath of the Victorian floods, when travelling con men were likely to be more active, we had a strong media presence to warn consumers of their tactics.

Our education campaign used new technologies. We tweeted warnings when we detected con men activity in specific areas, and posted our con men TV ad on YouTube. We also constantly updated warnings and information on our website. We shared our innovation with our counterparts in NSW, who implemented a similar strategy.

Working with industry

With Crime Stoppers Victoria, we monitored travelling con men and worked in partnership with local businesses such as caravan parks and hardware suppliers to warn people who were most likely to notice con men in the community.

We again worked with the Australian Asphalt Pavement Association (AAPA) in an attempt to stop dodgy asphalters. The AAPA shared intelligence that their members received about dodgy asphalters, and alerted us to con men attempting to purchase materials. The AAPA also alerted its members if Consumer Affairs Victoria became aware of dodgy asphalters operating in a specific area, so their members could refuse to supply materials to them.

Actively enforcing the law

Our compliance monitoring and education campaigns were supported by active enforcement. In August, Frankston Magistrates' Court convicted Albert Calladine of eight charges of breaching the *Fair Trading Act 1999*. The trader did shoddy jobs spray-sealing driveways and car parks in regional Victoria. The conviction followed a Consumer Affairs Victoria investigation of complaints, and court action that was delayed because Mr Calladine evaded arrest. The court fined him \$14,000, ordered him to rectify his botched jobs on four properties to a required standard, or pay \$83,750 compensation to consumers; and ordered him to refund a fifth consumer \$7,500 for a substandard sealing job.

HELPING CONSUMERS AVOID SCAMS

Scams are a growing problem in our community as new technologies open new ways for scammers to reach their victims. In 2010–11, we received 6,778 reports of scams, but because many scams go unreported, these figures are likely to represent the tip of the iceberg. An informed consumer can often avoid a scam, so our programs centred on educating consumers about what to avoid, especially online.

Monitoring the market environment

We constantly monitor the market environment for scams and educate consumers about actions they can take to protect themselves, via news alerts on our website, media releases, tweets, or regular presentations to community groups. Consumers can contact us – via phone, email or our website – to seek advice or information or to report a scam. We use that information to alert the public to common scams circulating.

For example, we issued warnings about unsolicited calls from scammers who were falsely claiming to work for a computer company. The scammers used high-pressure sales tactics to gain remote access to consumers' computers and personal information. In some cases, they conned consumers by charging \$400 to fix their computer's 'virus'. We received almost 1,320 reports of this scam in 2010–11.

Online scams quiz

In March, Minister for Consumer Affairs Michael O'Brien MP launched an online quiz we developed to educate Victorians on how to avoid the most common types of online scams, and gauge their ability to identify a scam compared to a legitimate online communication. We presented the quiz to secondary school students across Victoria during National Consumer Fraud Week. Since its launch, more than 2,600 people have taken the quiz, available on our website.

The launch of the quiz in Fraud Week was part of our work with the Australasian Consumer Fraud Taskforce, comprising 22 government agencies responsible for consumer protection. The theme this year was 'Scams: It's Personal', focusing on how scammers seek out personal information or add a personal touch, such as claiming they are from a known or trusted organisation, to fool consumers into thinking they are legitimate.



At Northcote High School, Minister for Consumer Affairs Michael O'Brien MP launched an online quiz to educate consumers about scams.

© Newspix/Adam Elwood



We regularly visited locations across the state and scheduled extra mobile services when a community needed more support.

DELIVERING REGIONAL SERVICES

Making sure our services were more accessible to all Victorians, including those in rural and remote areas, was a priority for us this year.

Regular visits across the state

We now visit 33 locations across Victoria on a weekly, fortnightly or monthly basis. These visits provide the full service offered by our eight regional offices, plus two sub-offices. They include information and advice for consumers and traders, dispute resolution services, residential tenancy inspections, and compliance and enforcement activities.

We scheduled extra mobile services when a community needed more support. For example, we quickly provided extra services to Victorian communities affected by floods in early 2011. Our staff gave on-the-spot help with issues such as renting, repairs and rebuilding, travelling con men and fundraising scams.

Extending our partnerships

Our regional offices extended their partnerships with community organisations this year. For example, in the Eastern Metropolitan Region we teamed with community houses and libraries to provide information through these established networks. Early results indicated community houses were a successful way to reach seniors, while people attending libraries were particularly interested in fair trading and general consumer rights.

Each regional office works closely with its local community. By using local knowledge and analysing our data, we identify needs and priorities specific to the region, addressing these with state-wide or local campaigns. For example, in May we launched a campaign targeting unlicensed motor car traders, involving all regional offices as this unlawful activity was a state-wide concern. Region-specific activities included campaigns targeting travelling con men and education sessions for refugee groups that had settled in regional towns.

Reaching consumers at community events

Our regional staff regularly attended community events such as the Seymour Alternative Farming Expo and the Wimmera Field Days. Our Hume regional office teamed with other Department of Justice agencies, including the Dispute Settlement Centre of Victoria and Sheriff's Operations, to reach more than 2,000 people during the Seymour expo in February. At the Wimmera Field Days in March, more than 300 people visited the mobile Justice Service Centre. More than half of these people sought further advice from Justice representatives, mainly about consumer issues.

ACTING QUICKLY AFTER A DISASTER

In early 2011, we responded quickly to a series of natural disasters in Victoria, interstate and overseas. We provided up-to-date information and advice following flooding in Victoria and Queensland, earthquakes in New Zealand and Japan, and the air travel impact of the Chilean ash cloud.

Our website news alerts provided fast and important information to renters and landlords regarding flood damage, advice about making donations to flood and other disaster-related fundraising appeals, special licensing concessions for affected businesses and organisations, and a warning about travelling con men targeting flood-hit regions. Our alerts following interstate and overseas disasters helped inform consumers affected by significant flight and travel disruptions.

We coordinated the development of 11 national crisis fact sheets highlighting key information that consumers and businesses need to know during and immediately after a crisis. The fact sheets will enable all consumer protection agencies to quickly provide essential information in future crises.

We also developed a 'Help in a disaster' section on our website. We will promote these pages on our homepage during a crisis to provide immediate and relevant information to consumers and business.

RESPONDING TO FLOODS IN REGIONAL VICTORIA

From 7–14 February, we received 370 calls about the Victorian floods and rains. The information collected and the location of callers allowed us to target and direct information and education to the worst-hit areas.

The largest number of calls concerned damaged rental properties. We provided advice to tenants, landlords and agents on tenants' rights for repairs, compensation claims, and whether there was a requirement to terminate the lease due to safety issues. We also provided dispute resolution advice.

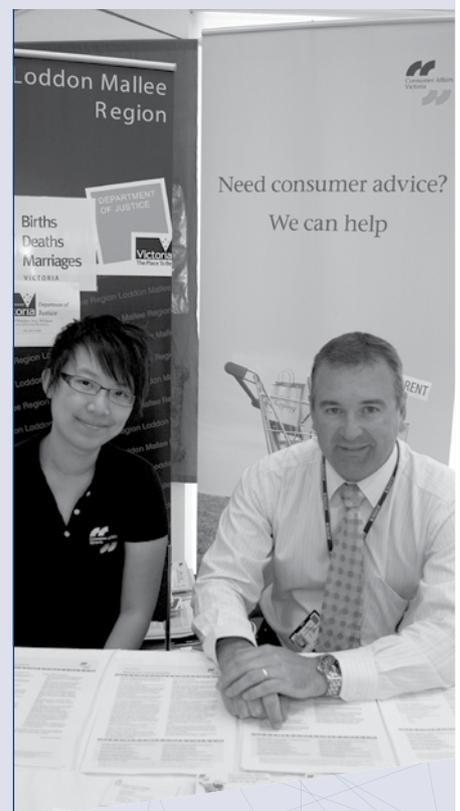
Devastating flooding across the Grampians region prompted two flood recovery tours, including one in early February when we visited 19 towns in five days. Flood-affected communities welcomed these visits, with more than 300 people attending our face-to-face information sessions, and many more attending our information stalls.

We also responded quickly to support Mildura residents whose homes were flooded in February, providing help and advice for nine days at the Mildura Flood Recovery Centre and providing outreach services in neighbouring towns. We coordinated our efforts with other service providers such as the Red Cross, Centrelink, Department of Human Services, Regional Development Victoria and local councils.

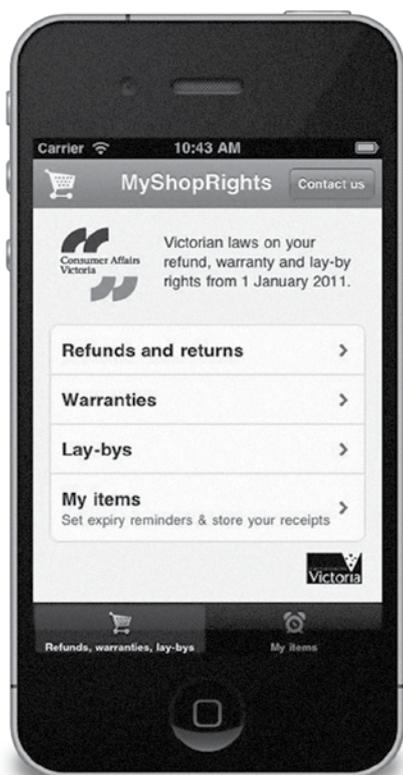
In flood-affected areas, we provided licence fee relief to businesses and other organisations, including extending fee payment deadlines and providing copies of documentation.

We published timely updates about our flood response measures and advice through news alerts on our website and on Twitter.

Consumer Affairs Victoria is continuing to work with stakeholders and residents in these flood-affected communities, responding to their changing needs and providing reliable information.



We provided help and advice at the Mildura Flood Recovery Centre in February.



Our MyShopRights app was downloaded almost 10,600 times and provided information on shoppers' rights under the Australian Consumer Law.

CONNECTING WITH NEW TECHNOLOGIES

We made better use of new technologies this year to raise consumer awareness of relevant issues, and to connect further and faster with both consumers and traders.

Smartphone app helps shoppers

On 26 December 2010, Minister for Consumer Affairs Michael O'Brien MP launched our first mobile phone application to educate consumers about their rights under the ACL. MyShopRights was downloaded almost 10,600 times in 2010–11 for iPhones and Android phones (the Android version was launched in March). The free app provides instant information on refund, warranty and lay-by rights and answers common shopping questions. Its mobile format means consumers can refer to it when out shopping.

Expanding our use of Twitter

Our Twitter account now has more than 900 followers, including industry bodies, consumer affairs agencies, media, consumers and traders. Re-tweets by organisations such as the Real Estate Institute of Victoria have helped us reach thousands more Twitter users. For example, one tweet generated hundreds of click-throughs to our online scams quiz. Our 850+ tweets have directed people to web content, court outcomes, consumer alerts, media releases, upcoming events and other useful content.

Focus on scams

We also used new technologies to educate consumers about scams. As many scams reach their targets via the internet, social media and mobile technology, we expanded our use of these same technologies to deliver messages about what to avoid (see p.9).

Improving our web content

We improved the accessibility of our website, adding new online videos for people with a print disability or language barrier that explain how to contact us and access our services. We also added new web pages for people who speak languages other than English. Our website now has consumer and trader information in up to 29 languages. We also started developing a mobile website, to make it easier for people to access information from their mobile phones. In October, we used interactive webinar technology to educate hundreds of traders simultaneously about the ACL (see p.19).

We also continued to work on our major Consumer Online project, updating and improving our web content to bring it into line with best-practice web communications and usability principles. This enabled us to reach more than 900,000 visitors to the site.

CONNECTING WITH THE COMMUNITY

Engaging with Indigenous consumers

We continued to engage with Indigenous communities this year and found new ways to reach Indigenous consumers, who are often disadvantaged or isolated due to economic, social or cultural factors.

To reach vulnerable young consumers, we toured an Indigenous play on financial literacy called *Deadly Dollars*, highlighting many consumer, financial and life issues in a fun and innovative format. The play was written for Indigenous communities and featured Indigenous actors. At the end of each performance, we highlighted our services. Our partners, including the Sheriff's Office and financial counselling services, also presented advice on financial issues and avoiding debt. *Deadly Dollars* toured almost 20 regional centres in October and November and was enthusiastically embraced by Indigenous audiences.

The Sunraysia Indigenous Private Rental Project, extended to its third year, continued to deliver services to Indigenous communities around Mildura. These services included information sessions delivered by our Indigenous Tenancy Liaison Officer to educate renters, landlords and local estate agents about their rights and obligations. We also distributed our DVD for Indigenous tenants on renting issues. We are currently scoping an expansion of this successful program to other regions, including Gippsland and Shepparton.

In July, we sponsored six awards at the annual NAIDOC (National Aboriginal and Islanders Day Observance

Committee) Ball in Mildura, including Youth of the Year, Lifetime Achievement and Elder of the Year.

Communicating with multicultural consumers

Consumer Affairs Victoria provides tailored information and advice to consumers from culturally and linguistically diverse (CALD) backgrounds, who are often vulnerable or disadvantaged due to cultural factors such as language barriers.

This year, we gave 281 presentations to CALD community groups in metropolitan and regional Victoria, covering a range of consumer issues. We promoted our services at multicultural community events, such as Chinese New Year celebrations in Melbourne and Glen Waverley, Refugee Week in Broadmeadows and Harmony Day in Dandenong. We also initiated two Justice Community Information Days in shopping precincts in north-west Melbourne, to inform local residents about our services.

We consulted with multicultural communities in a number of ways this year to improve our services, inviting community leaders to discussion forums to help us identify and address emerging issues affecting their communities. As a result, we organised a series of information sessions in north-west Melbourne to help Iraqi refugees understand their rights and responsibilities when buying and driving a car. We ran the sessions in conjunction with several other organisations, including the Magistrates' Court and community legal centres.

We completed a pilot project to explore the most effective ways of communicating with Victoria's CALD

consumers. This included working with Melbourne's Somali and Sikh community leaders and holding focus groups. We then provided tailored information sessions for the communities, plus newsletter articles and translated materials appropriate to the needs identified. In particular, we developed a new renting fact sheet in Somali; and held information stands at Sikh temples in Craigieburn and Blackburn.

We increased the information available in languages other than English on our website. Visitors to the 'Contact us' section can now view videos and transcripts in Cantonese, English, Mandarin, Nuer and Vietnamese, with a concise explanation of what we do and how to use a free interpreter service to contact us. In addition, a new 'Other languages' website section provides introductory and contact information in 20 languages. It also contains information in 29 languages about the ACL.



We held information stands at Sikh temples in Craigieburn and Blackburn to educate consumers about our services.



We gave 149 presentations to seniors' groups throughout Victoria, on consumer issues that affect them and their families.

Helping senior consumers

We continued to engage with senior Victorians on consumer issues that affect them and their families. We gave 149 presentations to seniors' groups throughout Victoria, such as Council on the Ageing, Probus, Veterans' Affairs Network, and clubs for seniors from diverse cultural and language groups.

A highlight of our year was the Victorian Seniors Festival in October, where we gave three presentations at the Melbourne Town Hall on consumer rights, scams and travelling con men. Consumer Affairs Victoria information was inserted into 10,000 showbags for festival attendees. We also held information stands at Seniors Week events in Bendigo and Wedderburn.

This year saw a renewed focus on retirement villages. We updated our information materials on retirement village living, and began working on legislative changes that will create greater consistency and transparency around residents' rights.

Advising consumers with a disability

We continued to build on our strong relationships with advocacy groups, schools and other organisations that support consumers with a disability. We gave presentations to groups in metropolitan and regional Victoria, focusing on issues where our audiences may be vulnerable, such as scams and unsolicited sales.

We addressed information accessibility issues as part of the ongoing improvement of our website. More of our information has now been published in screen-reader-accessible HTML or video format.

We attended the Victorian state conference of Blind Citizens Australia in October and took part in an advocacy forum to learn more about the experiences of vision-impaired consumers. We also piloted the use of Auslan interpreters at an information session for community sporting groups, which met with a positive response from attendees who were deaf or hearing impaired. We now offer this option at all our presentations.

In February, we participated in the annual Having a Say conference organised by the Victorian Advocacy League for Individuals with a Disability. At our information stall, we explained the services and information we provide on consumer and renting rights and distributed accessible publications to attendees. These included copies of our Easy English fact sheets, which we have updated to reflect the ACL.

Empowering young consumers

We continued to update and expand activities and products in our Consumer Education in Schools program this year. The growing popularity of the Victorian Certificate of Applied Learning program has driven new demand for information and products that build consumer and financial awareness, and a range of life skills, essential for those whose interests are other than academic.

More than 700 students submitted over 300 individual and team entries in our annual Consumer Stuff Challenge, compared to 500 students last year. The competition challenged students to produce an educational product on a specific consumer issue relevant to young people. Students submitted websites, films, games and illustrated storybooks, on topics such as downloading ring tones and requesting a refund.

Our publication *ConsumerStuff for Kids* was re-written this year and includes a new chapter to help young people be more resilient and develop their feelings of self-worth. For the first time, we accompanied this resource with a DVD, *Clips for Kids*, to reinforce our messages. We distributed the resource to more than 1,900 Victorian primary schools in June.

We re-wrote our *Maths* resource to improve its clarity, currency and value to teachers and students. Demand for this resource, and the *English, Consuming Planet Earth, Health and Wellbeing, Commerce and Responsible Gambling* resources continued to grow. We distributed a total of 7,241 copies of these and other ConsumerStuff resources during the year.

Consumer Affairs Victoria is a member of the National Reference Group for Financial and Consumer Literacy in Australian schools. We continued to actively support the development of curriculum that increases financial and consumer literacy levels in Australia.

PARTNERING TO HELP VULNERABLE CONSUMERS

We continued to fund community agencies to support vulnerable and disadvantaged Victorians, funding the agencies to a maximum total of \$2,171,582 and helping more than 7,000 consumers access valuable support.

We funded the Tenants Union of Victoria (TUV) and Peninsula Community Legal Centre (PCLC) to provide outreach support to rooming house and caravan park residents in metropolitan Melbourne. We also funded TUV to train community workers and volunteers on

tenancy rights and responsibilities, and to provide legal advice to community workers. We funded PCLC to provide training in self-representation at the Victorian Civil and Administrative Tribunal (VCAT) for consumers and traders in the civil claims list, and to provide tenancy workshops in the community.

We funded the Consumer Action Law Centre to identify and report on significant consumer issues and to provide casework advice and training to financial counsellors, community lawyers and advocates, Consumer Affairs Victoria staff and other community workers including disability and social workers. Vulnerable older Victorians who lived in retirement villages, caravan parks, residential parks or private rental were supported by the Housing for the Aged Action Group.



Students from Box Hill Institute of TAFE, pictured with Consumer Affairs Victoria Director Dr Claire Noone, who were prizewinners in our VCAL Consumer Stuff Challenge competition.



We also funded the Consumer and Tenancy Advocacy Program to give face-to-face support to tenants and consumers, and to provide advice, dispute resolution services and support at VCAT. In 2010–11, PCLC, TUV, Footscray Community Legal Centre and seven regional agencies supported 3,905 vulnerable and disadvantaged Victorians.

The regional agencies we funded were PACT Community Support (Grampians region), Delatite Community Health Service and Rural Housing Network (Hume), Quantum Support Services (Gippsland), the Advocacy and Rights Centre (Loddon Mallee), and Diversitat and Community Connections Victoria (Barwon South-West).

The Advocacy Program is being reviewed to ensure it continues to be effective and efficient in meeting the needs of Victoria's most vulnerable and disadvantaged consumers.

Working and sharing with other agencies

Our quarterly Working Together Forum helps keep us informed about emerging issues affecting vulnerable and disadvantaged consumers. With a current membership of 16 peak consumer and community groups, the forum enables members to share knowledge, build networks and identify opportunities for collaborative work, to ensure all Victorians can share in a fair deal.

Our September meeting heard from two new forum members. The Victorian Mental Illness Awareness Council outlined consumer issues experienced by people with a mental illness, and the Council to Homeless Persons introduced its policy and advocacy work. There were also updates on the ACL and legislation modernisation projects.

Our December meeting focused on the emerging needs of senior consumers, and we welcomed guest speakers from seniors' groups. We also heard insights from several forum members about the issues faced by their senior clients, especially around residential accommodation.

In March, we outlined our refocused service model, and members raised issues relating to utilities, scams, non-profit residential villages and consumer advocacy for people with a mental illness. In June, we discussed state-wide service delivery and how we could work together to provide better service to Victorians across the state.

PROVIDING A DISPUTE RESOLUTION SERVICE

Consumer Affairs Victoria promotes the use of alternative dispute resolution to deliver better outcomes for consumers and business.

Our dispute resolution service handles complaints about general consumer matters, domestic building, estate agents, residential tenancies, retirement villages and owners corporations. In early 2011, we expanded this service to include small businesses, which are also consumers as defined in the ACL.

Expanding onsite conciliations

We expanded our use of onsite conciliations this year, to help fast-track certain types of building disputes. In 2010–11, we conducted 769 onsite conciliations, three times more than last year and representing about a third of all building conciliations. The process again proved its success, recording a resolution rate of 96 per cent.

Focus on front line service delivery

Our focus on service delivery this year was supported by a new way of resolving some disputes. We commenced a pilot of a new 'Front Line Resolution' service in March, which aims to resolve simpler complaints by contacting the trader and attempting to resolve the issue within 48 hours of receiving the initial complaint.



We continued to handle complex complaints through our existing conciliation service. To help streamline this service, and make the best use of our resources, we expanded our efforts to process similar or systemic complaints together, rather than individually. We will further develop this process during 2011–12.

Developing model contracts

We continued to develop a suite of model contracts, including contracts for construction of a new home, alterations and additions to existing homes, owner-builders engaging contractors, and preliminary work. We are developing these model contracts to help reduce and prevent domestic building disputes, particularly disputes arising from poorly-specified contracts that inaccurately or incompletely specify work.

We circulated a consultation draft of the model contract for construction of a new home to 39 key stakeholders in the construction, property, finance and legal sectors, as well as to consumers. We have almost finished reviewing their responses and we will distribute a further consultation draft later in 2011. This will ensure the contract aligns to the *Domestic Building Contracts Act 1995*, the *Building Act 1994* and associated legislation, and that the contract fulfils its objective of being user friendly to both builders and consumers. We have also confirmed the feasibility of the contract being available in an interactive electronic format through our website.

DISPUTES FINALISED	
General	3,858
Residential tenancies	900
Building	2,356
Estate agents	491
Finalised by regional offices	4,830
TOTAL DISPUTES FINALISED	12,435

CASE STUDY RAISING STANDARDS FOR REMOVALISTS

We receive many complaints about furniture removalists concerning damage to goods and property, slow loading or unloading and general unfairness. Many of these issues are compounded by how contracts are worded. Consumer Affairs Victoria and the Australian Furniture Removers Association (AFRA) worked together to address persistent complaints against a particular removalist. In this example of how industry associations can support best practice, AFRA advised the removalist that if they wished to join the association they must raise their standards and agree to abide by the association's Code of Conduct, which would require changes to the removalist's contracts. We followed up on their contract wording, which appeared to contravene *Fair Trading Act 1999* provisions relating to clarity and unfair contract terms. The removalist changed the wording of its standard contract and has since substantially improved its practices.

CASE STUDY HELPING A SENIOR AVOID HOMELESSNESS

A Ballan senior citizen paid her new landlord two weeks' rent, and began moving in her furniture. Her tenancy, based on a verbal agreement, was to commence in January. Not long after, the landlord called the tenant to advise her that he was not going ahead with the tenancy as he had found a business to rent the property. Facing possible homelessness and nowhere to store her furniture, the tenant lodged a complaint with us. Conciliation of the matter resulted in the landlord refunding her two weeks' rent and an additional \$1,000 for her inconvenience.

CASE STUDY OBTAINING A FAIR REFUND

A vendor, through an interpreter, complained to us that an estate agent had overcharged their commission after selling her property. She had initially agreed to reduce her selling price when the estate agent agreed to reduce his commission, and the contract between the vendor and agent was amended accordingly. The property subsequently sold, but the principal of the agency refused to recognise the commission reduction. The vendor advised that she was seeking a refund of \$2,500 for commission overcharge and \$90 for an agent error made with the deposit at settlement. We made the agency aware of its obligations to honour a legally enforceable contract and the agency immediately agreed to refund all outstanding money.

CASE STUDY

RESOLVING A ROOMING HOUSE COMPLAINT

Following a referral from the Tenants Union of Victoria, we attended a rooming house in Seddon where the landlord had assaulted residents and obstructed their rights. The residents were unwilling to provide statements, and they were unable to obtain an intervention order against the landlord, but we resolved the situation by meeting with the landlord and explaining the legal repercussions if he again obstructed the residents' rights. The residents called us a few days later to report that the situation had improved significantly.

RESIDENTIAL TENANCIES BOND AUTHORITY

The Residential Tenancies Bond Authority (RTBA) is a Victorian Government statutory authority. It helps reduce disputes by holding all residential tenancy bonds in a neutral capacity for landlords and tenants, including long-term caravan park and rooming house residents. This requirement, part of the *Residential Tenancies Act 1997*, protects tenants from having their bond misused by unscrupulous landlords or agents.

The RTBA relies on the staff and resources of the Department of Justice, Consumer Affairs Victoria and external service providers. It performs numerous transactions, including bond lodgements, bond repayments and transfers. In 2010–11, the Authority registered about 191,100 bond lodgements and at 30 June 2011, held 463,013 bonds valued at \$610.58 million.

The RTBA can only repay bonds where there is agreement between the landlord/agents and tenant, or where the RTBA is directed by VCAT or a court. The RTBA repaid approximately 167,900 bonds in 2010–11.

The Authority achieved its 2010–11 target performance levels, processing 99 per cent of all transactions on the same day as the form initiating the transaction and achieving error rates of less than one per cent.

In 2010–11, the RTBA:

- began contacting tenants via SMS when there was an issue with a bond transaction
- achieved a 'very high level of overall satisfaction' rating from customers commenting on RTBA service as part of a survey commissioned by Consumer Affairs Victoria
- upgraded its RTBA Online website to improve online information and services

RESIDENTIAL TENANCIES BOND AUTHORITY ACTIVITY 2010–11

Bonds lodged	191,100
Bond repayments	167,900
Bonds transferred	57,900
Bonds held	463,013
Value held	\$610.58 million

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SERVICES FOR BUSINESS

Highlights

- + Educated businesses about their rights and obligations under the Australian Consumer Law, including hosting a highly-successful webinar
- + Focused on small business as consumers, including working with the Small Business Commissioner to coordinate handling of disputes
- + Implemented 'new licensee visits' across the state to educate newly-licensed motor car traders, estate agents and other occupations about their obligations
- + Updated key information on retirement village residents' and operators' rights and obligations

HELPING TRADERS TO COMPLY WITH LAWS

We actively help traders comply with the law by educating them about their rights and obligations. Traders who understand their obligations are more likely to do the right thing by consumers, especially if they understand the consequences of doing the wrong thing.

Helping understand the ACL

We were active in promoting the ACL, and in educating traders about their rights and obligations and the ACL's impact on the way they do business.

We distributed national guides, sent e-newsletters to industry bodies, supplied articles to trade journals and direct mailed information packs. We hosted a live seminar (webinar) so traders could ask questions and held information sessions across the state. Traders received information on topics such as consumer guarantees, unfair contract terms, product safety and notice of upcoming events and forums explaining and promoting the ACL.

We distributed retailer tool kits at Direct Factory Outlets in Essendon and Moorabbin, which contained fact sheets on traders' obligations in relation to consumer guarantees, lay-bys and refunds. In addition, our regional offices distributed 2,350 kits.

CASE STUDY

AUSTRALIAN CONSUMER LAW STREAMED LIVE

We teamed with the Australian Competition and Consumer Commission to host our first webinar in October, introducing an international audience to the ACL and enabling us to connect instantly with traders. The live seminar was held in Melbourne on behalf of Australia's consumer protection agencies. It streamed live to up to 750 people who registered across Australia, the US, India and Hong Kong. More than 100 people attended in person and there were more than 600 downloads of the recorded presentation.

Director of Consumer Affairs Victoria Dr Claire Noone provided an overview of the ACL, and an expert panel answered questions from both the live and online audience. The webinar reached a wide range of businesses, from sole traders through to large multi-national corporations. About 85 per cent of those surveyed after the webinar said they were clearer after the webinar about how the law would affect their business and what their obligations were to consumers. They said they intended to pass this knowledge on to staff.

Information for motor car traders

To educate licensed motor car traders about their legal rights and obligations, we developed and distributed a brochure in September, which included topics such as establishing effective complaints-handling procedures. The brochure was updated with new information in April. We wrote to traders in July and October, advising them of legal changes that from October required them to inform consumers if a vehicle the consumer was considering buying had been on Victoria's written-off vehicles register. The launch of the unlicensed motor car trader campaign in May prompted further communications with licensed traders, asking them to be alert for illegal activity in their area (see p.27).

Engaging with rooming house operators

Improving rooming house standards and compliance was a priority for us this year. We used new ways to engage with operators and raise awareness of their obligations.

We updated *Rooming houses: A guide for residents and operators*, which includes information for operators about their legal obligations regarding minimum standards, resident health and wellbeing, and registration requirements.

We offered our support to the newly-formed Registered Accommodation Association of Victoria (RAAV), the peak state body representing rooming house operators, working closely with RAAV to develop *Running a better rooming house: A best practice handbook for operators*. The handbook offers practical advice for operators on topics such as managing disputes between residents, marketing,

getting the right mix of residents and helping residents access resources. It also includes a poster with essential services information for residents.

We conducted more than 520 rooming house inspections, checking for non-compliance with the *Residential Tenancies Act 1997*, as well as educating operators about their obligations. We also conducted 29 information sessions for existing and prospective operators.

To implement recommendations of the Rooming House Standards Taskforce, Parliament passed the *Residential Tenancies Amendment Act 2010* in August, making a number of amendments to the *Residential Tenancies Act 1997* (see p.35).

Information for domestic builders

To educate domestic builders about their obligations under the law, we gave talks to industry, including members of the Master Builders Association of Victoria, and educated builders entering the industry by addressing TAFE students. Numerous builders attended our stands at the three home shows we attended, and many rang our domestic building enquiry line.

Educating caravan and residential park operators

Caravan parks and residential parks have increasingly emerged as a long-term accommodation option for Victorians. New laws we developed this year, to be introduced in September, will increase protection for park occupants, including improving their security of tenure. To educate park operators and tenants about the changes to the law, we updated our website and developed fact sheets ready for mailing to operators in July.

We are developing a new 'red book' for people who own a moveable dwelling and rent the site it sits on. We have also developed a best practice guide for park operators, to help avoid and resolve disputes.

Helping the licensed sector comply

Consumer Affairs Victoria developed comprehensive web content for all licensed traders on how to comply with the law. We distributed new obligations brochures for motor car traders and conveyancers. The brochures encourage voluntary compliance by helping licensees know and understand the laws relating to their industries, and informing them of the services we provide that can help them.

We implemented 'new licensee visits' under our state-wide service delivery program, for newly-licensed motor car traders, estate agents, conveyancers, pawnbrokers and travel agents, to introduce Consumer Affairs Victoria and explain our education, information and compliance monitoring roles. We gave licensees our obligations brochure and other useful information.

Important changes to the regulation of debt collection and debt collectors in Victoria came into effect on 1 January, with more changes due on 1 July 2011. To educate the industry about these changes, we distributed a fact sheet to licensed debt collectors, industry and community stakeholders.

Changes to the *Travel Agents Act 1986*, which came into effect on 1 January, clarify the supervision requirements for travel agents and streamline the process for updating qualification requirements of the manager.

Developing voluntary codes of conduct

We are working towards developing and introducing voluntary codes of conduct for industry. Voluntary codes are a useful and effective way of setting a benchmark in industries. They also help identify when conduct is falling short, reduce consumer complaint, increase consumer protection, promote compliance with legal requirements and reduce red tape for business.

Next financial year, we will publish a guide for industry associations interested in adopting a voluntary code and will encourage staff education programs to meet those standards.

Helping traders with their business

We are implementing a strategy to help traders resolve disputes with consumers, by advising them on how to establish or improve their customer service systems. Our feedback is helping traders make changes that will reduce future complaints.

We started a project to identify and assist traders who were constantly generating complaints or enquiries to Consumer Affairs Victoria. The project aims to increase traders' compliance with their legal obligations and adherence to good practices. We will develop action plans for each trader selected, including meetings with the trader to obtain their acknowledgement of the issues and agreement to act on root causes of problems.

Our specialist dispute resolution service for building complaints also provides benefits to traders, especially in cases where an independent expert opinion helps clarify the disputed issues and facilitate a resolution.

CASE STUDY RESOLVING A STAIRCASE DISPUTE

During construction of a new home, the owners identified a problem with the hardwood staircase. They advised the builder that the wood-grain finish was not the same as the staircase they viewed in the builder's display home. The builder denied that the staircase was defective, so the owners lodged a complaint with us. As handover of the project was fast approaching, we acted quickly and sought the technical expertise of a Building Commission inspector, who examined the staircase in the consumer's house and the builder's display home and advised that the finish was the same. The conciliator was then able to resolve the dispute, with the owner accepting the finish on the staircase.

CASE STUDY SHIFTING A STALEMATE

A homeowner entered into a contract with a builder for renovations worth \$103,000, but was withholding final payment of \$9,000 until the builder rectified the many building defects he identified. The owner and builder spent several months trying to resolve the matter, before reaching a stalemate and lodging a complaint with us. We sought the technical expertise of a Building Commission inspector, who identified 40 building defects, which the builder agreed to rectify. The builder completed these works, and the owner made the final payment.

CBD SERVICES FOR BUSINESS AND CONSUMERS

The Victorian Consumer & Business Centre (VCBC) is the public face of Consumer Affairs Victoria. The centre, in Melbourne's CBD, offers general advice and face-to-face information relating to residential tenancy, real estate, general consumer and trader issues, and domestic building. The VCBC also processes licence and registration payments for businesses and occupations such as licensed motor car traders, estate agents and travel agents. In 2010-11, the centre served an average of more than 760 customers per week.

VISITORS TO THE VICTORIAN CONSUMER & BUSINESS CENTRE

Business name counter transactions	18,575
Consumer enquiries	2,735
Residential tenancies enquiries	1,636
Occupational licences and registrations	2,321
Liquor licence/permission	4,297
Building	788
Bonds	1,544
Other (including concierge/fast service)	7,728
TOTAL VCBC COUNTER ENQUIRIES	39,624

FOCUS ON SMALL BUSINESS

We increased our focus on small business this year, given the importance of small business to economic growth, and the introduction of the ACL, which extended some protections to businesses that in the past had only applied to consumers.

Using new communications channels

We used a range of new communications channels to encourage greater awareness and understanding of the ACL. In October, we hosted a live presentation to traders that we saved as a 'webinar', for viewing online (see p.19). We launched our MyShopRights smartphone app in December, which helps traders understand their legal requirements and their rights as a consumer under the ACL.

Small business now has a dedicated section on our website. It includes ACL information relevant to business, a facility to make a complaint, business recovery advice in the event of a natural disaster, and links to relevant government websites. More than 2,300 unique users have visited this section of our website since it launched in January. In May, we introduced a dedicated small business enquiry line.

Our information presentations have extended to include small business. We presented to the Australian Security Industry Association in February, educating members about how the ACL relates to their industry, particularly the need for written contracts. We also delivered presentations to CALD groups that were considering starting a business,

including a presentation in March to the Karen community from Burma. We delivered this session in partnership with the Justice for Refugees program and Small Business Victoria. We also delivered presentations at three Business Migrant Seminars, attended by about 200 Chinese-speaking migrants, and a Better Business Workshop for Chinese small business owners in Melbourne.

Reducing red tape

We continued to work on reforms that would reduce red tape for small business, including a Council of Australian Governments (COAG) initiative to develop the National Occupational Licensing System for selected occupations. The single scheme for granting and maintaining licences will replace existing state-based schemes and will enable licensees to work interstate, without having to reapply for a licence. It will also give consumers easy online access to information about licensees. The system will commence in 2012 for the first wave of occupations – estate agents, agents' representatives and owners corporation managers.

Meanwhile, an online public register we developed for licensed travel agents, secondhand dealers and motor car traders went live in November. Information about estate agents, owners corporation managers and conveyancers is expected to be available on the public register in 2012 (accessible from the Business Licensing Authority website). The register enables consumers and businesses to easily search for

information via one entry point, instead of needing to access multiple databases.

Another COAG reform we worked on this year to further cut red tape was the National Business Names Register. This online registration scheme for business names will replace existing state and territory-based schemes and enable traders to register their business once, nationally, instead of registering in each individual jurisdiction. Traders will be able to register their business name and apply for an Australian Business Number in a single transaction. The register will potentially offer significant savings for Victorian businesses that operate across jurisdictions. It is expected to start operating in 2012.

Working with industry

Consumer Affairs Victoria and the Office of the Small Business Commissioner have commenced a coordinated complaint-handling process for business disputes. The Commissioner will now examine business complaints for apparent breaches of the ACL, and refer them to us for assessment.

We sought opportunities to engage with relevant stakeholders, such as the Victorian Employers' Chamber of Commerce and Industry (VECCI). We discussed ways we could work together to support each other's activities, including VECCI participating in our campaigns and forums and our support of VECCI's work to promote 'best practice' and raise standards within industry.

INFORMATION AND ADVICE ON RETIREMENT VILLAGES

We updated and improved our information on retirement villages this year to help seniors better understand their rights and obligations prior to entering a village, and while a resident.

Our publication for current and prospective residents, *Retirement villages: guide to choosing and living in a retirement village*, was refreshed in March. It includes a dedicated chapter on dispute resolution and advice on what charges can apply when residents leave a retirement village – issues identified from our data as being common sources of complaint. We also updated the retirement village information on our website.

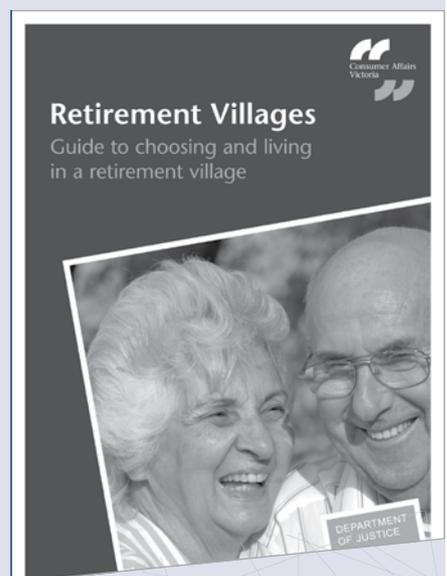
We held 42 information sessions throughout Victoria to alert current and prospective residents to their rights and obligations.

We received a large number of complaints from the residents of two villages. We conciliated these as group cases as they involved similar issues. We also increased our use of onsite conciliations for selected complaints, as onsite meetings are often helpful in facilitating a successful outcome.

All retirement villages are required to have their own dispute resolution process, so we only receive a complaint if this process has failed to resolve the dispute or if the complainant feels they cannot use the village's system.

Our internal dispute resolution guidelines for retirement village owners and managers are being updated in consultation with industry and stakeholders. We are also working with peak bodies to encourage a more consistent approach to dealing with contentious issues in retirement villages.

In June, we sponsored an older persons' housing forum, hosted by the Housing for the Aged Action Group, which was the first of its type to be held in Australia. The forum brought together government, community organisations and industry to discuss the latest research on housing for seniors, including retirement living.



We updated our guide for current and prospective retirement village residents, and included information on issues identified from our data as being common sources of complaint.

ENGAGING WITH THE REAL ESTATE INDUSTRY

Consumer Affairs Victoria actively engaged with estate agents during the year to ensure compliance, and update agents on any changes to the laws we administer.

In March, we mailed a letter to estate agents and conveyancers (and to auditors who carry out their audits) advising them of changes in the *Estate Agents Act 1980* and the *Conveyancers Act 2006*, which modernise and streamline auditing processes.

Working with industry bodies

We continued to implement our trust account inspection program. We consulted with industry bodies and revised the standard audit report to meet Australian Auditing Standards. We also developed an updated trust account guide for estate agents and worked on a similar guide for conveyancers.

In May, we hosted a roundtable forum with industry stakeholders to discuss key practice issues, and how we could collaborate with industry to address these issues. Senior representatives from the Real Estate Institute of Victoria, Australian Institute of Conveyancers (Vic), the Estate Agents Council and Law Institute of Victoria attended the forum. Further roundtables are currently being planned.

Reducing barriers to training

We worked with national training providers this year to reduce unnecessary barriers to Victorian and interstate organisations offering courses for the licensing of Victorian agents and agents representatives. Next financial year, provisions in the *Estate Agents Act 1980* that require the Director of Consumer Affairs Victoria to approve training organisations to deliver estate agent training will be repealed.

The repeal follows a review of a pilot program that approved four interstate training organisations and monitored their operation during 2010. When implemented, it will mean that a training organisation registered anywhere in Australia, with the Victorian real estate courses on its 'scope of registrations', can deliver those courses to prospective agents and representatives without the need for further approval.

Opening up the real estate training market will provide more options for completing training and will make fees more competitive. It will remove the need for Victorian licence applicants to complete courses and obtain licences in other jurisdictions. It will also help Victoria prepare for the scheduled introduction of the national licence for real estate agents in July 2012, which will replace existing state-based courses with a single national course. Consumer Affairs Victoria will work with the national and state training authorities responsible for monitoring the quality of training delivery to ensure standards in Victoria are maintained under the new arrangements.

3

TAKING ENFORCEMENT ACTION

Highlights

- + Took court action against 89 traders and signed 27 traders to enforceable undertakings, publicising the outcomes to further discourage non-compliance
- + Launched a campaign against unlicensed motor car traders, including a dob-in hotline and a state-wide inspection program to identify unlawful traders
- + Prevented thousands of unsafe toys from reaching children, seizing almost 45,000 unsafe products during a state-wide pre-Christmas blitz

TAKING ACTION ON NON-COMPLIANCE

Consumer Affairs Victoria supports traders to do the right thing, and is tough on traders who contravene consumer laws.

Our integrated compliance model encourages traders to comply with the law and provides strong deterrents to non-compliance. Our responses are comprehensive and range from early intervention tools such as education, advice and dispute resolution, through to high-end enforcement responses including civil action or prosecution.

We took court action against 89 traders this year, finalising 33 prosecutions and 56 civil actions. Of these, 16 matters were related to building, 15 were motor car trading matters, 15 were real estate matters and nine matters were related to product safety. We also signed 27 parties to enforceable undertakings.

We conducted a range of compliance exercises across Victoria. We inspected more than 520 rooming houses, including three rooming house blitzes in conjunction with local councils in

Darebin, Dandenong and Brimbank, as part of a campaign to protect the rights of residents. During surprise inspections of 51 rooming houses in Brimbank in October, we uncovered 16 allegedly unregistered rooming houses and referred them to the local council for follow-up.

In November and March, we visited more than 100 traders in Richmond and 430 traders at Direct Factory Outlets in Moorabbin and Essendon, checking for compliance and providing information and guidance on the implementation of the ACL.

ENFORCEMENT OUTCOMES

Prosecutions finalised	33
Civil actions finalised	56
Parties signed to enforceable undertakings	27
Fines and consent orders	\$224,950
Court fund/VCAT penalties	\$161,417
Costs orders obtained	\$250,382
Infringement notices issued	50
Warning letters issued	508

CASE STUDY

AUSTRALIAN TOURISM CENTRE PTY LTD AND STEPHEN IAN GLENISTER

We initiated proceedings in the Supreme Court of Victoria against a travel company, and its sole director, in the first case of a superior court considering telemarketing provisions of the *Fair Trading Act 1999*. Australian Tourism Centre Pty Ltd (t/a Victorian Tourism Centre) and its sole director Stephen Ian Glenister were found to have breached the Act by engaging in misleading and deceptive conduct and making false representations when selling travel vouchers between 2004 and 2008, including falsely claiming government affiliation. The court imposed an injunction on Mr Glenister and ordered him to pay refunds to customers and court costs, plus the cost of publishing newspaper notices detailing the court's findings.

CASE STUDY

ELIAS ABDULNOUR AND A.A. BUILDING INVESTMENTS PTY LTD

Diamond Creek man Elias Abdunour was fined \$15,000 and his company A.A. Building Investments Pty Ltd was fined \$20,000 in the Melbourne Magistrates' Court in March, for breaches of the *Domestic Building Contracts Act 1995*, *Fair Trading Act 1999* and *Building Act 1993*. The court found Mr Abdunour had posed as a builder and failed to complete building works quoted at \$340,000. He was found to have operated as a builder while unregistered, misled consumers into believing he was a registered builder, and used a contract that failed to comply with legislative requirements to demolish an existing house and build a new one. This decision is currently being appealed in the County Court of Victoria.

CASE STUDY

BELOW THE BELT GROUP PTY LTD

In December, online men's underwear retailer Below the Belt Group Pty Ltd admitted systemic breaches of the *Fair Trading Act 1999* by failing to deliver goods to 10 consumers who ordered and paid for them online. Melbourne Magistrates' Court ordered the company to deliver goods within 10 days of payment and to supply refunds within 15 days. It ordered the company to publish a public notice in print, on its website and on Facebook stating the outcome of the court case. The company repaid the affected consumers when we initiated proceedings.

CASE STUDY

LEONARDO PALAMARA

We secured an interim injunction in December against Leonardo Palamara, the operator of a number of businesses including Australian Water Solutions, in the Supreme Court of Victoria. We alleged Mr Palamara and his businesses, which supply water filtration, water storage and solar electricity products, breached the *Fair Trading Act 1999* by falsely claiming an affiliation with government and misleading consumers by claiming tap water was unsafe to drink. The court restrained Mr Palamara, of Keilor Park and Frankston, from representing himself or his services as being associated with a government body or working for public purpose, undertaking demonstrations in homes, and making false representations about the quality of Australian drinking water. Complaints about the company dropped dramatically after the interim injunction was secured. At the final hearing in June, we made an innovative proposal that a corrective video be made, at Mr Palamara's expense, explaining that the representations and demonstrations he made were false and reassuring Victorians that tap water was safe to drink. We argued that the video be placed on Mr Palamara's websites as well as those of water retailers, local councils and other stakeholders who referred the matter to us. The court has yet to reach final judgment.

CASE STUDY

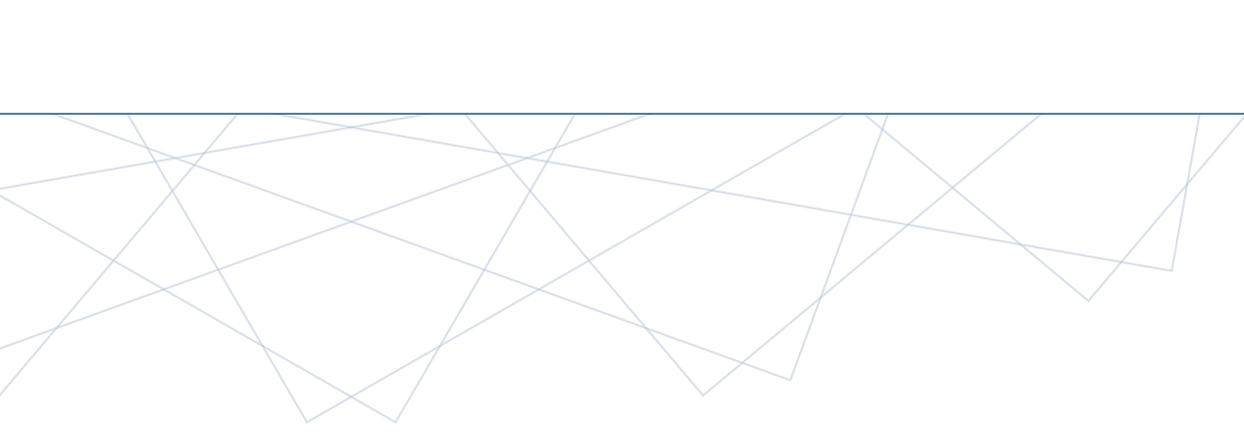
PR TRUCK SALES PTY LTD

We took court action against Swan Hill truck dealer PR Truck Sales Pty Ltd in October. The Swan Hill Magistrates' Court ordered the company to pay nearly \$50,000 in penalties and compensation for selling a truck with more than \$100,000 owing on it. The company admitted breaching the *Motor Car Traders Act 1986*, including selling a vehicle with an outstanding loan and failing to make required entries in the dealings book. The company escaped conviction on an undertaking to donate \$8,500 to Swan Hill Hospital, pay \$40,000 to the Motor Car Traders Guarantee Fund and \$400 court costs.

CASE STUDY

CHONG LI XU

A joint operation between Consumer Affairs Victoria and the City of Whitehorse led to the successful prosecution of Doncaster man Chong Li Xu. Melbourne Magistrates' Court convicted Mr Xu and ordered him to pay more than \$14,000 for operating an illegal brothel under the guise of a massage parlour in Vermont South. Mr Xu breached provisions of the *Prostitution Control Act 1994*, *Fair Trading Act 1999* and the *Planning and Environment Act 1987*. He was cautioned in March 2009, but on four subsequent occasions private investigators were offered sexual services by workers at Yang's Massage Clinic. Mr Xu pleaded guilty to five charges and was fined \$10,000, payable to the Prostitution Control Fund, plus \$4,500 legal costs.



FOCUS ON UNLICENSED MOTOR CAR TRADERS

Unlicensed motor car trading is a serious consumer issue and was a priority for us this year. People who buy from unlicensed traders are left exposed – vehicles may not come with a warranty, cooling-off period, or other protections a buyer gets from a licensed dealer.

This year, we developed initiatives to help tackle unlicensed motor car trading, including:

- communicating more closely with licensed traders and industry groups such as the Victorian Automobile Chamber of Commerce as well as VicRoads. This involved examining ways we could use their stakeholder relationships to inform possible unlicensed traders of legal requirements
- using the latest vehicle-tracking technologies to identify advertisements placed by possibly unlicensed traders in print and online publications
- establishing a 'dob-in' hotline for reporting possible unlicensed traders
- working across the state to identify unlicensed traders through our inspection program. These inspections occurred either as coordinated compliance exercises, or in response to complaints about particular traders
- a web refresh, with new easy-to-understand information on how to comply with the law.

We prioritised enforcement action against unlicensed motor car traders to better protect consumers, using a range of enforcement options such as warning letters and court action. We also publicised court outcomes in newspapers, online and through our social media networks, to educate traders that they must hold the appropriate licence to lawfully sell quantities of motor cars. Some actions finalised this year include:

CASE STUDY LORETTA PAVLOVIC

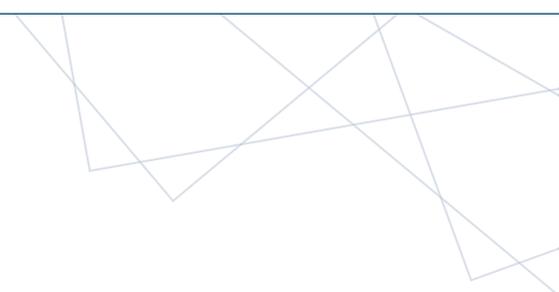
In December, online vehicle broker Loretta Pavlovic was convicted and fined \$5,000 in the Melbourne Magistrates' Court for unlicensed motor car trading. Ms Pavlovic pleaded guilty to four criminal charges of breaching the *Motor Car Traders Act 1986* and one charge of breaching the *Fair Trading Act 1999* by accepting payment without providing goods or services.

CASE STUDY PHILLIP STEFANO

Phillip Stefano was fined \$3,000 in Geelong Magistrates' Court in December for advertising more than 10 motor vehicles online without being a licensed motor car trader. Mr Stefano used constructionsales.com.au and tradingpost.com.au to offer 11 light commercial and passenger vehicles for sale between June and August 2010.

CASE STUDY WESTGATE METAL RECYCLING PTY LTD

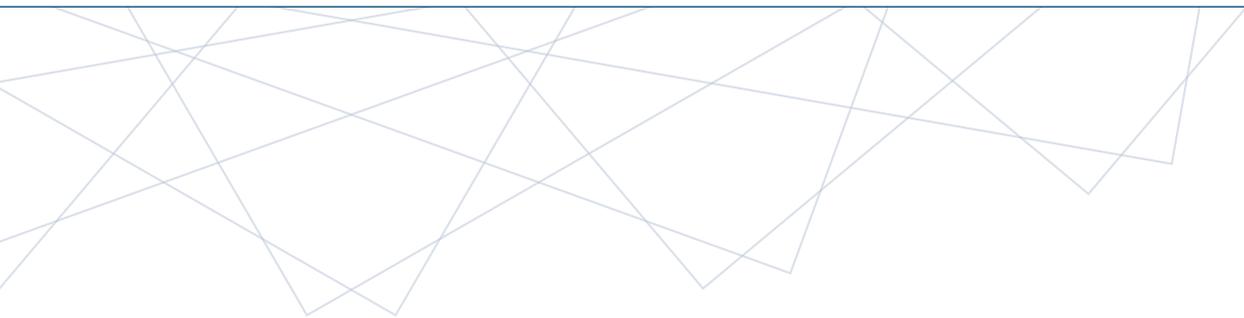
In January, scrap metal business Westgate Metal Recycling Pty Ltd was restrained from operating as an unlicensed motor car trader after it placed at least 265 advertisements on eBay offering cars for sale. Many of the ads invited customers to view the cars at the trader's Hoppers Crossing premises. Westgate Metal Recycling consented to an injunction restraining it from trading in motor vehicles until it acquired a licence.



AUDITS / INSPECTIONS / INVESTIGATIONS	
Relating to the <i>Fair Trading Act 1999</i> and ACL	470
Estate agents	198
Building premises	78
Brothel premises operated by licensees	185
Alleged unlicensed brothels	41
Premises inspected for unsafe/banned products	599
Products seized	49,006

PARTIES SIGNED TO ENFORCEABLE UNDERTAKINGS
Dean John Harrington and Mark John Hullick
Durro Investments Pty Ltd, Stan Bougadakis and Peter Gogas
Gemwide International Pty Ltd and Xing Zhang
Vietnamese Community in Australia – Victoria Chapter Inc (A0012976M)
Phong Nguyen
Poly Interiors Pty Ltd and Nick Polemicos
Mark McNamara Real Estate Pty Ltd and Mark Desmond McNamara
Robert William Kealy and Elizabeth Kealy
Abdurahman Haji Saedi
Achievet Conveyancing Services Pty Ltd and Ernesto Demate
Patrick Maher Pty Ltd, Patrick Keith Maher and Patricia Mary Maher
Stephan Real Estate Pty Ltd and Geoffrey Philip Stephan
Property Fair Pty Ltd and Colin Mark Sacks
Hocking Stuart (Bentleigh) Pty Ltd and Nick Renna

PROSECUTIONS FINALISED
RNSS Enterprises Pty Ltd
Long Wei
Senler Pty Ltd
Ishan El-Chakik
Albert Calladine
PR Truck Sales Pty Ltd
Chong Li Xu
Kelly Falls Pty Ltd
J M Nicholas Contractor Services Pty Ltd
David Dick
Karl Dimitri Kachami
Ezzat Taleb
Phillip Stefano
Mary-Anne Costales
Loretta Pavlovic
Alejandro Narvaez-Contreras
Kurtis Thiele
Elias Abdunour and A.A. Building Investments Pty Ltd (under appeal)
Tradies Online Australia Pty Ltd and Darren Chant
Alan Leslie Davidge
Benjamin James Pty Ltd
John Barresi
Customweave Australia Pty Ltd and Frank Ricco
Laurel Shirlee Heath
Khai Troung
Impact Building and Electrical Pty Ltd
Mark Crellin
Highwired Pty Ltd
John R Edwards
Simon's Car Sales Pty Ltd



CIVIL ACTIONS FINALISED
Geeveekay Pty Ltd, Geoffrey Vincent Keogh and Veronika Keogh
Infolio Corp Pty Ltd and Cameron James Deal
Materassi Magni Pty Ltd, Educorp Pty Ltd, Zani Pty Ltd, Andrew Hall, Umberto Tassoni and Fiona Conway
Operation Smile (Australia) Incorporated, Operation Hope Pty Ltd (Australia), Hope Research Institute Pty Ltd and Noel Rodney Campbell (under appeal)
Bell Real Estate (Emerald) Pty Ltd and Grant Day
Toplite Trading Pty Ltd and Chenglin Gao
Wayne Sweeney and Associates (Footscray) Pty Ltd and Dean Johnson (injunction)
Robert Conn
DW International Trading Pty Ltd
Paul and Paul Pty Ltd
Australian Tourism Centre Pty Ltd and Stephen Ian Glenister
Below the Belt Group Pty Ltd
Anthony Ray Stevens (review of decision of Director to refuse fundraising application)
Westgate Metal Recycling Pty Ltd
H & C Trading Pty Ltd and Damon Hong Chiang Tan

CIVIL ACTIONS FINALISED (CONTINUED)
Terena Tau Wetera (Consumer Affairs Victoria was a party to the outcome)
Nigel Henry James Pavilach
Wayne Sweeney and Associates (Footscray) Pty Ltd, Dean Johnson and Darren Dean (matter of Dean Johnson on appeal)
Samer Rayes and Najy Rayes
Helen Kevin
Vanessa Le Mercier
David Mao Real Estate Pty Ltd and David Viscot Mao
Kerrigan Fellows
Dandy Performance Tyre and Auto Pty Ltd, Kirsty Naismith and Christopher Raymond Naismith
Glenn Ryan Real Estate Pty Ltd and Glenn Ryan
Mental Health Legal Centre
Laurence Glynn Hann and Vicki Ann Lowe
Leonardo Palamara
Russell Andrew Shannon
Abesta International Pty Ltd and Ze Min Hu
Tom Bull

ACTIONS COMMENCED (UNFINALISED)
Leonardo Palamara (decision pending)
Baycity Group Pty Ltd and Garry Broughton
Better Choice Wholesale Cars Pty Ltd and Andrew Anastassiou
Dean Johnson
Dugmor Pty Ltd
George Maatouk
Frank Cassar, Sandra Cassar and Betta Housing Pty Ltd
Helen Kevin
Materassi Magni Pty Ltd, Educorp Pty Ltd, Zani Pty Ltd, Andrew Hall, Umberto Tassoni and Fiona Conway
Monash Residential Apartments Pty Ltd, Monash Residential Campus Pty Ltd and Mario Lo Guidice
Operation Smile (Australia) Incorporated, Operation Hope Pty Ltd (Australia), Hope Research Institute Pty Ltd and Noel Rodney Campbell
Lawyers Real Estate Pty Ltd and Peter Mericka
Stuart R Mitchell
Theos Tranon
Toplite Trading Pty Ltd and Chenglin Gao (decision pending)
Benjamin James Pty Ltd (decision pending)
Engine Galore Pty Ltd and Jean Georges Chbib (decision pending)

PROTECTING VICTORIANS FROM UNSAFE PRODUCTS

Consumer Affairs Victoria continued to help consumers avoid unsafe products, including dangerous toys, and continued to educate businesses and consumers about safety standards.

Preventing unsafe toys from reaching children

We worked to ensure unsafe products stayed off the shelves, conducting 599 product safety inspections throughout the state and seizing 49,006 non-compliant products.

We prevented thousands of dangerous toys from reaching children by conducting a state-wide pre-Christmas safety blitz. During the blitz, we visited 173 premises, including discounters, independent stores, large chains, wholesalers and distributors, and seized 44,700 products that failed to meet mandatory standards or were subject to current bans. These included expanding toys small enough to be swallowed; projectile toys such as guns, which can misfire and cause eye injuries; yo-yo balls, which pose a strangulation hazard; and toys for children under three that did not

meet safety requirements. The blitz was part of a national crackdown on dangerous toys, during which more than 150,000 products were removed from store shelves nationally. We acted in conjunction with the Australian Competition and Consumer Commission and other state and territory consumer agencies.

As in previous years, we co-operated with the Royal Agricultural Society of Victoria to ensure showbags at Victoria's annual shows did not contain any unsafe toys or novelties. This included investigating more than 100 show stalls and the contents of 340 showbags, and removing non-compliant toys.

Educating businesses and consumers

We helped businesses and consumers with concerns about hazards in the marketplace, answering 407 enquiries about product safety matters, including 176 calls to our Toy and Nursery Safety Line. We updated our *Product Hazard Alert* guide in alignment with the new national laws and distributed almost 1,200 copies to businesses across the state. The guide is available in English, Cambodian, Chinese and Vietnamese and includes colour photos to help retailers identify banned and regulated products. We also distributed 12,400 copies of our guide *Keeping Baby Safe*, which gives advice on unsafe baby products.



Minister for Consumer Affairs Michael O'Brien MP inspected unsafe goods we seized in raids this year, including banned novelty lighters.

Promoting curtain and blind cord safety

We continued our curtain and blind cord safety campaign which, since its launch in early 2010, has provided more than 27,000 free curtain and blind cord safety kits to Victorian homes and organisations such as childcare centres and hospitals. The kits work by securing dangerous curtain and blind cords, preventing the strangulation hazard to babies and young children. Since November, we have promoted the safety kits at more than 70 product safety workshops and presentations across the state. In January, a kit order form was included in 55,000 'prep packs' given to parents of children starting school.

Enforcing the law

When traders did the wrong thing, we enforced the law. We issued 52 traders with warning letters about potential product safety issues, and signed two traders to enforceable undertakings after they admitted breaching the law.

CASE STUDY

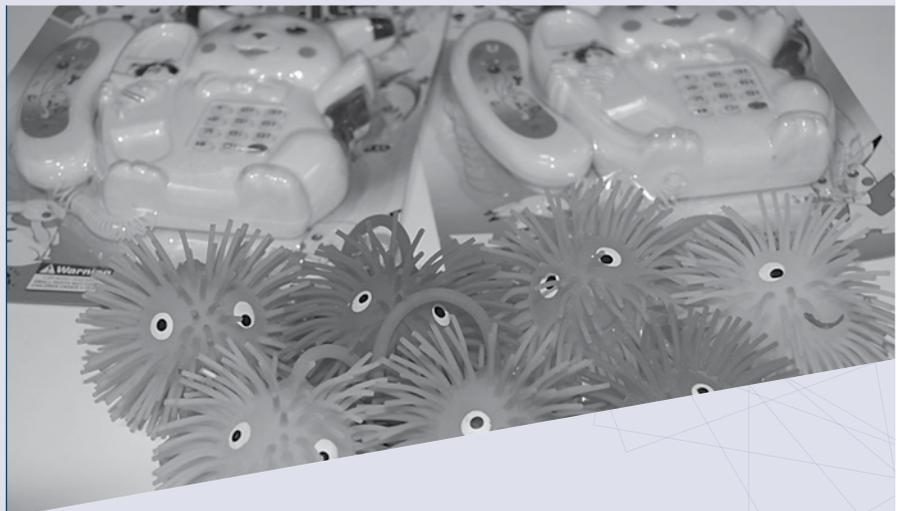
DW INTERNATIONAL TRADING PTY LTD
AND BO HUI DONG

We took court action against wholesaler DW International Trading Pty Ltd and its sole company officer Bo Hui Dong for breaches of the *Fair Trading Act 1999*. In December, the Victorian Supreme Court ordered the recall of 12 types of unsafe products found at the company's Moorabbin premises. The court ordered the company and Mr Dong to pay \$5,000 costs and provide full refunds to customers who returned the unsafe toys. It ordered the company to pay for destroying and disposing of all seized toys and to publish a public notice in the *Herald Sun*. The court also banned the company from trading in any category of goods subject to product safety standards until it implemented a compliance program.

CASE STUDY

H & C TRADING PTY LTD AND
DAMON HONG CHIANG TAN

In January, we took Moorabbin importer and wholesaler H & C Trading Pty Ltd and its director Damon Hong Chiang Tan to the Victorian Supreme Court for selling dangerous toys. We had seized toy gun sets with projectiles capable of causing eye injuries, as well as two types of pre-school plastic toys with small parts prone to breaking off and posing a choking hazard. The court declared the company had breached the *Fair Trading Act 1999* and that Mr Tan was knowingly involved in the breaches. The company and Mr Tan were ordered to publish public notices in five major newspapers across Australia and to pay our legal costs. The court also ordered the company to refund customers who returned the toys and pay for seized toys to be destroyed.



We seized 49,006 non-compliant products in 2010-11, including these unsafe toys.

ENFORCING THE LAW IN REAL ESTATE

Buying a home is usually the biggest financial decision a person will make in their lifetime, so when real estate agents and others in the industry fail to abide by consumer laws, the potential for consumer detriment is high.

Consumer Affairs Victoria checks regularly to ensure estate agents are complying with the law. For example, in September we conducted a compliance exercise to examine the conduct of auctions and check agents were complying with auction rules, such as making mandatory announcements. Ten teams of inspectors attended up to three auctions each in metropolitan Melbourne.

Also in spring, we continued to target misleading price advertising with a blitz on estate agencies, focusing on information contained in agency files. We inspected 275 files at 15 licensed estate agents, including 204 files related to sold properties and 71 relating to properties still on the market. Our findings resulted in six agents receiving written warnings regarding their practices and advice on how to ensure they did not engage in misleading advertising practices in future. One licensed estate agent, Hocking Stuart (Bentleigh) Pty Ltd, and its officer in effective control entered into an enforceable undertaking. Consumer Affairs Victoria continues to monitor the advertising practices of estate agents.

Some of the enforcement actions we finalised this year included:

CASE STUDY

HOCKING STUART (BENTLEIGH) PTY LTD AND NICK RENNA

In June, estate agent Hocking Stuart (Bentleigh) Pty Ltd and its officer in effective control (and sole director) Nick Renna agreed to stringent conditions in an enforceable undertaking concerning misleading price advertising. The Director of Consumer Affairs Victoria considered that the company and Mr Renna had engaged in misleading and deceptive conduct under the *Fair Trading Act 1999* and contravened the price advertising provisions of the *Estate Agents Act 1980* in relation to four properties advertised 11 times from July to October 2010. The company and Mr Renna had advertised estimated selling prices that were less than the estimates given to vendors. The underquoting was identified during a routine inspection conducted by Consumer Affairs Victoria. The undertaking included Hocking Stuart (Bentleigh) Pty Ltd and Mr Renna implementing and maintaining a compliance program, for at least two years, including paying for annual independent audits of the program.

CASE STUDY

WAYNE SWEENEY AND ASSOCIATES (FOOTSCRAY) PTY LTD, DEAN JOHNSON AND DARREN DEAN

We took Wayne Sweeney and Associates (Footscray) Pty Ltd and agents Dean Johnson and Darren Dean to VCAT for breaching the *Estate Agents Act 1980* and associated regulations. Mr Johnson had his licence cancelled and was banned from applying for a new licence for two years. Another agent, Darren Dean, was reprimanded and fined \$2,000. Wayne Sweeney and Associates (Footscray) Pty Ltd was fined \$5,000. An appeal has been lodged in the Supreme Court of Victoria against this decision.

CASE STUDY

MARK MCNAMARA REAL ESTATE PTY LTD, AND MARK DESMOND MCNAMARA; PATRICK MAHER PTY LTD, PATRICK KEITH MAHER, PATRICIA MARY MAHER

Two agencies in Shepparton were found to have underquoted the price of properties after we conducted a routine inspection of sales files. Both agencies and their directors subsequently signed enforceable undertakings agreeing to a range of strict conditions.

Mark McNamara Real Estate Pty Ltd, t/a Ray White (Shepparton), and its officer in effective control Mark McNamara breached the *Estate Agents Act 1980* by advertising two properties for sale at prices lower than the estimated price range on the sales authorities. Patrick Maher Pty Ltd, t/a L.J. Hooker (Shepparton), and its directors Patrick and Patricia Maher were also found to have underquoted the price of a Shepparton property.

4

RESPONDING TO THE CHANGING MARKETPLACE

Highlights

- + Provided national leadership in ensuring a seamless transition to the new Australian Consumer Law, which came into full effect on 1 January 2011
- + Completed reforms of estate agents audit forms, and reforms in the licensed occupations sector, estimated to reduce regulatory burden by \$4.26 million per year
- + Led a national harmonisation project on the regulation of fundraising
- + Completed legislative reforms to improve protections for rooming house residents and for people who own a transportable home and rent the dwelling's site

LEADERS IN NATIONAL LAW REFORM

Consumer Affairs Victoria has been a leader in actively identifying opportunities to harmonise consumer protection laws.

Facilitating a seamless transition to the ACL

The introduction of the ACL, which came into full effect on 1 January 2011, was the culmination of many years of work by Consumer Affairs Victoria and other consumer agencies. Legislation introducing unfair contract terms as part of the ACL came into effect on 1 July 2010.

Victoria has been a national leader in facilitating a seamless transition to the new arrangements, which give consumers across Australia consistent rights and responsibilities. Much of this work has been to ensure effective

operation of the ACL, by educating and supporting traders and consumers regarding the changes. We worked closely with all jurisdictions, as part of the national Compliance and Dispute Resolution Advisory Committee, to promote national consistency and co-operation in compliance, dispute resolution, and enforcement of the ACL.

We are leading the national project on consumer guarantees, based on our principles of integrated compliance, which aims to improve retailers' compliance with the ACL in the telecommunications, whitegoods and electronic goods industries.

The ACL's introduction on 1 January also commenced a single product safety framework that replaced nine state, territory and Commonwealth safety regimes. The new legislation gives Victoria joint responsibility with the Australian Competition and

Consumer Commission for product safety regulation in Victoria. Its introduction finalised many years of work by Consumer Affairs Victoria leading large and complex projects to harmonise bans and safety standards. We have been working with traders to ensure they understand their obligations under the new framework.

Important changes affecting debt collection were introduced this year. From 1 January, the ACL banned anyone in Victoria from engaging in certain behaviours in trade or commerce, including physical force, undue harassment or coercion. More changes will come into effect on 1 July 2011, including abolishing the licensing of debt collectors and instead banning certain people or organisations from collecting and purchasing debts.

Victoria a leader in national reform projects

In mid-2010, the Council of Australian Governments agreed to develop a nationally-consistent approach to fundraising regulation and Victoria was assigned lead jurisdiction on fundraising regulatory reform. A national fundraising project team has been established and a preliminary details and options paper circulated. The project is ongoing and reports to the Ministerial Council on Consumer Affairs (MCCA).

We also had a lead role in progressing policy and legislation for the introduction of a national business names registration scheme. The referral of state laws to the Commonwealth is scheduled for mid-2012.

We continued to work on developing the online Personal Property Securities Register, a single national register of security in personal property, which will replace more than 30 registers currently kept across different jurisdictions. To prepare for migration to the new system we made amendments this year to a number of consumer acts. The register is due to launch in October 2011. It is expected to increase the availability of finance and reduce business costs.

On 1 July, we finalised a major piece of work when the Commonwealth assumed responsibility for regulating consumer credit. We worked closely with the Commonwealth to ensure a smooth transition to the new scheme.

We continued to be involved in developing the Co-operatives National Law, as part of a national working party auspiced under MCCA. The proposed final version of the law has been developed and a timetable provided

to MCCA proposing the law's out-of-session approval in the second half of 2011, with implementation in 2012.

REDUCING RED TAPE

Consumer Affairs Victoria is responsive to the needs of small business and we have been constantly working to identify and reduce red tape.

A major government project to cut red tape for business by 25 per cent progressed well this year. We completed two major projects and progressed a further four projects that will deliver an estimated total of \$13 million per year in regulatory burden reductions, once they are completed in 2012.

Reforms completed in November, which have simplified criminal and financial history checks of licensed occupations using the Licensed Occupations and Registrations Information System, will reduce regulatory burden by an estimated \$1.26 million per year. In 2011-12, the project will expand to include online forms for registered entities, such as incorporated associations and co-operatives.

Reforms we completed in March, which involved updated estate agents audit report forms, will deliver an estimated \$3 million a year in regulatory burden reductions. Our work on modernising consumer legislation will reduce red tape burden by an estimated \$2.78 million per year, with most reforms and repeals being implemented on 1 July. Reforms to incorporated associations, expected to be completed next year, will contribute an estimated \$6 million per year in regulatory burden reductions.

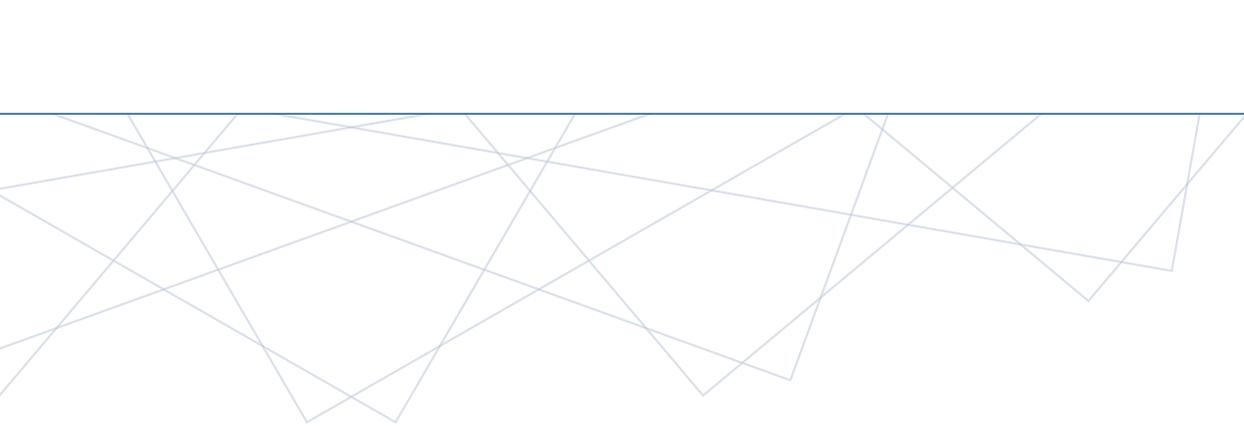
ENHANCING CONSUMER PROTECTIONS

We worked on many reforms this year to ensure our consumer laws were relevant, modern and responsive to the changing marketplace.

Changes affecting incorporated associations

Changes this year included major legislative reforms to the *Associations Incorporation Act 1981* (with a default commencement date of 1 December 2011), which:

- repeal the restrictions on trading by an incorporated association
- provide that an incorporated association may only exercise its powers, use its income, assets or profits in accordance with the purposes provided in the rules of the association
- reduce compliance obligations on a number of intermediate-sized associations
- provide for an indemnity to be provided by an incorporated association to members of the committee of an incorporated association where they have acted in good faith and for the purposes of the association
- clarify the minimum rights of members.



New protections for renters

The *Residential Tenancies Amendment Act 2010* brought in a number of changes, principally relating to owner-renters in caravan or residential parks. The owner-renter provisions offer specific protections to people who own a transportable home and rent the dwelling's site.

The new protections for owner-renters include a minimum of 365 days' notice to leave their sites (where there is no fault by the owner-renter), better information before signing an agreement, the right to a cooling-off period and the right to organise residents' groups. Additionally, when new residential parks are set up they must offer residents a minimum lease term of at least five years.

The *Residential Tenancies Amendment Act 2010* also introduced added protections for rooming house residents. The provisions include a power to prescribe, by regulation, minimum standards for rooming house accommodation. A specific provision was included to give residents the right to a longer notice-to-vacate period when a lease to a rooming house operator is running out.

Additional provisions in the Act include safeguards for the operation of databases used by landlords and estate agents, which list tenants who may have been in breach of the terms of their lease, and increased penalties for various offences under the *Residential Tenancies Act 1997*. Work is ongoing to develop the supplementary regulations and information necessary to support the new provisions, which will mostly commence on 1 September 2011.

Changes to the *Owners Corporations Act 2006*, which came into effect on 1 January, made it easier for lot owners and corporation managers by simplifying processes and allowing more flexibility around how owners corporations operate. The changes also clarify how a chairperson or secretary can be removed from the committee. Neighbours of owners corporations are better protected under the changes, which require owners corporations to have insurance for services shared by both properties, such as water and gas pipes.

Contributing to a food labelling review

We contributed to a Victorian Government submission to the national review of food labelling – *Side effects of having informed choice as an objective of government intervention in food labelling*. The Government is currently developing a response to the 61 recommendations of the national review's final report. The development of a national response, combining the views of all jurisdictions, is likely to extend into 2012.

Improving regulation of the travel industry

We worked on improving and modernising the regulation of the travel and travel-related services industry, to make sure that regulations were keeping pace with changes in the industry and were providing appropriate consumer protection. We contributed to a draft Regulatory Impact Statement on proposed changes to travel industry regulations, which canvassed options for reforming existing competency and conduct requirements for travel industry participants. Public consultation on the draft statement closed on 1 April 2011. The responses were considered by MCCA in June and transition planning will commence in 2011–12.

Examining the experience of consumers and business

As part of a MCCA advisory committee, we helped develop the first national survey of consumer and business awareness and understanding of consumer laws and issues. The Australian Consumer Survey, commissioned jointly by all jurisdictions, surveyed more than 5,300 consumers and 1,200 businesses. It gathered baseline data on consumer and business behaviour, awareness of consumer laws, and current and potential trends in areas of consumer detriment. It found a high level of awareness of consumer protection laws and confidence that traders would do the right thing. The most common problems were poor customer service, high or unexpected fees and delayed or undelivered goods or services. The data will inform future policy and enable evaluation of the impact of the ACL's introduction.

ACTS PASSED	
NAME	DATE OF ROYAL ASSENT
<i>Associations Incorporation Amendment Act 2010</i>	24 August 2010
<i>Consumer Affairs Legislation Amendment (Reform) Act 2010</i>	28 September 2010
<i>Residential Tenancies Amendment Act 2010</i>	28 September 2010
<i>Fair Trading Amendment (Australian Consumer Law) Act 2010</i>	19 October 2010
REGULATIONS COMMENCED	
NAME	DATE COMMENCED
Conveyancers (Professional Conduct and Trust Account and General) Amendment Regulations 2010	1 July 2010
Residential Tenancies Amendment (Student Accommodation) Regulations 2010	17 August 2010
Motor Car Traders Amendment Regulations 2010	1 October 2010
Motor Car Traders Amendment (Infringements) Regulations 2010	5 October 2010
Conveyancers (Professional Conduct and Trust Account and General) Amendment (Infringements) Regulations 2010	12 October 2010
Prostitution Control (Fees) and Prostitution Control Amendment Regulations 2010	1 November 2010
Prostitution Control Amendment Regulations 2010	1 December 2010
Fair Trading Amendment and Revocation Regulations 2010	1 January 2011
Travel Agents Amendment (Infringements) Regulations 2011	1 March 2011
Second-Hand Dealers and Pawnbrokers (Exemption) Amendment Regulations 2011	1 March 2011
Owners Corporations Amendment (Infringements) Regulations 2011	7 June 2011
REGULATIONS REVOKED	
NAME	DATE REVOKED
Petroleum Products (Terminal Gate Pricing) Regulations 2001	1 August 2010
Fuel Prices (Declaration of Secrecy) Regulations 2001	1 August 2010
Fair Trading (Safety Standard) (Basketball Rings and Backboards) Regulations 2002	1 January 2011*
Fair Trading (Prescribed Safety Standard for Baby Walkers) Regulations 2002	1 January 2011*
Fair Trading (Safety Standard) (Bunk Beds) Regulations 2002	1 January 2011*
Fair Trading (Product Information Standards) (Petrol) Regulations 2003	1 January 2011*
Fair Trading (Safety Standard) (Children's Toys) Regulations 2004	1 January 2011*
Fair Trading (Safety Standard) (Babies' Dummies) Regulations 2007	1 January 2011*
Fair Trading (Safety Standard) (Hot Water Bottles) Regulations 2008	1 January 2011*
Fair Trading (Safety Standard) (Prams and Strollers) Regulations 2008	1 January 2011*
Fair Trading (Safety Standard) (Children's Portable Folding Cots) Regulations 2008	1 January 2011*
Fair Trading (Safety Standard) (Treadmills) Regulations 2009	1 January 2011*
Fair Trading (Safety Standards For Lead and Certain Elements in Children's Toys) Regulations 2009	1 January 2011*
Fair Trading (Information Standard) (Cosmetics) Regulations 2010	1 January 2011*

* Product safety regulation is now covered under the ACL (Vic). These regulations were revoked by the Fair Trading Amendment and Revocation Regulations 2010.

REGULATIONS EXPIRED	
NAME	DATE EXPIRED
Estate Agents (Infringements) Regulations 2006	1 July 2010

5

CORPORATE IMPROVEMENTS

Highlights

- + Refocused on frontline service delivery, changed our organisational structure and continued to work on reinvigorating the organisation
- + Completed one of our largest ever training efforts, to educate staff about the Australian Consumer Law, including delivering 53 sessions on 11 different topics
- + Introduced 18 new courses, overhauled our staff induction manual and created a recruitment toolkit for managers hiring staff
- + Created a database 'calendar' of all of our events and activities state-wide

ORGANISATIONAL IMPROVEMENTS

We made several changes to our corporate structure this year to streamline our operations, make the best use of our resources, renew our focus on stakeholder partnerships and prioritise frontline service delivery. We also continued our Refresh, Reform and Realign change program, embedding our program management approach and emphasising our values of collaboration, trust, innovation and empowerment.

Evaluating and aligning our activities

We evaluated our consumer services this year, including our regular Customer Satisfaction Survey of our Enquiries and Dispute Resolution services, as well as the Residential Tenancies Bond Authority. The evaluations measure how customers feel about the service provided by our staff, as well as their perceptions of the business processes they go through. The findings show customers are highly satisfied with our services.

To ensure everything we did was aligned to program and government priorities, we created a database of all our events and activities state-wide. The 'CAV Calendar' is available to all staff plus the Department of Justice Strategic Communication team. It includes presentations, information sessions, compliance activities, court hearings and legislative changes.

Our regional staff deliver regular presentations on business and consumer rights to local communities. We developed trader and community presentation templates for both traders and consumers, to ensure all staff were delivering consistent messages. These presentations were prepared for a variety of topics, including residential tenancy, rooming houses, travelling con men and scams, building and renovating, small business, and the ACL.

In November, we established guidelines on educating business and consumers via social media. These guidelines identified five core values for our use of social media: transparency, protection, respect, responsibility and using best practices.

In early 2011, we began using a code to quickly identify the number of phone enquiries received in response to new campaigns, media events and emerging issues. This enabled us to align current and future resources with expected demand.

Improving our engagement with staff

As a new way to engage and educate staff, we produced multiple videos that we hosted on our internal wiki site, including demonstrations on how to identify unsafe products, interviews with staff who helped in the aftermath of the Victorian floods, and a regular video update from the Director of Consumer Affairs Victoria Dr Claire Noone.

Cultural Diversity Week in March was an opportunity for all to celebrate our cultural, linguistic and religious diversity. We celebrated with 'CAV's Cultural Adventure', a staff event that showcased different cultural activities and brought staff together to appreciate our cultural differences.

We expanded the use of our Twitter account to include job opportunities at Consumer Affairs Victoria and encouraged all staff to contribute ideas for tweets.

A new job shadowing initiative, known as 'A Walk in my Shoes', gave staff the opportunity to build their knowledge of the organisation and to foster integrated compliance. Staff were able to record their experience and share learnings on a dedicated wiki space.



We celebrated Cultural Diversity Week with a staff event that showcased different cultural activities and brought staff together to appreciate our cultural differences.

CONTINUOUS LEARNING

To ensure we maintained a high level of expertise when advising consumers and traders about the ACL and other legislative changes, we ran a comprehensive training program for our frontline service delivery staff.

Big year for training

The introduction of the ACL prompted one of our largest ever staff training efforts, which included 53 sessions covering 11 topics, such as product safety, sales practices and overlaps between state and national laws. We also developed the national training program on Consumer Guarantees for the ACL, which was made available to all jurisdictions to train their staff.

We conducted training sessions in regional offices to ensure we provided the highest quality service to consumers and traders across the state. We also trialled MP3 files as a learning channel so staff located anywhere in Victoria could hear audio lectures and case studies about unfair contract terms.

We introduced 18 new courses this year. Of the many new or continuing learning opportunities offered, VCAT training, which includes observing the Victorian Civil and Administrative Tribunal in action, was again one of the most popular.

In preparation for the transfer of business name registration to the Commonwealth in 2012, we gave affected staff support and training to plan their next career move. We also taught team leaders and managers how to support their staff through this change.

Improving our tools

We gave our Induction Manual for new starters an overhaul in 2010–11 and created our first Recruitment Toolkit for managers who have the important task of hiring staff. We also updated our induction day format to ensure its continued relevance to new staff.

We did significant work on a new online Compliance Manual, based on an audit of business rules and a benchmarking exercise with our counterparts from NSW and New Zealand. We are currently conducting workshops to introduce the manual to the relevant operational staff.

To enhance project management skills we set up a Mentor Program that pairs our staff with senior project managers from relevant business units within the Department. Sixteen staff took part in the program.

Almost 60 senior or rising staff took part in a new Leadership Network, which developed their leadership capability, promoted information sharing and fostered continuous improvement.

APPENDIX 1

TRUST FUNDS MANAGED BY CONSUMER AFFAIRS VICTORIA

Consumer Affairs Victoria manages nine funds established by Acts of Parliament. The funds, and their expenditure purpose, are as follows:

Consumer Credit Fund (Grants relating to consumer credit education and research as permitted by s.86AB of the <i>Credit (Administration) Act 1984</i> , Secretarial support to the Consumer Credit Fund Advisory Committee)
Domestic Builders Fund (Administration of the <i>Domestic Building Contracts Act 1995</i> , Costs relating to the Domestic Building List of VCAT)
Motor Car Traders Guarantee Fund (Administration of the <i>Motor Car Traders Act 1986</i> , Guarantee claims)
Residential Bonds Investment Income Account (Administration of the Residential Tenancies Bond Authority)
Residential Bonds Account (Repayment of bonds)
Sex Work Regulation Fund (Administration of the <i>Sex Work Act 1994</i>)
Victorian Consumer Law Fund (Administration of the <i>Fair Trading Act 1999</i> (Part 7, Division 2, s.102A to E), Orders for payment to non-party consumers, Special purpose grants)
Residential Tenancies Fund (Administration of the <i>Residential Tenancies Act 1997</i> , Costs relating to the Residential Tenancies List of VCAT)
Victorian Property Fund (Administration of the <i>Estate Agents Act 1980</i> and other real estate related legislation as permitted by s.75 of the Act, Grants relating to real estate as permitted by s.76(3) of the Act, Operation of the Estate Agents Council, Guarantee claims, Costs relating to the Owners Corporation List of VCAT)

APPENDIX 2

MOTOR CAR TRADERS GUARANTEE FUND

The Motor Car Traders Guarantee Fund indemnifies consumers against certain categories of loss incurred in dealings with motor car traders, up to a maximum of \$40,000. Most of the money in the fund comes from licence fees paid by motor car traders. The Motor Car Traders Claims Committee determines applications for compensation, reducing the need for legal action and offering an easy and simple alternative process. This is especially important for vulnerable and disadvantaged consumers.

In 2010–11, there were 181 new claims made on the fund and 66 claims admitted for a total payout of \$600,216.43. Fifty-four claims were refused and 49 claims were withdrawn. Of the 49 withdrawn claims, 41 were resolved by the trader after being contacted by the Committee, in the claimant's favour. Claims admitted in 2010–11:

TRADER	NO. OF ADMITTED CLAIMS	TOTAL VALUE OF ADMITTED CLAIMS
LICENSED TRADERS		
Automotive Fleet Management	2	\$72,000.00
Benjamin James Pty Ltd	3	\$32,754.59
Better Choice Wholesale Cars Pty Ltd	1	\$19,000.00
Bradleys Prestige World Pty Ltd	1	\$188.90
Corporate Fleet & Leasing Pty Ltd	6	\$5,971.20
Dennaoui, Mohamed	1	\$1,690.90
Eastland Car Brokers Pty Ltd	1	\$369.10
First Venture Enterprises Pty Ltd	4	\$3,203.80
Gulmen, Mehmet	1	\$22,572.04
Holwade Nominees Pty Ltd	4	\$4,500.00
Kew Motors Pty Ltd	9	\$34,064.72
Melbourne Auto Group Pty Ltd	3	\$36,897.20
Nobledeal Pty Ltd	1	\$900.00
Russell, D'arcy Hugh	1	\$5,500.00
Sale Auto Centre Pty Ltd	3	\$2,698.80
T & A Mastrakoulis Investments Pty Ltd	2	\$1,550.22
Towarra Investments Pty Ltd	10	\$60,263.82
SUB-TOTAL		\$304,125.29
UNLICENSED TRADERS*		
Hogg, Alan	1	\$395.75
Cappelli, Bradley	1	\$32,000.00
Pavlovic, Loretta	1	\$21,450.00
Phoenix Motor Brokers Pty Ltd	8	\$242,245.39
SUB-TOTAL		\$296,091.14
TOTAL	64	\$600,216.43

* Under section 74(3)(a) of the *Motor Car Traders Act 1986* the Committee shall pay a loss incurred if the claimant reasonably believed the trader was licensed

Payments for some claims may extend over more than one year. Expenditure shown in Appendix 3 includes some payments on the claims above plus payments on claims approved in previous years.

APPENDIX 3

CONSUMER AFFAIRS VICTORIA (CAV) FINANCIAL INFORMATION 2010-11

	CONSUMER CREDIT FUND	DOMESTIC BUILDERS FUND	MOTOR CAR TRADERS' GUARANTEE FUND	RESIDENTIAL BONDS INVESTMENT INCOME ACCOUNT
CONSUMER AFFAIRS VICTORIA REVENUE				
Revenue recognition, Estate Agent and Conveyancer trust accounts				
Revenue recognition, Residential Tenancy Bonds				27,628,924
Appropriations				
Fees income			3,122,910	
Interest income	49,649	554,972	10,317	678,852
Transferred from the Building Commission Victoria (Note 1)		8,498,594		
Windup of the Housing Guarantee Claims Fund (HGCF) (Note 2)		6,603,163		
Grants received and other revenue	124,417		3,005	1,338
Penalty income		417	37,119	
Transfers			600,000	(22,000,000)
TOTAL CAV REVENUE	174,066	15,657,146	3,773,351	6,309,114
CONSUMER AFFAIRS VICTORIA EXPENDITURE				
Audit services				11,500
Claims on consumer guarantee funds			529,781	
Consumer Utilities Advocacy Centre				
Contractors, consultants and professional services		346,206	244,749	340,783
Departmental governance and support costs				
Employee-related costs		4,871,588	2,547,893	1,057,165
Grants paid	755,775			
Information technology		96,794	42,042	34,009
Occupancy costs		394,742	260,121	89,765
Other operating costs		998,776	287,899	622,427
Outsourced contracted costs				3,890,390
TOTAL CAV EXPENDITURE	755,775	6,708,106	3,912,485	6,046,039
VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (VCAT) (NOTE 4)				
Fees and other revenue offset		(299,750)		
Employee-related costs		1,749,088		
Other operating costs		811,245		
NET VCAT EXPENDITURE		2,260,583		
TOTAL CAV + NET VCAT EXPENDITURE	755,775	8,968,689	3,912,485	6,046,039
Trust Funds, opening equity 1 July 2010	1,403,522	8,697,360	334,661	3,030,376
Current year operating surplus /(deficit), CAV + VCAT	(581,709)	6,688,457	(139,134)	263,075
TRUST FUNDS, CLOSING EQUITY 30 JUNE 2011	821,813	15,385,817	195,527	3,293,451

RESIDENTIAL TENANCIES FUND	SEX WORK REGULATION FUND	VICTORIAN PROPERTY FUND	TRUST FUNDS TOTAL 2010-11	CONSUMER AFFAIRS VICTORIA APPROPRIATIONS & OTHER 2010-11	CONSUMER AFFAIRS VICTORIA TOTAL OUTPUT 2010-11
		51,018,336	51,018,336		51,018,336
			27,628,924		27,628,924
				25,405,616	25,405,616
	779,955	3,396,545	7,299,410	14,201,837	21,501,247
1,997,320	9,176	17,236,278	20,536,564		20,536,564
			8,498,594		8,498,594
			6,603,163		6,603,163
1,455	450	940	131,605	2,753,845	2,885,450
	15,404	11,500	64,440	3,317	67,757
22,000,000	900,000		1,500,000		1,500,000
23,998,775	1,704,985	71,663,599	123,281,036	42,364,615	165,645,651
			11,500		11,500
		2,832,734	3,362,515		3,362,515
				552,000	552,000
375,515	85,898	1,699,859	3,093,010	2,980,690	6,073,700
				6,515,748	6,515,748
9,300,703	1,335,410	6,697,542	25,810,301	15,728,049	41,538,350
1,039,042		68,640,263	70,435,080	765,877	71,200,957
255,515	25,702	171,452	625,514	690,899	1,316,413
642,722	126,039	537,639	2,051,028	2,714,359	4,765,387
1,276,178	116,337	1,402,358	4,703,975	3,974,816	8,678,791
			3,890,390	2,728	3,893,118
12,889,675	1,689,386	81,981,847	113,983,313	33,925,166	147,908,479 (Note 3)
(1,802,985)		(91,349)	(2,194,084)		
8,079,086		1,057,911	10,886,085		
2,206,879		159,098	3,177,222		
8,482,980		1,125,660	11,869,223		
21,372,655	1,689,386	83,107,507	125,852,536		
41,272,447	271,587	339,645,531	394,655,484		
2,626,120	15,599	(11,443,908)	(2,571,500)		
43,898,567	287,186	328,201,623	392,083,984		

Note 1 – Domestic Building Dispute Levy and Registration Fees.

Note 2 – Transfer of funds following wind up of the HGCF, gazetted 27 January 2011.

Note 3 – CAV Total Output for 2010-11 was \$147,908,479 (the CAV 2009-10 Output was \$142,771,926) which includes \$50 million grant to Office of Housing for public housing.

Note 4 – VCAT activities supported by the CAV trust funds.

APPENDIX 4

GRANTS APPROVED 2010–11

CONSUMER CREDIT FUND

The *Credit (Administration) Act 1984* allows the Minister for Consumer Affairs to make grants from the Consumer Credit Fund. On the recommendation of the Consumer Credit Fund Advisory Committee, the Minister may approve grants for the purposes of providing education, advice, help and research regarding credit. In 2010–11, grants approved by the Minister were distributed as follows:

GRANT RECIPIENT	DESCRIPTION OF FUNDED PROGRAM	VALUE*
Consumer Utilities Advocacy Centre Ltd	Indigenous Research and Action Plan	\$54,126
Footscray Community Legal Centre and Financial Counselling Service	Consumer Advice in Relevant Languages – Financial Information and Referral Project	\$84,675
Brotherhood of St Laurence	Financial life in a new setting: The experiences of the Afghan and Burmese communities in Australia	\$80,000
Migrant Resource Centre North West Region Inc	Financial Knowledge, Financial Power educational project for migrant communities	\$21,522
Redundancy Payment Central Fund Ltd trading as Incolink	Financial Awareness and Assistance to Victorian Building and Construction Workers	\$148,000
Jewish Care (Victoria) Ltd	Jewish Care Financial Counselling Program	\$61,348
St Kilda Legal Service Co-op Ltd	Keeping out of Debt Z-Card Brochure Reprint	\$9,873
Jane Fu	Buying Properties in Victoria: How do the Vulnerable Chinese Immigrants choose Non-ADI Lenders of Loans	\$6,500
TOTAL		\$466,044

*Value is reported exclusive of GST, representing the net cost to the Fund.

Payment of the above grants will extend over more than one year. Expenditure shown in Appendix 3 reflects part payment on these grants plus payments made in 2010–11 on grants approved in previous years.

VICTORIAN PROPERTY FUND

The *Estate Agents Act 1980* allows the Minister for Consumer Affairs to make grants from the Victorian Property Fund for the purposes specified in section 76(3) of the Act. The Minister makes his decision on grants after consultation with the Estate Agents Council and Consumer Affairs Victoria and with any industry associations, government departments and other bodies he thinks appropriate. In 2010–11, the Minister approved the following grants:

GRANT RECIPIENT	DESCRIPTION OF FUNDED PROGRAM	VALUE APPROVED*
Real Estate Institute of Victoria	Professional development program 2010–11	\$238,700
Scope (Vic) Ltd	Whittlesea respite home construction (Note: title to be confirmed)	\$350,000
Australian Livestock and Property Agents Association	Professional development program 2010–11	\$86,711
TOTAL		\$675,411

*Value is exclusive of GST, representing the net cost to the Fund.

Payment of the above grants may extend over more than one year. Expenditure shown in Appendix 3 reflects part payment on these grants plus payments made in 2010–11 on grants approved in previous years, including the \$200 million over four years for affordable housing approved in 2007–08.

APPENDIX 5

REGISTERS ADMINISTERED BY CONSUMER AFFAIRS VICTORIA 2010-11			
	2008-09	2009-10	2010-11
BUSINESS NAMES REGISTER			
New applications lodged	61,452	68,066	65,562
Total on register	380,598	389,677	395,952
ESTATE AGENTS REGISTER			
New applications lodged	719	972	1,206
Total on register	8,429	8,789	9,476
CREDIT PROVIDERS REGISTER			
New applications lodged	118	88	0*
Total on register	802	767	-
* Credit regulation is now administered by the Commonwealth			
MOTOR CAR TRADERS REGISTER			
New applications lodged	168	204	179
Total on register	2,211	2,230	2,251
INCORPORATED ASSOCIATIONS REGISTER			
New applications lodged	1,464	1,439	1,596
Total on register	35,290	35,991	36,756
CO-OPERATIVES REGISTER			
New applications lodged	13	11	23
Total on register	708	707	698
TRAVEL AGENTS REGISTER			
New applications lodged	61	45	68
Total on register	925	903	918
FUNDRAISERS REGISTER			
New registrants	348	445	427
Renewals	808	970	2*
Total on register	1,156	1,415	1,777
* Legislative changes in 2009 now require fundraisers to renew every three years, instead of annually			
SECONDHAND DEALERS AND PAWNBROKERS REGISTER			
New applications lodged	401	419	381
Total on register	5,626	5,241	5,116

REGISTERS ADMINISTERED BY CONSUMER AFFAIRS VICTORIA 2010-11			
	2008-09	2009-10	2010-11
INTRODUCTION AGENTS REGISTER			
New applications lodged	5	2	4
Total on register	57	56	59
PATRIOTIC FUNDS REGISTER			
New applications lodged	2	0	2
Total on register	621	613	611
LIMITED PARTNERSHIPS REGISTER			
New applications lodged	15	17	14
Total on register	155	167	174
CONVEYANCERS REGISTER			
New applications lodged	655	54	80
Total on register	599	636	668
OWNERS CORPORATION MANAGERS REGISTER			
New applications lodged	102	81	78
Total on register	464	508	541
RETIREMENT VILLAGES REGISTER			
New applications lodged	15	9	18
Total on register	389	400	397
FUNERAL SERVICE PROVIDERS REGISTER			
New applications lodged	21	10	21
Total on register	370	380	378
SEX WORK SERVICE PROVIDERS (LICENSEES) REGISTER			
New applications lodged	16	20	15
Total on register	144	145	140
SEX WORK SERVICE PROVIDERS (BROTHEL MANAGER APPROVALS) REGISTER			
New applications lodged	172	180	205
Total on register	682	696	716

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