

# Consumer Affairs Victoria

Annual Report 2013-14  
Making markets fair





Dear Minister

In accordance with the *Australian Consumer Law and Fair Trading Act 2012*, 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 2014, for you to present to the Houses of Parliament.

Yours sincerely

**Dr Claire Noone**  
Director  
Consumer Affairs Victoria



**The Hon. Heidi Victoria MP**  
Minister for Consumer Affairs

## Director's foreword

**This year we worked to improve the fairness of the marketplace by focusing on engagement with business to ensure compliance, and acting quickly against those who do not comply with consumer laws.**

In doing this, we protect more consumers, earlier, more efficiently and with more permanent effect.

We have taken a number of successful court actions that have resulted in strong penalties. This sends a clear message to business that non-compliance has serious consequences.

A major achievement has been our rigorous compliance and enforcement program for rooming houses, which ensured that 99 per cent of rooming houses in Victoria became compliant with minimum standards. We took court action against those who refused to cooperate or comply.

A particular highlight was our success in the courts against a number of estate agents who misused money from trust accounts, three of whom were sentenced to imprisonment. We will continue our focus on deterring this behaviour by seeking strong penalties through the courts.

To support small business we strengthened our compliance assistance services, providing more site visits and easily accessible compliance checklists.

We pursued innovative ways to inform and educate businesses, consumers and tenants. Our renting app, RentRight, puts important information and tools at tenants' and property managers' fingertips. Our Party for Your Rights game helps to educate young Victorians on their consumer rights and be confident in resolving real life purchasing problems. The web is our primary channel for education and information, and social media has become increasingly effective in getting our message out quickly to a broad audience.

We continued to play a leadership role in modernising the national consumer protection framework. This has delivered significant outcomes, including nationwide compliance and education activities about consumer guarantees and targeting property spruikers' conduct.

This year we have undertaken several process reviews that will deliver productivity efficiencies and improve services to business and community agencies. Our ongoing technology improvement program will help us deliver more services online.

Finally, the successful and far-reaching outcomes detailed in this report have been made possible by the efforts of our committed and enthusiastic staff. I thank them for embracing the opportunities and challenges of this year.

**Dr Claire Noone**  
Director  
Consumer Affairs Victoria

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## About us

### Our vision

A well-functioning  
consumer marketplace  
in Victoria

### Our goals

- Responsible, confident and informed businesses and consumers
- Victorian businesses are compliant with consumer laws
- Appropriate consumer law framework in place
- A sustainable and innovative organisation

### Our functions

Consumer Affairs Victoria is the state's consumer affairs regulator. At 30 June 2014, we were responsible for administering 29 Acts of Parliament.

Our role is to:

- review and advise the Victorian Government on the consumer protection framework
- provide information and advice to consumers, tenants, businesses and landlords on their rights, responsibilities and changes to relevant laws
- register and license businesses and occupations
- enforce and ensure compliance with consumer laws.

In 2013-14, we supported the ministerial advisory roles in the Consumer Affairs portfolio, including the Estate Agents Council and the Sex Work Ministerial Advisory Committee. We also provided administrative support to several statutory offices and bodies including the Business Licensing Authority, Motor Car Traders Claims Committee, Residential Tenancies Bond Authority and the Office of the Fire Services Levy Monitor.

## Our performance

### Performance against Budget Paper Number 3 (BP3 targets)

This section reports on our performance against BP3 targets specified for Consumer Affairs Victoria in the 2013-14 Victorian Budget. For budget purposes, outputs are defined as those goods and services provided to

government by departments, agencies and statutory bodies. The table below reports actual performance against targets for each output measure. Corresponding data for the two previous years is also included.

	Unit of measure	2011-12 Actual	2012-13 Actual	2013-14 Target	2013-14 Actual
<b>Quantity</b>					
Information and advice provided to consumers and traders	number	590,449	494,595	520,000	524,078
Inspections, compliance monitoring and enforcement activities <sup>1</sup>	number	9,417	9,749	10,000	10,588
Registration and licensing transactions <sup>2</sup>	number	650,002	467,913	450,000	486,655
<b>Quality</b>					
Customer satisfaction with services provided <sup>3</sup>	per cent	95.0	94.0	90.0	93.2
<b>Timeliness</b>					
Services provided within agreed timeframes	per cent	87.7	90.1	90.0	86.2
<b>Cost</b>					
Total output cost <sup>4</sup>	\$ million	117.9	90.4	88.0	80.8

#### Commentary on performance

<sup>1</sup> The actual is above the target due to an increased focus in compliance assistance and monitoring activities, particularly in the enforcement of rooming house minimum standards.

<sup>2</sup> The actual is above the target due to the higher number of residential bonds being lodged with the Residential Tenancies Bond Authority.

<sup>3</sup> Results for this performance measure are taken from our annual customer satisfaction research. The 2013-14 research involved a survey of about 700 customers across our enquiries, licensing and registration functions.

<sup>4</sup> The actual expenditure is below target largely generated from trust fund expenditure being lower than originally anticipated and savings requested as carryover into 2014-15 for essential ICT upgrades.

<b>Information and advice</b>	
<b>Information and dispute services</b>	
Calls answered	390,349
Disputes finalised – front line resolution	9,395
<b>Digital</b>	
Website visits	2,372,794
Email and online enquiries	48,457
Twitter followers	4,984
Facebook page likes	17,418
YouTube video views	500,105
RentRight app downloads	10,368
<b>Community information</b>	
Consumer Affairs Victoria participation in expos/stalls/conferences	82
Information sessions	897
<b>Registrations and licensing</b>	
New licence, registration and permission applications processed	5,235
Total registration and licensing transactions	486,655

<b>Face-to-face or intensive assistance</b>	
<b>Consumer Affairs Victoria's funded community services</b>	
Tenants assisted under the Tenancy Advice and Assistance Program	6,178
Victorians assisted under the Consumer Advice and Assistance Program	375
Clients assisted with financial counselling	29,515
Clients assisted with financial counselling (MoneyHelp telephone service)	12,630
MoneyHelp website visits	402,191
<b>Compliance</b>	
Compliance assistance site visits	4,671
Inspections	2,713
Investigations	610
Market monitoring activity	895
<b>Enforcement</b>	
Prosecutions finalised	24
Civil actions finalised	64
Parties signed to enforceable undertakings	15

## 2013-14 Year in review – highlights

### Chapter 1: Supporting responsible, confident and informed businesses and consumers

- Further developed our online presence, using social media to educate and inform businesses and consumers, tenants and landlords.
- Launched RentRight, the first mobile app in Australia to put comprehensive information on rental rights, responsibilities and issues at tenants' and property managers' fingertips.
- Held 897 information sessions to educate community groups and businesses about various consumer laws.

### Chapter 2: Ensuring compliance with consumer laws

- Took successful court action against estate agents who misused trust account money.
- Delivered 4,671 compliance assistance site visits to businesses across Victoria, to help them understand their obligations.
- Launched the rooming houses register and delivered an intensive rooming house compliance program, to ensure that rooming houses complied with the 15 minimum standards introduced in March 2013.

- Protected Victorians from unsafe products by removing 39,027 unsafe products from sale.
- Won a landmark case against Dimmeys Stores Pty Ltd and others, which upheld our right to take Australian Consumer Law (ACL) matters to the Federal Court of Australia. We obtained one of the largest civil pecuniary penalties that a court has issued under the ACL.
- Took enforcement action that saw four non-compliant company directors banned from managing a company or corporation for a number of years.
- Helped businesses improve their customer service through our new Better Business Initiative. On average, it led to a 19 per cent reduction in contacts about businesses involved in the program.

### Chapter 3: Our consumer law framework

- Delivered on the measures set out in the Minister for Consumer Affairs' Statement of Expectations.
- Led the national deregulation of travel agent licensing, including repealing Victoria's *Travel Agents Act 1986*.
- Conducted a red tape review of the *Sale of Land Act 1962* and advised the government on amendments to streamline vendor statements under Section 32.

- Conducted a targeted review of the *Owners Corporations Act 2006*.
- Conducted a technical review of the *Retirement Villages Act 1986*.
- Conducted a red tape review of the *Motor Car Traders Act 1986* to consolidate and simplify forms and notices, and to make the process of buying a car easier to understand.

### Chapter 4: Driving a sustainable and innovative organisation

- Improved integration of our compliance risk analysis and enforcement priorities with our business planning.
- Reviewed our performance management framework to improve the way we capture and report data.
- Commenced implementation of the Information and Communications Technology Transformation Strategy, which will transform the way we deliver our regulatory services.
- Trialled online checklists to provide better support for our staff in the field and reduce the time it takes to manually input data.
- Started developing a capability framework to guide the organisation on the knowledge, skills and abilities our staff must have to perform their roles effectively into the future.

# 1 Supporting responsible, confident and informed businesses and consumers

## Highlights

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**10,368**  
DOWNLOADS OF OUR  
RENTRIGHT APP

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**897**  
INFORMATION  
SESSIONS TO COMMUNITY  
GROUPS AND BUSINESSES

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**524,078**  
INFORMATION  
AND ADVICE PROVIDED TO  
CONSUMERS AND TRADERS

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We use contemporary digital channels to support responsible, confident and informed businesses and consumers in Victoria.

Our 'digital first' approach enables businesses and consumers to get the information they need, whenever and wherever they want. In 2013-14, we continued to make the most of new technology to enable consumers to resolve their own problems.

We strengthened services for vulnerable and disadvantaged Victorians, particularly through our funded advocacy and financial counselling programs.

### Connecting with businesses and consumers

This year, we built on our strong social media and online presence to provide Victorians with the latest information. Our social media accounts are carefully monitored to ensure prompt responses to enquiries and comments. The reach of our social media channels extended. We have nearly 5,000 Twitter followers and more than 17,000 Facebook page likes. Our website had more than two million visits in 2013-14.

We are innovative in our use of social media and online channels to educate and warn businesses and consumers about scams. This allows us to quickly alert consumers, businesses and community organisations about new and emerging rip-offs.

In April 2014, we conducted an education campaign, primarily using social media, to promote our Stevie's Scam School videos. These short, entertaining videos give tips to help small businesses and consumers avoid common scams. The videos have been viewed more than 500,000 times since they were launched in 2012.

In October 2013, Minister for Consumer Affairs Heidi Victoria launched My Consumer Rights, a series of videos in seven languages other than English. These outlined consumers' rights and responsibilities when buying goods and services in Australia. We developed the videos in consultation with community groups and tested them with English language teachers and students, settlement services and relevant communities. The videos use simple messages and universal symbols to assist new migrants and refugees with topics such as shopping rights, refunds, contracts, guarantees and warranties, lay-by agreements, resolving issues, and lodging a complaint under the Australian Consumer Law (ACL).

In the same month, we launched Party for Your Rights - an innovative learning experience to educate young Victorians on their consumer rights. This online challenge helps them to be confident in resolving real life purchasing problems. The education campaign was developed in response to national research that found 45 per cent of consumers aged 16 to 24 did not know what rights they had after buying a product or signing up for a service.

**Improvements to our website**

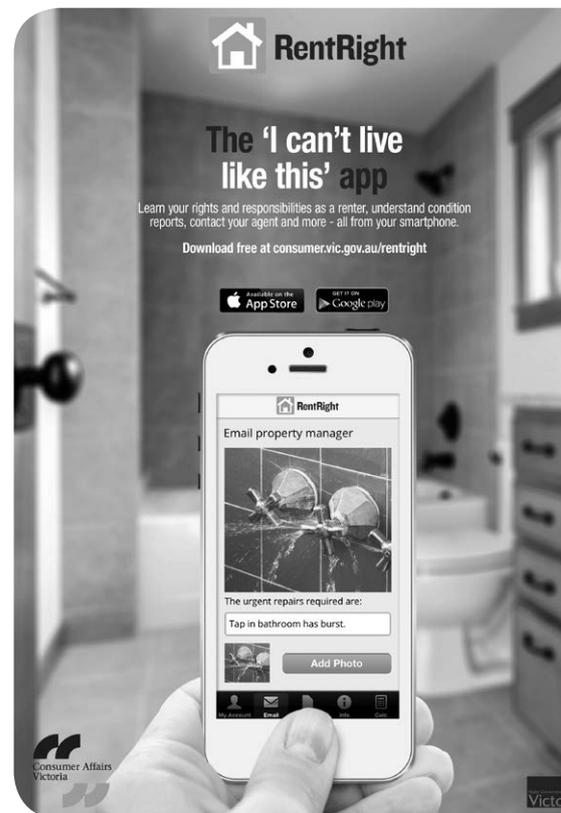
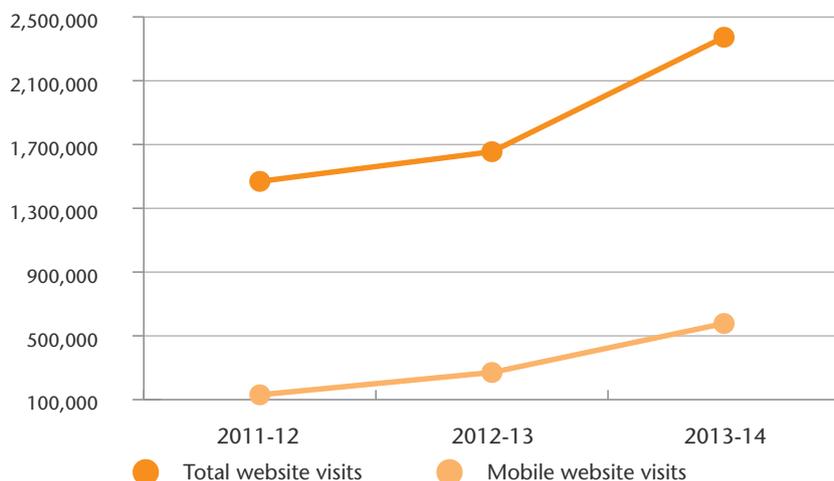
We have greatly improved the design and usability of our contact forms, including mobile forms on the Consumer Affairs Victoria website. The new forms allow for a better customer experience when engaging with us, and the use of mobile forms is in response to the increasing proportion of visits to our website from a mobile device – 25 per cent in 2013-14.

**RentRight app for Victorian tenants**

In November 2013, Minister Victoria launched a free smartphone app for tenants across the state. An Australian and possibly world first, the app helps tenants learn about their tenancy rights. RentRight puts comprehensive information at tenants’ and property managers’ fingertips, particularly in relation to rental rights, responsibilities and issues, such as breaking the lease (or lease termination) and bond claims. It helps tenants to act on their rights by providing an option to communicate with their landlord or estate agent electronically, including serving notices under the *Residential Tenancies Act 1997 (RTA)*. It also provides handy self-help tools for tenants to budget and manage their tenancies. The response has been extremely positive, with 10,368 downloads since the app was launched.

RentRight demonstrates our leadership in online services and commitment to delivering resources in line with community expectations. We will build on this success; a second version of the app will extend tailored assistance to private landlords. It will also assist estate agents to ensure landlords and tenants are aware of their rights and responsibilities.

Website visits



Our RentRight app is a great support and information tool for tenants, landlords and property managers.

## Providing telephone and email advice

We continued our telephone enquiry and email response service this year. In 2013-14, we answered 390,349 calls, down five per cent compared to last year. This slight downward trend reflects the changing way that businesses and consumers engage with us, as digital channels become more important.

We answered 4,398 calls for the Office of the Fire Services Levy Monitor, established to oversee the abolition of the insurance-based Fire Services Levy. Victorians contacted the Monitor on a range of matters, including insurance premiums, potential double charging, and misleading or deceptive conduct by insurers.

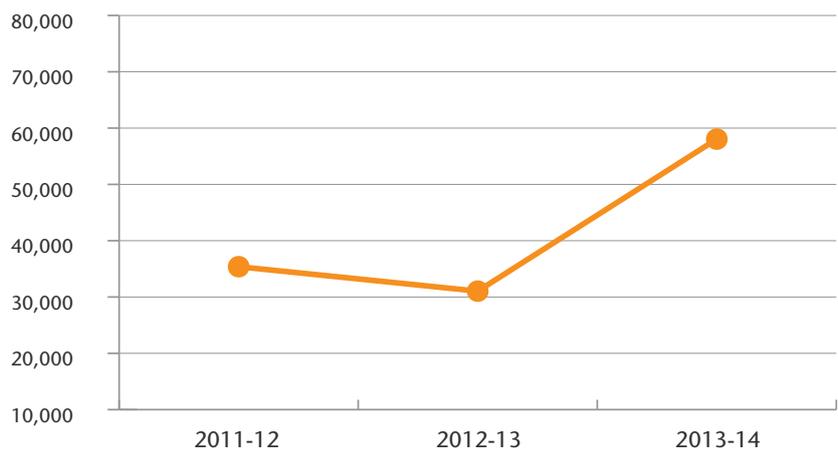
We answered 48,457 email and online enquiries, a significant increase compared to last year. This also highlights that Victorians prefer to connect with us through digital channels.

We regularly communicate with businesses and consumers through our e-newsletters, which have more than 12,000 subscribers. We distribute nine different newsletters, from general consumer updates to industry-specific publications for motor car traders and the real estate sector.

### Telephone calls answered



### Response to letters, emails and online queries



### Calls answered for information and advice

General consumer	102,294
Residential Tenancies Bond Authority (RTBA)	97,309
Registrations	23,191
Renting	90,952
Occupational licensing	25,538
Building	21,342
Estate agents	9,136
Small business infoline	4,822
Fire Services Levy Monitor	4,398
Other calls	7,458
Calls to regional offices	3,909
<b>Total calls answered</b>	<b>390,349</b>

## Top five telephone enquiries for 2013-14

### Issues

1. Quality – defective goods, unsatisfactory services
2. Rights and responsibilities – refund and return rights, contract cancellation and warranty rights
3. Charges, fees and pricing – disputed and unreasonable charges, billing problems
4. Conduct – misleading and deceptive conduct
5. Supply issues – non or partial supply, or delay in supply of goods and services

### Products

1. Household goods – such as furniture, electrical appliances and whitegoods
2. Personal goods and services – such as clothing and footwear, jewellery, hair and beauty services
3. Electronics – such as computer hardware, audiovisual equipment
4. Automotive – such as servicing, maintenance, repairs and restoration
5. Recreational goods and services – such as gyms, sports and leisure goods



Consumers continue to raise issues about household goods.

## Support for vulnerable and disadvantaged Victorians

### Financial counselling

We fund financial counselling services for Victorians experiencing financial hardship. Financial counsellors provide free, independent and confidential phone or face-to-face sessions. A financial counsellor can explain your financial options and the potential consequences if you cannot pay bills, fines or other debts. In 2013-14, the community agencies funded to provide this service assisted almost 30,000 Victorians.

As well as face-to-face support, we also fund MoneyHelp, which provides a statewide phone financial counselling service and a self-help website, MoneyHelp.org.au. In 2013-14, MoneyHelp assisted 12,630 Victorians with phone financial counselling, and had 402,191 visits to their website.

This year we prepared to implement a revised financial counselling model from 1 July 2014. The changes arose from a review, which considered changes in population distribution, housing stress and the level of community disadvantage. The changes will improve integration between face-to-face services provided by community agencies and the telephone and web-based service provided by MoneyHelp.

The revised model ensures the most vulnerable Victorians are prioritised for face-to-face services, and that more Victorians experiencing financial hardship are able to get the help they need.

### Specialist tenancy and consumer services

We provide funding to various community agencies across the state to ensure that tenants and consumers receive the support they need. By collaborating with community agencies, we can target resources and reach a greater number of Victorians who require urgent advice and assistance. In 2013-14, more than 6,500 consumers and tenants received support through our advocacy services.

Under the Tenancy Advice and Assistance Program, we provided services to 6,178 vulnerable and disadvantaged tenants. We fund nine community housing and legal centres to provide advice, negotiate or assist with matters at the Victorian Civil and Administrative Tribunal (VCAT).

The majority of advice the agencies provide relates to Notices to vacate.

We funded the Tenants Union of Victoria (TUV) and Peninsula Community Legal Centre to provide support for some of the most disadvantaged rooming house residents in metropolitan Melbourne.

We provided funding to the Housing for the Aged Action Group, which provides advocacy advice and support to older tenants in Victoria. This group helps older Victorians transition into more affordable housing.

We also assist community workers to improve their understanding of the RTA by funding the TUV to provide tenancy legal advice and training.

Our Consumer Advice and Assistance Program funds three community legal centres to help consumers prepare for and attend VCAT. This year, the program supported 375 Victorians on consumer issues including defective goods, disputed and unreasonable charges and supply issues.

We also funded the Consumer Action Law Centre (CALC) to provide legal advice and consumer legislation training to community workers, focusing on supporting financial counsellors.

We fund both CALC and TUV as statewide peak organisations to provide policy input from consumers' and tenants' perspectives.



### Helping resolve disputes quickly

One of our key functions is to provide a dispute resolution service to Victorian consumers and small businesses, dealing with matters that might otherwise lead to costly and time-consuming court or tribunal action.

Our innovative front line resolution (FLR) service is showing positive results. It is now our primary service for resolving disputes, with about 80 per cent of disputes handled this way. It aims to resolve disputes within 48 hours, by engaging both parties over the telephone to try and reach a mutually agreeable outcome.

Small businesses are also able to use our business-to-business FLR service, in relation to products and services they buy as consumers.

In 2013-14, we finalised 9,395 disputes through our FLR service.

We also work with the Victorian Building Authority to provide the Building Advice and Conciliation Victoria (BACV) service. It assists Victorian builders, owner builders and consumers to avoid home building disputes by providing information in relation to domestic building contracts.

BACV also helps consumers and builders work together to solve building disputes. Its service includes advice, conciliation and technical inspections of building works.

Now our primary service for resolving disputes, FLR aims to resolve disputes within 48 hours.

## Supporting Victorians in the real estate market

This year, we provided seven 30-second videos to inform consumers about how to protect themselves when buying or selling property. An advertising campaign followed to promote the videos. The key message of the campaign was ‘when buying or selling a home, make sure you tick all the boxes’.

For buyers, the 30-second videos cover pest and building inspections, knowing how much you can afford, the auction process and understanding private sales. For sellers, there are videos on shopping around for agents, marketing your home and understanding fees and commissions.

## Community education

Our community education program reaches out to the community, to provide information and education.

We conduct education sessions throughout the state. These complement our compliance activity, particularly for businesses.

In 2013-14, we delivered 897 sessions. Our audiences, both businesses and consumers, benefit through increased knowledge of their rights and responsibilities – which leads to improved business compliance.

Our education program is delivered by regional staff and tailored to local needs. Topics covered include the ACL, door-to-door sales, scams, travelling con men and renting.

This year, we presented to diverse audiences: small businesses, incorporated associations, owners corporations, schools and tertiary institutions, tenants, estate agents, motor car traders and private landlords. We also reached Koori communities, culturally and linguistically diverse communities, and intermediaries who deliver services or advice to vulnerable and disadvantaged Victorians.

## Working with stakeholders

Our stakeholders provide critical information and insights to help us shape compliance and policy approaches and set agency priorities. Our stakeholder engagement framework identifies our key partners, and helps build those relationships. We ensure regular executive, operational and information-sharing meetings are held throughout the year.

This year, industry roundtables again proved to be a constructive approach to progressing key policy questions and industry concerns. Roundtables have included the retirement villages, real estate and funeral industries.

Our Working Together Forum is an invaluable source of information on issues affecting disadvantaged consumers and tenants. The forum brings together a range of consumer, tenancy and community stakeholder groups four times a year to share information, identify emerging and systemic issues and work together on approaches. A prominent theme has been consumer hardship associated with utilities, resulting in engagement with the Essential Services Commission to escalate particular issues.



Staff in regional offices across Victoria educate and inform businesses and consumers.

## A complete service for tenancy bonds

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 RTA, protects tenants from having their bond misused by unscrupulous landlords or agents.

The RTBA, run by Consumer Affairs Victoria, performs numerous transactions, including bond lodgements, bond repayments and transfers. In 2013-14, it registered more than 221,600 bond lodgements and at 30 June 2014, held 542,209 bonds valued at \$806 million. This represents an increase of 4.7 per cent in the number of bonds since 30 June 2013, and a 7.9 per cent increase in value.

In 2013-14, the RTBA carried out 531,900 transactions and turned over \$678.9 million. It processed 99 per cent of all transactions on the same day as receiving the form initiating the transaction.

The RTBA can only repay bonds when there is agreement between the landlord or agent and the tenant, or when directed by VCAT or a court. The RTBA repaid about 197,500 bonds in 2013-14. Of these, seven per cent were at the direction of VCAT or a court. Seventy-nine per cent of bond repayment claims were received through the RTBA's fax facility, which is available to approved users. The process of claims received by fax and funds transferred by direct credit allows bond repayments within 24 hours of the tenant and managing agent agreeing to the distribution of the bond.

In 2013-14, the RTBA upgraded the infrastructure that hosts the RTBA Register and RTBA Online at both the primary and disaster recovery data centres. This included replacing all of the hardware with newer, higher capacity equipment and the upgrade of all the base software. This upgrade has improved user response times and system reliability.

The RTBA also implemented an automated performance monitoring tool to monitor system performance, including response times for the major interactions with the register.

The RTBA introduced improvements to RTBA Online, including:

- allowing registered users to do electronic transactions on all bonds (previously, it only allowed electronic transactions on bonds created by electronic means)
- a bar to prevent registered users logging in from more than one location at the same time, to improve data security
- concluding the first phase of the website rebuild, which included finalising the new design
- a new information page to assist users to register for RTBA Online
- refining text and screens to provide clearer instructions to users.

The RTBA gave presentations to agents and property managers about its activities and common issues concerning transaction processing. It also issued an update to agents about enhancements to RTBA Online.

The RTBA uses text messages to advise of form processing issues, and to remind landlords advertising properties of the need to lodge bonds. During the year, the RTBA sent more than 26,800 text messages.

### RTBA activity 2013-14

Bonds lodged	221,623
Bond repayments	197,500
Bonds transferred	60,398
Bonds held	542,209
Value held	\$806 million

Stevie, the reformed scam artist, educates businesses and consumers on how to avoid scams.

## Scams

Scams are an ongoing risk to our community, especially to older Victorians and people for whom English is a second language. In 2013-14, we continued our comprehensive program of work to help protect Victorian businesses and consumers from scams.

Education is the key and providing information on how to avoid being scammed is one way to ensure that Victorians are protected. We use social media and online channels to educate and warn businesses and consumers, enabling us to quickly alert Victorians to new and emerging scams.

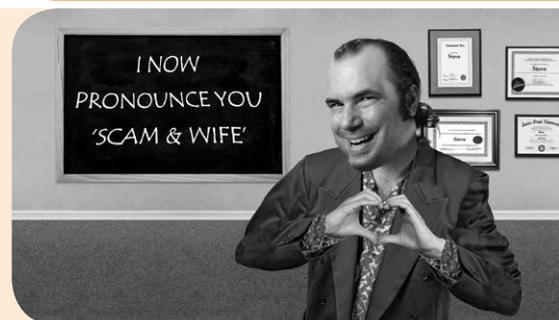
We work with other consumer protection agencies to ensure scam messages are coordinated across the country. For example, in the lead up to Valentine's Day, we ran a mini-campaign on Facebook and Twitter to warn people of romance and dating scams. As the lead agency on this campaign, we ensured a

coordinated national approach to educating Australian consumers about identifying romance scams and protecting themselves.

In April 2014, we launched a campaign to promote our successful Stevie's Scam School videos. The 12 videos, which give tips to small businesses and consumers on how to avoid common scams, have been viewed more than 500,000 times since they were launched.

We endeavour to provide support for vulnerable and disadvantaged Victorians across all our work.

In 2013-14, we published information about avoiding scams, translated into 23 languages. Scam awareness information has been made available on our website in Amharic, Arabic, Burmese, Chin Haka, Chinese (traditional), Croatian, Dari (Persian), Dinka, Farsi (Persian), Greek, Hindi, Italian, Karen, Korean, Macedonian, Maltese, Nuer, Russian, Somali, Spanish, Swahili, Turkish and Vietnamese.



Translated media releases about scams were sent to relevant community media in languages including Chinese, Italian, Arabic, Vietnamese, Spanish, Indian and Greek.

Information about scams appeared in the Spanish Herald newspaper, 21st Century Chinese News, SBS radio Spanish and SBS radio Sinhalese. Community stakeholders were also alerted to our translated scams information, including the Ethnic Communities Council of Victoria, Victorian Arabic Social Services, Karen Community Association of Victoria, and the Office of Multicultural Affairs and Citizenship.

## Stopping travelling con men in their tracks

We monitor and alert the community to travelling con men. In October 2013, we continued our education campaign in partnership with Crime Stoppers Victoria. The campaign consisted of television, radio and print announcements, encouraging Victorians to report suspicious tradespeople who knock on their doors unexpectedly, offer 'today only' deals, ask for cash up front or pressure them to accept an offer.

We use social media to warn consumers and businesses about travelling con men in their area.

Our followers often share our Facebook and Twitter posts with friends and family in the affected area, and these posts can reach thousands of people. We also work closely with other ACL regulators to warn Australians about travelling con men. In a joint initiative by all Australian state and territory governments, we encourage consumers to visit the Stop Travelling Con Men website [stoptravellingconmen.org](http://stoptravellingconmen.org) and Facebook page for interactive and up-to-date information.

### How to spot and avoid travelling con men

Be suspicious of people who:

- knock on your door unexpectedly and offer cheap deals using words like 'for today only'
- ask for cash up front
- offer to drive you to the bank to get money for payment
- make you feel pressured to accept their offer.

To avoid getting ripped off by travelling con men:

- shop around for a quote that is right for you
- only use established tradespeople who provide written quotes
- do not sign any agreement until you are ready.

# 2 Ensuring compliance with consumer laws

## Highlights

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**10,588**  
**INSPECTIONS,**  
COMPLIANCE MONITORING  
& ENFORCEMENT ACTIVITIES

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**486,655**  
REGISTRATION AND  
LICENSING TRANSACTIONS

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**SUCCESSFUL**  
COURT ACTION  
AGAINST ESTATE AGENTS  
**WHO MISUSED**  
TRUST ACCOUNT MONEY

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To ensure compliance with consumer laws, we provide registration and occupational licensing services, support businesses through compliance assistance, and take enforcement action when appropriate.

As a market regulator, we work to prevent harm to consumers and businesses by engaging with businesses to ensure compliance, and acting quickly against those harming Victoria's marketplace. This approach means that we protect more consumers and businesses, earlier, more efficiently and with more permanent effect.

We have a comprehensive integrated compliance framework to ensure businesses meet their regulatory requirements. We monitor the marketplace and plan our compliance program accordingly. This enables us to focus our efforts on areas that pose the highest risk to Victorians.

We continue to enforce the law when non-compliance is systemic or poses a high risk to the community. Confirming our standing in the Federal Court, the landmark win against Dimmeys Stores Pty Ltd and others relating to the sale of unsafe products saw one of the largest civil pecuniary penalties ordered under the Australian Consumer Law (ACL). See page 15 for the story.

### Providing the right support to small business

Compliance assistance site visits are a practical tool we use to help businesses meet their obligations under consumer law. These proactive visits help to prevent breaches by informing and supporting the business to understand their responsibilities.

The visits provide businesses with the information and advice they need to ensure their conduct, processes or record keeping complies with their legislative obligations. They also help businesses save on the time and costs of understanding their legal obligations.

Coupled with a more targeted approach to compliance monitoring and enforcement, we have used our resources to help businesses become compliant and responded swiftly to those that fail to comply.

This is a much better model than punishing businesses for minor housekeeping irregularities, and can address any such issues before enforcement action is required. As a result, we now visit more businesses in order to provide compliance assistance.

In 2013-14, we have undertaken 4,671 compliance assistance site visits to businesses across Victoria; the most we have ever done.

It is important that small businesses have the right information available to them, so that they can comply with the laws and avoid regulatory intervention.

Compliance assistance site visits are a practical tool to assist small businesses to understand their regulatory obligations.



Our website has a dedicated section for businesses, which was viewed 934,712 times in 2013-14. We also answered 4,822 calls on our small business infoline.

We also work with the Victorian Small Business Commissioner to assist small businesses to understand their ACL responsibilities. This includes joint events, such as our participation in the Small Business Festival.

In 2013, we hosted an event called 'Trading on the right side of the law' at the festival. Nearly 30 small businesses were represented at the event, which was held at the festival hub in Melbourne's Federation Square.

At this year's festival, we will educate and support small business at events in metro and regional Victoria and provide information on the ACL, returns policies, selling safe goods and how to identify and avoid small business scams.

### Misuse of real estate trust account money

Many Victorians put their trust in an estate agent to sell their home. Under the *Estate Agents Act 1980*, estate agents are required to keep money received on behalf of any other person in a separate trust account, including home deposits. As at 30 June 2014, there were more than 2,300 estate agents operating a trust account in Victoria and these accounts had a combined value of more than \$1.5 billion. Maintaining and managing the integrity of trust accounts, as required by law, helps to protect consumers and to ensure public confidence in the industry.

We have an ongoing campaign to crack down on the misuse of trust account money to ensure estate agents comply with their obligations, and that the interests of property buyers and sellers are protected.

Agents who operate trust accounts that hold money during a financial year must have those accounts audited by a qualified auditor and submit the report to Consumer Affairs Victoria within 10 days of receiving it. Failing to submit a trust account audit report within the required timeframe is one of the risk factors we use to target our inspections.

This year, we made more than 900 compliance assistance site visits and inspections of estate agents, including in relation to trust account compliance. We have taken court action against agents who misappropriated trust monies, and three have been sentenced to imprisonment – a sharp reminder of the serious legal consequences that can result from misusing trust account funds. Our ongoing trust account compliance program sends a clear message to those tempted to abuse the trust placed in them: you will be caught.

## Our integrated compliance model

We use an integrated compliance approach to improve compliance with the law and reduce consumer detriment. By actively engaging with consumers, businesses, community agencies and regulatory partners, we work towards our vision of a well-functioning consumer marketplace in Victoria. In turn, this contributes to a thriving economy and inclusive community in Victoria.

Integrated compliance is about using all of our tools effectively, from early intervention tools, such as education, advice and dispute resolution, through to court action for the most serious matters. Our operations must align with the complex internal and external environments in which we operate.

There are seven key principles of integrated compliance that we consider when managing any matter that comes to us.

### Outcome-focused

Our work is focused on improving compliance to reduce consumer detriment – individual compliance actions are not ends in themselves.

### Tailored

We tailor our solutions to the specific problem, assess the underlying cause and select the right tool for the job.

### Integrated

Our approach is integrated across the organisation – we are more effective when we align our activities, such as education and compliance.

### Flexible and innovative

Our staff are empowered and encouraged to pursue new solutions to problems.

### Problem solving

We take a problem-solving approach and ensure that the compliance tools fit the problem. We empower staff to seek an effective solution.

### Evidence-based

Evidence is used to target interventions in the market and to rigorously assess how effective the interventions have been.

### Builds on past actions

We always take into account our previous interactions with the business or industry.

## Better Business Initiative

In 2013-14, we refreshed our compliance assistance programs with a renewed focus on business accountability. This was demonstrated through our launch of the Better Business Initiative, which targets businesses with a relatively high number of contacts reported to Consumer Affairs Victoria.

The initiative focuses on businesses that would benefit from implementing ongoing and sustainable improvements, to reduce consumer problems and prevent further intervention. Sectors engaged through the program include the building industry, solar retailers, and clothing and furniture retailers. The types of issues dealt with include product and service faults, delayed supply and disputed fees and charges.

Since starting this initiative in late 2013, we have engaged with more than 50 businesses, and initial results already point to success:

- an average 19 per cent reduction in contacts about the businesses engaged in the initiative
- 117 business improvement recommendations implemented by businesses engaged under the initiative.

The successes of this initiative include:

- a volume builder that had a 40 per cent reduction in contacts since we engaged with them
- a solar company that improved its warranty claims process and proactively contacted all its customers experiencing delays in supply. This led to a 30 per cent reduction in contacts to Consumer Affairs Victoria since we first met with the business.

While we work closely with businesses to help improve their business practices as part of this initiative, the results indicate that this meets a broader objective to prevent consumer harm.

The initiative is another example of how we are taking a more innovative approach to regulation. Some ACL regulators have also adopted this model as a framework for engaging businesses, demonstrating our leadership in national regulation. We continue working with a number of businesses to further reduce contacts and increase business compliance.

Working in partnership with Kidsafe Victoria and Monash Children's Hospital.



## Leading the way in product safety

We work to protect the community from unsafe products, including unsafe toys. Unsafe products may include curtain blind cords, children's toys, sunglasses, quad bikes, button batteries and more recently, inflatable and portable pools. We have a comprehensive approach to product safety enforcement. Reaping the benefits of years of strategic court actions in Victoria's superior courts, we have a targeted and effective regime to stop non-compliant conduct and to prevent unsafe products reaching the market. We conduct regular inspections of wholesale and retail businesses for non-compliant and unsafe products. By targeting importers and wholesalers, we can stop unsafe products before they get onto shop shelves.

To ensure our product safety messages are reaching our target audiences, we collaborate with organisations such as Kidsafe Victoria and the Royal Children's Hospital Safety Centre. In June 2014, the Minister for Consumer Affairs visited Monash Children's Hospital to warn parents about button-shaped batteries.

Button batteries found in common household items such as remote controls, laptops, toys and books can cause severe, life-threatening injuries if swallowed by children.

We also participate in Standards Australia committees to develop safety standards for children's products. As part of the nationwide ACL 'one law, multiple regulators' model, we protect consumers by working closely with the Australian Competition and Consumer Commission (ACCC) and counterparts in other states and territories.

The collaborative approach enables Victoria to be at the forefront of product safety compliance and enforcement.

We monitor business compliance with product safety laws through regular, targeted compliance activities. This year, 39,027 unsafe products were identified and removed from sale, including 26,000 non-compliant toys. We prevented thousands of unsafe products from ending up in the hands of vulnerable children. We have accepted enforceable undertakings from 12 companies and individuals. We have also taken court action against 26 importers and suppliers of non-compliant goods. This includes taking matters to the Federal Court of Australia when appropriate.

Our landmark case against discount retailer Dimmeys Stores Pty Ltd, Starite Distributors Pty Ltd and their director Douglas Edward Zappelli, was the first time a state or territory regulator had taken ACL action in the Federal Court of Australia. We issued proceedings in late 2012 after more than 18,000 items of girls' padded swimwear, baby bath squeeze toy sets, cosmetics sets and basketball rings were seized and recalled from Dimmeys stores in Victoria and New South Wales.

The girls' padded swimwear did not meet labelling requirements under flotation aid safety standards, the squeeze toys posed a choking hazard, the cosmetics sets did not label ingredients as prescribed by the Cosmetics Information Standard, and the basketball rings did not include warnings required under the Basketball Rings Standard.

On 17 December 2013, Dimmeys Stores Pty Ltd was ordered to pay a civil pecuniary penalty of \$3 million, while Starite Distributors Pty Ltd and Mr Zappelli were ordered to pay penalties of \$600,000 and \$120,000 respectively.

Mr Zappelli was also disqualified from managing corporations for a period of six years. The Federal Court restrained Dimmeys from selling any product subject to a safety standard for six years. They were ordered to place advertisements about the court's decision in newspapers across Victoria and New South Wales, on their website and in all their stores. The court also ordered the destruction of all seized products at Dimmeys' expense.

### IMPORTANT PUBLIC NOTICE

In the legal proceedings taken by the Director of Consumer Affairs Victoria, the Federal Court of Australia has declared that DIMMEYS STORES PTY LTD, and STARITE DISTRIBUTORS PTY LTD have contravened the product safety provisions of the Australian Consumer Law.

DIMMEYS breached the law by supplying and offering for supply to the public:

- Girls Padded Swimwear;
- Baby Bath Squeeze Toy Sets;
- Cosmetics - Shower Gift Sets; and
- Basketball Rings.

which did not comply with the relevant safety standards. STARITE breached the law by supplying the goods to DIMMEYS for resale to the public. The court also declared that MR DOUGLAS EDWARD ZAPPELLI, a director of both DIMMEYS and STARITE, was involved in those companies' contraventions of the Australian Consumer Law.

The Federal Court of Australia ordered the Respondents to pay total penalties as follows:

- DIMMEYS \$3,000,000;
- STARITE \$600,000; and
- MR ZAPPELLI \$120,000.

The Court has also imposed injunctions restraining DIMMEYS and STARITE from carrying on a business of supplying, to retailers or to consumers, any goods of a kind or class for which there exists a safety standard, and restraining MR ZAPPELLI from being involved in carrying on such a business with any person.

MR ZAPPELLI has been disqualified for 6 years, from managing corporations.

DIMMEYS, STARITE and MR ZAPPELLI were ordered to pay for the destruction and disposal of all the goods seized by Consumer Affairs Victoria or returned to DIMMEYS.

This Notice is published and paid for by DIMMEYS, STARITE and MR ZAPPELLI, in accordance with the Order of the Federal Court of Australia made on 17 December 2013 in the legal proceedings taken by the Director of Consumer Affairs Victoria.

The public notice on the Starite Distributors website [www.starite.com.au](http://www.starite.com.au), as ordered by the Federal Court.

## Efficient registration and licensing

Simplifying services for business, this year we brought together our existing registration and licensing branches to form the Regulatory Transaction Centre (RTC). The RTC delivers occupational licensing and registration services to Victorian businesses and associations. It also provides over-the-counter services on a broad range of enquiries and transactions.

This year, we processed 5,235 new licence registration and permission applications, including those for businesses such as motor car traders and estate agents. We also processed 23,271 occupational licensing and registration annual returns; a 25 per cent increase from the previous year.

We processed 168 claims against the Motor Car Traders Guarantee Fund and 86 claims against the Victorian Property Fund. We also processed 41,569 incorporated association, fundraising and co-operative applications, annual returns and changes; a 10 per cent increase from the previous year.

By streamlining licensing eligibility criteria and reworking our internal processes, we have significantly reduced approval time for low-risk occupational licence applications for estate agents, conveyancers, motor car traders, travel agents, second-hand dealers and owners corporation managers.

We also introduced an online renewal process for motor car traders, second-hand dealers and pawnbrokers. The online renewal process fast-tracks processing of simple renewals, which account for about 85 per cent of renewal requests received.

We have started implementing our Information and Communications Technology Transformation Strategy. This will revolutionise the way we register and license businesses and community associations. It will see us develop an online environment supporting licensing, registration and information services. We anticipate that the system will greatly reduce turnaround times and enable customer access anytime, from any web-enabled device.

## Registers administered by Consumer Affairs Victoria

	2011-12	2012-13	2013-14
<b>Estate agents</b>			
New applications lodged	1,251	1,079	1,219
<b>Total on register</b>	<b>10,045</b>	<b>10,565</b>	<b>11,171</b>
<b>Motor car traders</b>			
New applications lodged	176	173	177
<b>Total on register</b>	<b>2,246</b>	<b>2,243</b>	<b>2,188</b>
<b>Incorporated associations</b>			
New applications lodged	1,608	1,599	1,695
<b>Total on register</b>	<b>37,605</b>	<b>38,751</b>	<b>39,883</b>
<b>Co-operatives</b>			
New applications lodged	28	5	10
<b>Total on register</b>	<b>685</b>	<b>655</b>	<b>630</b>
<b>Travel agents</b>			
New applications lodged	56	59	46
<b>Total on register</b>	<b>920</b>	<b>911</b>	<b>923</b>
<b>Fundraisers</b>			
New registrants	657	507	771
Renewals	270	491	168
<b>Total on register</b>	<b>1,805</b>	<b>1,961</b>	<b>2,191</b>
<b>Second-hand dealers and pawnbrokers</b>			
New applications lodged	343	345	436
<b>Total on register</b>	<b>4,826</b>	<b>4,526</b>	<b>4,385</b>

	2011-12	2012-13	2013-14
<b>Patriotic funds</b>			
New applications lodged	0	2	5
<b>Total on register</b>	<b>605</b>	<b>604</b>	<b>602</b>
<b>Limited partnerships</b>			
New applications lodged	32	63	29
<b>Total on register</b>	<b>199</b>	<b>256</b>	<b>271</b>
<b>Conveyancers</b>			
New applications lodged	79	80	80
<b>Total on register</b>	<b>682</b>	<b>730</b>	<b>712</b>
<b>Owners corporation managers</b>			
New applications lodged	61	78	88
<b>Total on register</b>	<b>545</b>	<b>570</b>	<b>602</b>
<b>Retirement villages</b>			
New applications lodged	8	6	6
<b>Total on register</b>	<b>404</b>	<b>409</b>	<b>415</b>
<b>Funeral service providers</b>			
New applications lodged	7	24	12
<b>Total on register</b>	<b>385</b>	<b>407</b>	<b>415</b>
<b>Sex work service providers (licensees)</b>			
New applications lodged	23	13	21
<b>Total on register</b>	<b>142</b>	<b>139</b>	<b>130</b>
<b>Sex work brothel managers (brothel manager approvals)</b>			
New applications lodged	196	187	195
<b>Total on register</b>	<b>741</b>	<b>746</b>	<b>756</b>

## Ensuring rooming houses comply

The Victorian Government introduced minimum standards for rooming houses, which took effect in March 2013, and a statewide register that went live in August 2013. These reforms set a minimum level of safety, amenity and security.

Consumer Affairs Victoria was responsible for the implementation of the minimum standards, working with local councils and other organisations.

### Minimum standards

Fifteen minimum standards that address safety, security, amenity and privacy for residents were introduced, along with infringement notice provisions for owners who fail to comply with the standards. The reforms also empowered local councils to consider the minimum standards in registration applications, where councils can impose conditions on a registration or refuse registration due to non-compliance.

We have undertaken a range of measures to assist owners, including on-site visits, written notices of observed non-compliance and follow-up inspections. We issued infringement notices when premises were found to be in breach of the standards, and we took enforcement action against owners where there was evidence of systemic non-compliance. This is highlighted by recent legal proceedings in the Supreme Court of Victoria and the Magistrates' Court of Victoria.

We conducted 1,377 inspections and re-inspections of 1,127 rooming houses. There are about 1,100 premises registered and operating as rooming houses, administered by local councils. This figure changes as councils register new rooming houses, process new applications and cancel the registration of existing rooming houses. Ninety-nine per cent of rooming houses became compliant. We commenced civil proceedings to require the remaining operators to comply.

In recent Supreme Court proceedings, the court accepted our evidence of ongoing engagement and our attempts to resolve issues of non-compliance before commencing court action. Most issues of non-compliance related to electrical and gas standards. These are treated with the utmost seriousness, as non-compliance poses a serious threat to the safety and wellbeing of rooming house residents. We obtained declarations and personal undertakings to the court, or injunctions, against a number of owners.

In May 2014, we commenced proceedings in the Magistrates' Court of Victoria against a further nine non-compliant rooming house owners for various contraventions of the *Residential Tenancies Act 1997* and Residential Tenancies (Rooming House Standards) Regulations 2012. These actions are in progress.

### Statewide rooming house register

In August 2013, we introduced the statewide register of rooming houses, administered by local councils. The register has achieved a key objective, allowing anyone to identify rooming house operators and helping with identification of unregistered rooming houses. Before this, councils maintained lists of rooming houses registered in their municipalities. These lists were generally not shared with other councils or Consumer Affairs Victoria, and provided little insight into who was operating Victoria's rooming houses.

We have worked closely with local councils to ensure all rooming houses are registered and we have undertaken joint inspections when appropriate.

OVER  
**1,100**  
ROOMING HOUSES  
REGISTERED IN VICTORIA

 **99%**  
COMPLIANCE  
ACHIEVED AS A RESULT  
OF OUR ASSISTANCE

Our successful court actions send a clear message that non-compliance has serious consequences.



### Banning orders for non-compliant businesses

This year, our enforcement action has led to four banning orders under the ACL against company directors. These are significant as they restrict the non-compliant company directors from managing a company or corporation for a number of years. In some instances, the order also requires limited activity once the ban is complete.

### Mark Bailey and Bailey Designed Engineering Pty Ltd

In April, Bailey Designed Engineering Pty Ltd's sole director Mark Bailey was disqualified from managing a corporation until 1 July 2019. In February 2014, we commenced action against the renewable energy company and Mr Bailey for breaches of the ACL. This followed allegations that the company failed to supply goods and services as ordered, and that some supplied goods and services were not of acceptable quality. Consumer Affairs Victoria obtained interim orders restraining Mr Bailey and the company from accepting any payment from customers before supplying promised goods and services.

As well as obtaining a banning order, we also obtained injunctive relief relating to the sale, supply, delivery and installation of wind turbines, solar energy equipment, water pumps and related items. Until 1 July 2024 Mr Bailey, his employees or agents must not request or accept:

- money or other consideration on deposit
- payment or other consideration before delivery or installation of the appliances or components
- any payment or other consideration before completing the promised services.

Mr Bailey was also ordered to publish public notices about the orders and pay \$8,666 in costs.

### **Mark William Whittingham and Connection Blue Pty Ltd**

In August 2013, the Magistrates' Court of Victoria disqualified Mark William Whittingham from managing any corporation until 2028. Mr Whittingham was sole director of Connection Blue Pty Ltd, which took deposits totalling \$292,723 from five estate agents for rent rolls that it then did not supply or provide refunds. Rent rolls are databases of rental properties that the agent will manage. The court required Mr Whittingham and Connection Blue to pay nearly \$20,000 in costs, and advertise the court's decision in the Herald Sun newspaper. It restrained Mr Whittingham and his company until 1 June 2023 from undertaking the following activities in relation to rent rolls, mortgage trail books or planning books:

- disbursing, transferring, dealing with, drawing on or disposing of deposits received before sale and delivery
- requesting any money from anyone for access to such assets
- requesting, disbursing, transferring, drawing on or disposing of any payment or other consideration before delivery.

A mortgage trail is a database of loan details that a broker uses as part of their portfolio. The buyer of a loan trail book is entitled to the trailing commissions on the loans. We had previously issued several public warnings about Mr Whittingham's business conduct in connection with the sale of rent rolls and loan trail books.

In June 2013, Mr Whittingham and Connection Blue were ordered to pay nearly \$200,000 as compensation to four agents for rent rolls that the business did not supply.

### **Douglas Edward Zappelli and Dimmeys Stores Pty Ltd, Starite Distributors Pty Ltd**

Following our landmark case in the Federal Court, Douglas Edward Zappelli, director of Dimmeys Stores Pty Ltd and Starite Distributors Pty Ltd was disqualified from managing corporations for six years. Dimmeys Stores Pty Ltd was also restrained from selling any product subject to a product safety standard for the same period. For more information on this enforcement action, see page 15.

### **Mardi Tovey, Richard Tovey, Australia Heating & Air Conditioning Pty Ltd**

In June, Australia Heating & Air Conditioning Pty Ltd company director Mardi Angela Tovey was disqualified from managing corporations until 1 July 2024. Customer Service Manager Richard Tovey was also disqualified from managing corporations until 1 July 2018. They were also ordered by the Magistrates' Court of Victoria to pay \$100,000 in compensation. The court also restrained Australia Heating & Air Conditioning Pty Ltd from:

- requesting or accepting money on deposit for the sale, supply, delivery or installation of any heating or air-conditioning appliances or components
- requesting or accepting any payment for the above, prior to the actual delivery or installation of the appliance
- requesting or accepting any payment for the supply of any services in connection with heating or air-conditioning appliances.

## Enforcement action

### Parties signed to enforceable undertakings

Vit Sklenar  
 Urban City Realty Pty Ltd  
 George Errichiello  
 Zapatin Imports Pty Ltd  
 Nuo Xing  
 Yin Wei  
 Zhi Tao Hong  
 Xiao Hong Lu  
 David Michael Trading Company Pty Ltd  
 Yimin Yu  
 Red Hot Spot Pty Ltd  
 Jiabin Zhang  
 W.Y Imports and Exports Pty Ltd  
 Weiyang Zhu  
 Australian Geographic Retail Pty Ltd

### Prosecutions finalised

Solareco Pty Ltd  
 Dynasty Global Pty Ltd  
 Andrew James Sackl  
 Sean Appleyard  
 Matthew Easton  
 David Stogiannou (two prosecutions)  
 Nadim Mindraoui  
 Konstantinos Balasis  
 Daniel McNamara  
 Robsco Nominees Pty Ltd  
 New Concept Car Sales (Vic) Pty Ltd  
 George Kotses  
 John Athanasiou

Hassan Al Banna Al Dali  
 Syed Sarwari  
 JNL AU Holdings Pty Ltd  
 Loan Nguyen  
 Thai Nguyen  
 Paula Tan  
 Son Vu  
 James Scarlett  
 SMTM Properties Pty Ltd  
 Chao Chao Su

### Civil actions finalised (parties)

Connection Blue Pty Ltd  
 Mark Whittingham  
 Adrian Byers  
 Umberto Tassoni – bankruptcy proceedings  
 Superstar Removals and Cleaning Pty Ltd  
 Shine Removals Pty Ltd  
 Blue Rhino Removals and Transport Pty Ltd  
 Zi Wang  
 Zhou Chen  
 Bailey Designed Engineering Pty Ltd  
 Mark Bailey  
 Australia Heating and Air Conditioning Pty Ltd  
 Mardi Tovey  
 Richard Tovey  
 DNL Security Australia Pty Ltd  
 Skilltopia Pty Ltd  
 Lou Petrovski  
 Natasha Petrovska

Pamela Redford  
 Ambiance Property Group Pty Ltd  
 City Residential Real Estate Pty Ltd  
 Riad Mindraoui  
 Colin Rounds  
 Colin Rounds Real Estate Pty Ltd  
 James Paul Moularas  
 Gayle Stewart  
 11th Empire Pty Ltd  
 Kent Morgan  
 Morgan Realty Pty Ltd  
 Eric Cohen  
 Top Blue Pty Ltd  
 Ping Zhang  
 Dimmeys Stores Pty Ltd  
 Starite Distributors Pty Ltd  
 Douglas Zappelli  
 Durmaz Pty Ltd  
 DK Choices Pty Ltd  
 Chao Dong Chen  
 Sergio Durso  
 Alfred Mazzaferro  
 Mayman Pty Ltd  
 Silk Road Trading (Aust) Pty Ltd  
 Shaole Wu  
 Yipeng Cheng  
 Aaron McDonald Real Estate Pty Ltd  
 Aaron McDonald  
 Ratko Spirovski  
 Marija Spirovski  
 Balasubramanian Srinivasan  
 Duong Huy Dai Nguyen  
 Marie Bourke  
 Sermet Zijai

**Civil actions finalised (parties)  
– continued**

Anfastar Pty Ltd – Review of decision of VPF Claim

Gillian Reynolds – Business Licensing Authority

Matthew Long – Business Licensing Authority

Raymond Uren – Business Licensing Authority

Karl Veljkovic – Business Licensing Authority

Benvi International Pty Ltd – Business Licensing Authority

Karam Barbar – Business Licensing Authority

Chao Guo – Business Licensing Authority

Donald Ray – Review of decision of Motor Car Traders Claims Committee

Michael Chard – Review of decision of Motor Car Traders Claims Committee

Mouhamed Chebib – Review of decision of Motor Car Traders Claims Committee

Ann Inglefinger – Review of decision of Motor Car Traders Claims Committee

**Appeals finalised**

Northside Motor Wholesale Pty Ltd

Daniel McNamara

Nigel Cowan

Wen Liang Li

Rose Rocca

Peter Beally

Robert Gilfillan

**Actions commenced  
(in progress)**

Jakupi Excavations Pty Ltd

Anthony Jakupi

Kurtis Thiele

Cornell Conveyancing Pty Ltd

Jing Xu

Han Yan

Christine Parsons

Afif Shaba

Boris Real Estate Pty Ltd, Sparou Pty Ltd and Suzanne Zvizdalo

Frank Flanagan, Matthew White

Maurie Duchini

CK Imports & Wholesale Pty Ltd

William Young

Shane Diamond

Michael Joseph Goujan and Virginia Sivasamy

Helen Lence Lita

Zuxin Xu

Qi Qi Shi

Duc Hoai Tran

Andrew John Stranaghan

Buttonwood Pty Ltd and Nicole Leo

Josef Rutten

Lin Gao

Joseph Molinari

DW International Trading Pty Ltd

Bo Hui Dong

Zhao Pan

Lynette Farrar

City Hostels Pty Ltd

David Crowe

Danielle Anderson

Aaron McDonald and Aaron McDonald Real Estate Pty Ltd

Siong Yu – Business Licensing Authority

Luke Higney

Emrah Sen

Nightengale Electrics Pty Ltd

George Anderson

Alpha Flight Services Pty Ltd

Qantas Airways Limited

# 3

## Our consumer law framework

### Highlights

 **\$10M**  
ESTIMATED IN ANNUAL  
**RED TAPE SAVINGS**  
FOR VICTORIAN BUSINESSES

 **IMPROVED**  
VENDOR STATEMENTS  
FOR PROPERTY SALES

 **REVIEWED**  
VICTORIA'S  
OWNERS CORPORATION LAW

To ensure a well-functioning consumer marketplace in Victoria, the consumer laws and framework in which we operate must continue to evolve.

This year we further supported the Victorian Government in reviewing and amending legislation that imposes a burden on businesses or is not easily understood.

We worked to make legislation clearer and easier to understand.

### Working with our interstate colleagues

The Australian Consumer Law (ACL) operates on a 'one law, multiple regulators' model. Consumer Affairs Victoria is the ACL regulator for Victoria and works with regulators for other jurisdictions to address important national issues.

This reduces duplication of work, ensures consistent messages, makes the best use of resources and ultimately creates better outcomes for businesses and consumers across Australia.

We play a significant leadership role in national projects and contribute to work led by other jurisdictions. We lead the Education and Information Advisory Committee and are members of the:

- Compliance and Dispute Resolution Advisory Committee (CDRAC)
- Policy and Research Advisory Committee
- Product Safety Consultative Committee.

These national committees meet regularly to discuss issues, policies, ideas and innovations, identify and plan national work, and evaluate progress. Work is aligned across committees to deliver an integrated compliance approach.

Australian Consumer Law guides are developed through national collaboration.



Senior consumer affairs officials from each jurisdiction, as members of Consumer Affairs Australia and New Zealand (CAANZ), oversee these committees. Consumer affairs ministers, as members of the Council of Australian Governments' Legislative and Governance Forum on Consumer Affairs, oversee CAANZ.

This year, we collaborated with our interstate colleagues, both leading and contributing to a number of national projects aimed at improving regulator response to a range of ACL matters. By contributing to national projects, we work with other regulators to ensure a consistent approach across Australia, and share intelligence and expertise.

### **Information and education tool audit**

This year we conducted a national communications audit of the publications, campaigns and online content of all state-based consumer affairs regulators as well as the Australian Competition and Consumer Commission (ACCC) and Australian Securities and Investments Commission (ASIC). The audit found that in the past four years, a more collaborative effort between regulators has resulted in more effective communication to Australian consumers and businesses.

For example, a national campaign warning consumers about travelling con men saw a 17 per cent increase in awareness of consumer rights, and a 32 per cent increase in awareness of consumer rights among people who do not speak English at home. The audit also identified an estimated \$2 million in savings across jurisdictions in publication costs due to increased collaboration and development of content that can be used across Australia.

### **Property spruikers**

A national project is working to ensure that promoters of property seminars, and property sellers who may engage in the promotion of rent-to-buy schemes, comply with the ACL. Taking a national integrated compliance approach, it aims to deter property spruikers from making false, misleading or vague representations in the promotion of their products, or engaging in otherwise deceptive conduct under the ACL. We are gathering intelligence on prominent property spruikers, including attending property seminars, and have issued five targets with substantiation notices under the ACL. We share our findings and strategies with other state regulators, as well as ASIC and the ACCC through the CDRAC Property Spruikers Working Party.

### **False testimonials**

This national project focused on businesses that commonly use customer endorsements or testimonials as a form of advertising in a bid to attract new customers and to increase sales revenue. The project allowed regulators to gain a better understanding of how businesses use testimonials or reviews, and to establish a national approach to dealing with traders that misuse these tools. ACL regulators identified a number of industry sectors that they intended to investigate further.

### **Training providers**

This year, CDRAC endorsed a new national project to examine consumer issues relating to products and services offered by training providers. The project will deliver targeted industry communications, supported by compliance and enforcement activities, to ensure that training providers are aware of their obligations under consumer law and to reduce non-compliance. The project is expected to conclude in 2015.

Changes to retirement village information requirements make it easier for older Victorians and their families to choose a retirement village.



## Enhancing consumer protections

In 2013-14, we advised on a range of legislative changes to improve consumer protection and remake regulations due to expire or that no longer met the needs of Victorian businesses and consumers.

### Professional indemnity insurance scheme for conveyancers

Conveyancers are required to take out professional indemnity insurance, and must maintain a minimum cover of \$1.5 million at all times as specified in the Ministerial Order by the Minister for Consumer Affairs. From 1 July 2014, Austbrokers Countrywide is the broker providing conveyancers' professional indemnity insurance.

## Domestic building reforms

In May 2013, the Victorian Government released its Domestic Building Consumer Protection Reform Strategy.

The reforms aim to provide a more effective system that will benefit both consumers and builders, and give Victorians confidence in the domestic building industry into the future. Among other reforms, the voluntary conciliation service will be strengthened by introducing binding rectification orders for builders. The Victorian Building Authority (VBA) will be the one-stop shop for information, regulation and dispute resolution for consumers and builders.

## Retirement village regulations

New regulations relating to retirement villages came into effect on 1 July 2014. The changes make it easier for older Victorians and their families to choose a retirement village. The new regulations ensure that prospective residents and their families have clear, simple and accessible retirement village information.

Through improved information disclosure requirements, the regulations will help provide more details before a retirement village contract is signed and make the contracts easier to understand and compare.

The regulations will require retirement village operators to:

- provide prospective residents with a factsheet of relevant information about their village
- allow interested retirees to inspect relevant documents about the village
- provide a pre-contract disclosure statement to those intending to sign a contract for a unit, that sets out the costs of entering, living in and leaving the unit
- standardise the structure and layout of their contracts to make these easier to understand and compare.

We also educated the industry about the changes to ensure a smooth transition when the regulations took effect on 1 July.

### Clarity on owners corporations fees

Owners of apartments, flats and units in Victoria benefited from changes to the *Owners Corporations Act 2006*, which came into effect in December 2013. Parcels of land that can be sold separately within a property subdivision are called ‘lots’. Lot owners are members of the owners corporation, which manages the common property.

The changes made it clear that an owners corporation must levy annual fees according to lot liability – that is, an owner with more lot liability must pay more. The changes also made it clear that special fees are levied according to lot liability, unless for works that benefit only one or some lots. Special fees are charged when unexpected works need to be undertaken or when the owners corporation incurs extraordinary expenses, such as those arising from legal action.

In the case of special fees for works that benefit one or some (but not all) lots, the changes clarify that the fees must be levied according to the ‘benefit principle’. This simply means that lot owners who will benefit more from the works should pay more.

### Sex work fees

Following the publication of a Regulatory Impact Statement, new Sex Work (Fees) Regulations 2014 were made and took effect on 1 July 2014.

The fee changes will be phased in over three years so that the industry has time to plan and adjust. The changes strike a balance between achieving a higher level of cost recovery and maintaining current industry structure.

### Sex work provisions

Provisions in the *Sex Work Act 1994* were amended to make a trial banning notice scheme permanent. The scheme targets street sex work clients in a declared area in St Kilda. Under the scheme, police can ban a suspected street sex work client from the area for up to 72 hours. The trial ran for almost three years, and Victoria Police found the banning notices an effective and valuable tool for reducing demand for street sex work in the local area. Given the success of the trial, the legislative amendment was made to allow the scheme to continue permanently.

Owners of apartments, flats and units in Victoria benefited from changes to the owners corporations law.



## Reducing red tape

This year, we continued our efforts to reduce red tape, improve Victoria’s competitive position and make it easier for small businesses and community organisations to operate.

As well as delivering on the Minister’s Statement of Expectations, we conducted a range of reviews and implemented changes across a number of sectors that will reduce red tape for businesses.

### Company title home units

The new *Company Titles (Home Units) Act 2013* came into effect on 1 October 2013, providing for the resolution of disputes through the Victorian Civil and Administrative Tribunal (VCAT). Before this change, residents had to go to a court to resolve disputes about matters such as noise, residents’ conduct, use of common areas, unit repairs and maintenance, and pets. Under the new legislation, VCAT has powers to make orders and impose penalties. However, it is not able to alter a person’s shareholding or otherwise affect a company’s corporate governance.

The new legislation is expected to save time and money for residents and companies. It also brings the dispute resolution framework for company title properties and stratum title subdivisions into line with that for owners corporations. The legislation ensures that these residents will have improved access to the justice system to resolve disputes, and will not be disadvantaged because of the type of legal title to their home.

### Motor car traders

In 2013, we conducted a red tape reduction review of the *Motor Car Traders Act 1986* and Motor Car Traders Regulations 2008. Through our analysis and public consultation, the review identified opportunities to reduce red tape while maintaining current consumer protections.

It is anticipated that the amendments to the Act and Regulations will commence concurrently in late 2014. The amendments will reduce regulatory burden for motor car traders by, among other things, consolidating and simplifying forms and notices prescribed under the Act. This will result in less paperwork for motor car traders, and will make buying a car easier for consumers to understand.

### Sale of Land Act review

Following a red tape reduction review, amendments were made to the *Sale of Land Act 1962* that modernise vendor statements under Section 32. This section regulates the information a vendor must give a buyer when land is sold in Victoria. The vendor’s statement contains certain information that a vendor must disclose to a purchaser prior to signing a contract of sale. Due to take effect in October 2014, the reforms reduce the administrative and compliance burdens associated with the preparation of vendors’ statements, while retaining the core elements of Victoria’s vendor disclosure system. This amendment is anticipated to reduce red tape for property sellers, buyers, and the lawyers and conveyancers who prepare and scrutinise vendor statements on their behalf.

Acts passed	
Name	Date of royal assent
<i>Consumer Affairs Legislation Amendment Act 2013</i>	22 October 2013
<i>Owners Corporations Amendment Act 2013</i>	17 December 2013
<i>Travel Agents Repeal Act 2014</i>	18 March 2014
<i>Sale of Land Amendment Act 2014</i>	13 May 2014

Regulations commenced	
Name	Date commenced
Partnership (Fees) Regulations 2013	1 July 2013
Co-operatives National Law (Victoria) Local Regulations 2014	3 March 2014

Regulations revoked	
Name	Date revoked
Partnership (Limited Partnerships) Regulations 2013	1 July 2013
Co-operatives Regulations 2008	3 March 2014

## Statement of Expectations report

In March 2013, Victorian Ministers sent Statements of Expectations to five major regulators outlining expectations for regulators to reduce red tape. Minister for Consumer Affairs Heidi Victoria MP set her expectation for Consumer Affairs Victoria to focus our efforts on delivering a number of initiatives in line with four broad objectives. By implementing the Minister's Statement of Expectations, we estimate annual red tape savings to Victorian businesses of about \$10 million. Below is an outline of our performance against the objectives and measures set by the Minister.

### Objective 1. Continue to modernise and simplify legislation to reduce red tape

- Remove licence and travel compensation fund requirements for travel agents.  
*Completed – legislation repealing the Travel Agents Act 1986 commenced on 1 July 2014.*
- Implement harmonised national co-operative law.  
*Completed – the Co-operatives National Law Application Act 2013 commenced operation on 3 March 2014.*

### Objective 2. Reduce the costs associated with compliance for businesses

- Reduce time for small businesses in understanding their key regulatory obligations by up to 15-25 per cent through compliance assistance initiatives.  
*Completed – the compliance assistance site visit program, coupled with the Better Business Initiative, has reduced time for small business by up to 60 per cent.*
- Reduce time costs of compliance inspections for individual traders subject to cross-jurisdictional compliance monitoring by 25 per cent through conducting integrated compliance and joint inspections with other regulators (Victorian, state and national) in co-regulated areas where appropriate.  
*Completed – integrated compliance and joint inspections have reduced time for business by about 30 per cent.*

### Objective 3. Reduce the costs of licensing and registration for businesses and not-for-profit organisations

- Reduce the time licensees and registrants take to complete annual statements by 15 per cent for up to 80 per cent of licensees or registrants through online renewals processes.  
*Completed – the introduction of online renewal forms has reduced time required to complete annual statements by up to 60 per cent.*
- Reduce approval time for less complex or low risk occupational licence applications administered by Consumer Affairs Victoria by 15 per cent.  
*Completed – approval time for less complex and low risk occupational licence applications has been significantly reduced.*

### Objective 4. Reduce dispute management costs for businesses and landlords

- Reduce costs associated with disputes for small businesses participating in Consumer Affairs Victoria's dispute resolution service by 15 per cent.  
*Completed – we introduced our front line resolution service to support small business to resolve simple disputes within 48 hours of the initial complaint.*
- Reduce the cost of non-urgent repair tenancy inspections and VCAT attendance for landlords (including by property managers or estate agents) by 15 per cent.  
*Completed – we implemented the use of direct communication for each matter as a more immediate notice mechanism.*

**IMPLEMENTED**

 **\$10M**  
ESTIMATED IN ANNUAL  
RED TAPE SAVINGS  
FOR VICTORIAN BUSINESSES

# 4 A sustainable and innovative organisation

## Highlights

 **93%**  
**CUSTOMER SATISFACTION**  
WITH SERVICES PROVIDED

 **86%**  
**SERVICES PROVIDED WITHIN AGREED TIMEFRAMES**

Efficient and effective internal operations are critical to our ability to deliver on our commitment to Victorians. We are finding new ways to improve efficiency by managing our resources more effectively, developing an agile service delivery model, and making better use of technology.

This year we pursued opportunities for process improvements. We have improved a range of internal processes relating to the way we capture and report data. This makes it easier to identify risks. Through improvements to our business planning, we are concentrating our resources and efforts on identified risk areas and enforcement priorities.

### Engaging effectively with staff

We have an effective approach to our internal communications, to ensure staff have the information they need to work effectively. As well as regular branch and divisional meetings, staff receive updates from general managers and directors through our fortnightly newsletter. This gives our staff better insight into our operations and achievements. In 2013-14 we held two all-staff meetings, which were attended by the Minister for Consumer Affairs. These focused on our achievements and our priorities for the coming year.

This year we also continued with our Presentation Idol series, which involved staff-to-staff presentations on topics including our digital first approach, the legislative process and our Better Business Initiative.

We continually explore ways to improve how we work.

#### Culture of innovation and trust



Incremental or revolutionary changes that improve our advice and services, in a culture that helps us rely on and have faith in each other

#### Processes, tools and systems



Seamless processes, good tools and systems help us to be more efficient and effective

#### Empowerment and collaboration



When we collaborate we get things done and when we collaborate we achieve greater results

#### Performance measurement



Measuring the 'right' things drives effectiveness and good outcomes

#### Planning and prioritisation



Planning and prioritising appropriately helps us to work on the right things in the best way

#### Knowledge sharing



Accessing knowledge we need quickly and easily to do our jobs more effectively with better outcomes

Staff collaborate to develop innovative programs.

### Transforming our information and communications technology

We are implementing our Information and Communications Technology Transformation Strategy, which will change the way we deliver our services and how Victorians will interact with us.

Our strategy will enable transactions that are easier and less time consuming for business. Information and self-help tools will be easily accessible through our website. The strategy will ensure that we have better access to data and information for analysis and decision making.

We will implement this strategy through a series of projects during the next three years. The first project will streamline registration processes for incorporated associations and fundraisers.

### Enhancing our people capability

While our investment in technology will transform the way we do business, investment in our people is critical to delivering our organisational objectives. We are working on a capability framework, which will underpin our training and development program. The framework will guide the organisation on the knowledge, skills and abilities our staff need to perform effectively.



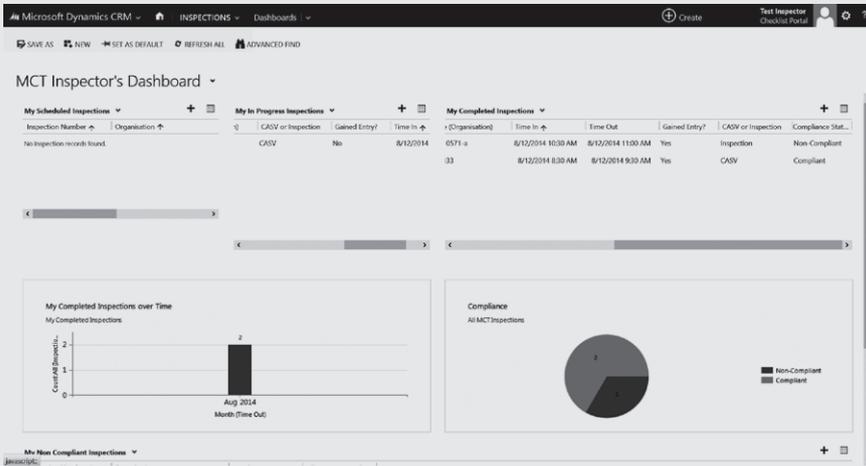
This year we have focused on increasing our skills and capability. We have increased staff resilience through workshops on occupational violence to ensure relevant staff are equipped to handle difficult situations.

We have enhanced our internal Wiki intranet to be a resource hub for staff. Through the intranet, staff have access to all policies, procedures and processes as well as a wealth of information relevant to their specific roles. We delivered training on the use of the intranet to ensure staff can make the most of the available information.

Staff completed a number of online eLearning modules, which contain important information about our accountabilities and responsibilities as public servants.

The eLearns educate staff on complying with statutory obligations and policy requirements. We are also developing our own Regulation 101 eLearn module, which will provide all staff, and particularly new starters, with an overview of how regulation works, our role in regulating the consumer marketplace and how we protect consumers by ensuring businesses comply with the law.

The online compliance checklists enable staff to enter data electronically out in the field.



## Continuous improvement

This year we have undertaken a range of continuous improvement projects that enable staff to work more efficiently, and improve the quality of our services for Victorian businesses and consumers.

### Online compliance checklist

One of our innovations this year was the piloting of online compliance checklists, which enable inspectors and other staff to enter data in an electronic format through mobile devices. The digital checklist reduces the manual data entry required with paper-based forms. Real-time data also improves the timeliness and accuracy of intelligence and reporting. We have implemented the project for rooming house minimum standards inspections and our motor car traders inspection program. We are considering extending this innovation to other programs.

## Productivity improvements

We also reviewed our investigative process to identify efficiency improvements. This includes early case assessment and endorsement of appropriate action based on a streamlined assessment tool, and faster access to information held by third parties which is critical to cases progressing. These improvements have saved time for our investigations staff, so that they can focus on achieving results.

## Public Service Medal

The Public Service Medal recognises employees of Australian, state, territory and local governments who have given outstanding service.

This year, Pushparani Brown from our Regulatory Transaction Centre was awarded the Public Service Medal as part of the Queen's Birthday 2014 Honours List.

Ms Brown has, for a considerable period, provided exemplary services to small business owners and volunteer office bearers in not-for-profit associations. She goes the extra mile to help and encourage people who do not understand the law or have English as a second language.

It is fitting reward for a long career in supporting the community, especially incorporated associations.

Former Consumer Affairs Victoria staff member Anne Cousins was also awarded the Public Service Medal in June 2013 for outstanding public service in the development and delivery of consumer protection policy and service, to the benefit of the community both in Victoria and nationally.

Ms Cousins' passion for social justice, along with her tireless work and vast expertise make her a most deserving recipient.

# Appendices

## Appendix 1

### Trust funds managed by Consumer Affairs Victoria

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

- Domestic Builders Fund (administration of the *Domestic Building Contracts Act 1995*, costs relating to the Domestic Building List of VCAT)
- Motor Car Traders Guarantee Fund (administration of the *Motor Car Traders Act 1986*, guarantee claims)
- Residential Bonds Investment Income Account (administration of the Residential Tenancies Bond Authority)
- Residential Bonds Account (bonds held on trust, repayment of bonds)
- Sex Work Regulation Fund (administration of the *Sex Work Act 1994*)
- Victorian Consumer Law Fund (administration of the *Australian Consumer Law and Fair Trading Act 2012* Part 7, Division 2, s.102A to E, orders for payment to non-party consumers, special purpose grants)
- Residential Tenancies Fund (Administration of the *Residential Tenancies Act 1997*, costs relating to the Residential Tenancies List of VCAT)
- Victorian Property Fund (Administration of the *Estate Agents Act 1980* 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

### Financial Information 2013-14

	Victorian Consumer Law Fund	Domestic Builders Fund	Motor Car Traders' Guarantee Fund	Residential Bonds Investment Income Account
<b>Consumer Affairs Victoria revenue</b>				
Revenue recognition, Estate Agent and Conveyancer trust accounts				
Revenue recognition, Residential Tenancy Bonds				20,430,191
Appropriations: Consumer Affairs Victoria				
Appropriations: Fire Services Levy Monitor (NOTE 1)				
Fees income			3,439,852	
Interest income	22,733	373,195	12,382	304,416
Transferred from the Building Commission Victoria (NOTE 2)		9,847,856		
Grants received and other revenue	720,000	12,356	8,369	1,024
Recoveries related to claims previously paid			26,095	
Penalty income			106,605	
Transfers			600,000	(12,300,000)
<b>Total Consumer Affairs Victoria revenue</b>	<b>742,733</b>	<b>10,233,407</b>	<b>4,193,303</b>	<b>8,435,631</b>
<b>Consumer Affairs Victoria expenditure</b>				
Audit services				13,300
Claims on consumer guarantee funds			675,707	
Consumer Utilities Advocacy Centre				
Contractors, consultants and professional services		133,747	68,459	302,891
Departmental governance and support costs				
Fire Service Levy Monitor				
Employee related costs		5,473,393	2,356,599	1,395,882
Grants paid	4,969			
Information technology		55,335	26,859	18,126
Occupancy costs		284,304	135,193	96,571
Other operating costs		1,066,144	516,597	655,716
Outsourced contracted costs	243,884			5,208,627
<b>Total Consumer Affairs Victoria Expenditure</b>	<b>248,853</b>	<b>7,012,923</b>	<b>3,779,414</b>	<b>7,691,113</b>
<b>Victorian Civil and Administrative Tribunal (VCAT) (NOTE 4)</b>				
Fees and other revenue offset		(478,248)		
Employee related costs		2,324,397		
Other operating costs		825,069		
Net VCAT Expenditure		2,671,218		
<b>Total Consumer Affairs Victoria + Net VCAT Expenditure</b>	<b>248,853</b>	<b>9,684,141</b>	<b>3,779,414</b>	<b>7,691,113</b>
Trust Funds, opening equity 1 July 2013	597,705	14,271,261	565,397	3,827,410
Current year operating surplus /(deficit), Consumer Affairs Victoria + VCAT	493,880	542,489	413,889	744,518
<b>Trust funds, closing equity 30 June 2014</b>	<b>1,091,585</b>	<b>14,813,750</b>	<b>979,286</b>	<b>4,571,928</b>

Residential Tenancies Fund	Sex Work Regulation Fund	Victorian Property Fund	Trust Funds total 2013-14	Consumer Affairs Victoria appropriations & other 2013-14	Consumer Affairs Victoria total output 2013-14
		25,310,995	25,310,995		25,310,995
			20,430,191		20,430,191
				27,371,722	27,371,722
				4,161,900	4,161,900
	773,184	4,218,040	8,431,076	2,773,828	11,204,904
1,872,358	6,257	24,951,423	27,542,764		27,542,764
			9,847,856		9,847,856
319	700	30,009	772,777	221,484	994,261
			26,095		26,095
	84,467		191,072		191,072
22,300,000	900,000		11,500,000		11,500,000
<b>24,172,677</b>	<b>1,764,608</b>	<b>54,510,467</b>	<b>104,052,826</b>	<b>34,528,934</b>	<b>138,581,760</b>
			13,300		13,300
		1,227,917	1,903,624		1,903,624
				580,000	580,000
389,879	74,789	981,515	1,951,280	647,526	2,598,806
				5,798,774	5,798,774
				3,964,598	3,964,598
7,595,776	1,092,100	5,136,377	23,050,127	10,787,661	33,837,788
1,994,617	72,500	3,201,554	5,273,640	568,733	5,842,373
135,854	13,478	69,171	318,823	820,082	1,138,905
433,674	52,099	423,959	1,425,800	3,455,859	4,881,659
2,243,356	194,493	1,488,901	6,165,207	1,995,366	8,160,573
			5,452,511	6,654,419	12,106,930
<b>12,793,156</b>	<b>1,499,459</b>	<b>12,529,394</b>	<b>45,554,312</b>	<b>35,273,018</b>	<b>(NOTE 3) 80,827,330</b>
(2,474,558)		(462,054)	(3,414,860)		
9,163,786		1,775,058	13,263,241		
2,099,925		268,394	3,193,388		
8,789,153		1,581,398	13,041,769		
<b>21,582,309</b>	<b>1,499,459</b>	<b>14,110,792</b>	<b>58,596,081</b>		
38,101,408	213,585	378,664,584	436,241,350		
1,209,932	265,149	30,399,675	34,069,532		
<b>39,311,340</b>	<b>478,734</b>	<b>409,064,259</b>	<b>470,310,882</b>		

**NOTE 1**  
Fire Services Levy Monitor is included in the Consumer Affairs Victoria output.

**NOTE 2**  
Domestic building dispute levy and registration fees.

**NOTE 3**  
Consumer Affairs Victoria total output for 2013-14 was \$80,827,330. In 2012-13, it was \$90,416,741.

**NOTE 4**  
VCAT activities supported by the Consumer Affairs Victoria trust funds.

## Appendix 3

### Grants approved

#### 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 her decision on grants after consultation with the Estate Agents Council, Consumer Affairs Victoria and with any industry associations, government departments and other bodies she thinks appropriate. In 2013-14, the Minister approved the grants outlined in this table.

Grant recipient	Description of funded program	Value*
Kids Under Cover	Prevention of Youth Homelessness 2014-17	\$2,598,464
Loddon Mallee Housing Services (trading as Haven)	Sidney Myer Affordable Housing	\$4,000,000
Common Equity Housing	St Mary's Terrace Geelong Affordable Housing	\$3,900,000
Wintringham Housing	Flemington Housing for the Elderly	\$4,615,000
<b>Total</b>		<b>\$15,113,464</b>

\* Value is reported 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 2 reflects part payment on these grants plus payments made in 2013-14 on grants approved in previous years.

## Glossary

<b>ACCC</b>	Australian Competition and Consumer Commission	<b>CDRAC</b>	Compliance and Dispute Resolution Advisory Committee
<b>ACL</b>	Australian Consumer Law	<b>FLR</b>	Front line resolution
<b>ASIC</b>	Australian Securities and Investments Commission	<b>ICT</b>	Information and Communications Technology
<b>BP3</b>	Victorian Budget Paper Number 3	<b>PRAC</b>	Policy and Research Advisory Committee
<b>CAANZ</b>	Consumer Affairs Australia and New Zealand	<b>TUV</b>	Tenants Union of Victoria
		<b>VCAT</b>	Victorian Civil and Administrative Tribunal

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