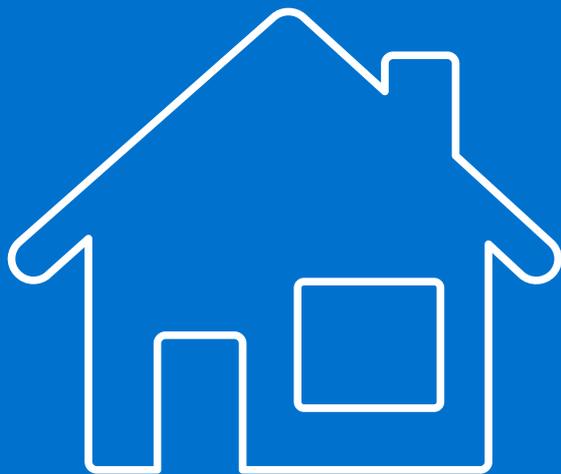


Renter Rights Service **Program Guidelines**



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1. About the RRS Guidelines

The Renter Rights Service Program Guidelines (RRS Guidelines) define and describe the role and responsibilities of community agencies funded by Consumer Affairs Victoria (CAV) to provide rental support to private renters.

The RRS Guidelines are the contractual service and reporting requirements of the Renter Rights Service (RRS) and form part of the terms and conditions of the funding agreement for delivery of the RRS to be entered by CAV and the agency (Funding Agreement).

Note: All guidelines documents are available to download at consumer.vic.gov.au/renter-rights.

The RRS Guidelines describe:

- the purpose and operation of the RRS
- RRS client eligibility and prioritisation
- RRS service types
- Referrals
- the role of RRS workers
- professionalism of RRS workers
- advice and assistance for RRS workers
- CAV's program management
- RRS agency information responsibilities
- reporting requirements
- payments and targets.

The RRS Guidelines may be updated by CAV periodically to reflect current service requirements and practices.

CAV will notify agencies whenever the RRS Guidelines are revised and make the latest version available.

The RRS Guidelines should be read in association with:

- the Funding Agreement
- The service delivery requirements listed in Table 1 on the following page
- The RRS Data Reporting requirements
- The Request for Service Guidelines.

Table 1: RRS – Service delivery requirements

No.	Service delivery requirement
1	The agency must operate in accordance with the principles of practice set out in Section 2 of the RRS Guidelines
2	The agency must use the client eligibility and prioritisation criteria set out in Section 3 of the RRS Guidelines
3	The agency must provide and report on services that comply with the service types set out in Section 4 of the RRS Guidelines.
4	The agency must comply with the referral requirements set out in Section 5 of the RRS Guidelines.
5	The agency must comply with the professional development and supervision requirements set out in Section 6 of the RRS Guidelines.
6	The agency is to promote RRS worker supports set out in Section 7 of the RRS Guidelines.
7	The agency must comply with the program management requirements set out in Section 8 of the RRS Guidelines.
8	The agency must comply with the reporting requirements as set out in Section 9 of the RRS Guidelines.
9	The agency must report on service delivery in accordance with Section 10 of the RRS Guidelines, including the delivery of 1,301 hours of service by each full-time equivalent RRS worker per year.

2. Introduction to the RRS

Overview

The Victorian Renter Rights Program supports disadvantaged and vulnerable renters and older people most at risk of renting issues. There are four components:

- Renter Rights Service (RRS)
- Renter Central Service (RCS)
- Older Persons Housing Rights Service (OPHRS)
- Victorian Renters Helpline (VRH)

The RRS provides local, place-based services across Victoria, ensuring that renters can access advocacy support services to resolve issues in their renting arrangement.

Resources are allocated across the state through 17 service areas and are delivered face-to-face or remotely.

For the table listing the service areas, see **Appendix 1**.

The VRRP's objective

The objective of the VRRP is to keep Victorians in safe and secure housing.

RRS service model

The service model outlines client eligibility and prioritisation of casework to assist agencies to provide consistent services and support to renters.

The RRS service model is designed to complement and strengthen existing practices within agencies and is based on five principles of practice as detailed in Table 2.

The RRS service model details the decision points and introduces the following four client focused services:

- early intervention support through intake and triage
- information and referral to other agencies or support services
- negotiation and advocacy
- assistance with tribunal hearings and appropriate dispute resolution processes.

Services will be provided remotely and face-to-face, subject to the preference of the renter and capacity of the service provider.

Table 2: Principles of practice for RRS

Principle	Clients	Outcome Service Provider	Consumer Affairs Victoria
Accessibility	I can talk to someone at the RRS within a reasonable time.	We are empowered to respond to the communities we serve.	We are confident that vulnerable and disadvantaged renters can access support services.
Consistency	I can expect the same level of service no matter who I first make contact with.	We have a clear understanding of CAV's expectations of the nature and extent of services we will provide. We work collaboratively and in partnership with other service providers.	We are confident that there is reasonably consistent service experience for clients. We are confident that the resources we provide are being appropriately used.
Quality	I will have a clear understanding of what the RRS worker will do, and what my rights and responsibilities are. I do not feel judged. I can trust the advice and support provided, and I will feel culturally safe.	We have qualified staff who are supported to maintain and improve their skills through professional development. We provide a culturally safe space for all people facing hardship. We use best practice processes and tools to guide our practice.	We are confident that the services we fund are of good quality, culturally safe and competently delivered.
Efficiency	I get directed to a service that can: <ul style="list-style-type: none"> • help me as quickly as possible without having to unnecessarily retell my story, and • If I am unable to get help from RRS, they will tell me this as soon as possible. 	We provide clients with the least intensive service required to meet their needs, so we can meet the needs of as many as possible. Our reporting demonstrates accountability for our service delivery and the way we use public funding.	We are confident that the funding we provide is used efficiently.
Empowerment	I will be supported to play whatever role I can to solve my own problems.	We can work in a way that suits our context and fits with other services our organisation delivers.	We are confident that funded organisations provide improved outcomes for clients and the community.

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	I will be better able to deal with renting issues if they arise again.	We are supported to trial innovative ways of delivering services to address broader systemic problems.	
Integration	I will be supported to work with other services and programs which can benefit me and I am eligible for.	We provide clients with an integrated service model with other support services, including linkages to other organisations and complementary programs.	We are confident that funded organisations have connections, partnerships and capacity to integrate with other support services and programs.

3. Client eligibility and prioritisation

RRS services assist Victorians who have a rental agreement under the *Residential Tenancies Act 1997* (RTA). The term 'renter' refers to:

- renters with private rental agreements
- rooming house residents
- residential and caravan park residents.

Eligible clients

To be eligible for RRS services, renters must be:

- financially disadvantaged, or
- experiencing family violence, or
- at risk of losing their housing.

Clients who are financially disadvantaged or experiencing family violence should be prioritised over those who are at risk and not yet at crisis point. For further details, please see the prioritisation section below.

Renters who are not otherwise eligible to receive RRS services are entitled to receive up to one-hour of information and referral support.

Family violence

A person is experiencing family violence if they are subject to any behaviour from a family member (which includes a domestic or intimate partner) that:

- is physically or sexually abusive,
- is emotionally or psychologically abusive,
- is economically abusive,
- is threatening or coercive; or
- controls or dominates the family member and causes them to feel fear for their own or another person's safety or wellbeing.

Indicators of financial disadvantage

A renter is experiencing financial disadvantage if:

- they have no income, or
- their main source of income is a Centrelink benefit, or
- their income is insufficient to sustain their personal financial commitments, and they have defaulted on payment of rent, utility bills or other personal debts.

Ineligible clients

The following persons are ineligible for RRS services and should be referred to the support services listed:

- residents of retirement and rental villages whose agreements are under the *Retirement Village Act 1986* or the RTA. These residents may be eligible for the Older Person's Housing Rights Service.
- renters with a renter-to-renter dispute (that are not a sub-leasing or head tenant arrangement), who should be referred to the Dispute Settlement Centre of Victoria.

Prioritisation of waitlists

Agencies should prioritise casework and waitlisted renters based on urgency and the potential severity of consequences.

Agencies should consider the following when prioritising cases:

- the personal circumstances of the renter,
- whether the issue is of an urgent nature, and
- whether the renter is part of a vulnerable renter cohort.

Urgent personal circumstances of the renter

When assessing whether the personal circumstances of a renter are urgent, relevant considerations include:

- the likelihood the renter will experience significant detriment if RRS services are not provided as soon as possible, and
- the renter's ability to access services.

Any case involving family violence is likely to be considered urgent.

Urgent rental issue

When assessing whether the rental matter is urgent, relevant considerations include the nature of the rental problem and any time deadlines are involved. For example:

- the rental property requires urgent repairs under the RTA
- a Victorian Civil and Administrative Tribunal (VCAT) hearing in three days' time that may result in loss of accommodation
- the renter has been served with a VCAT order for possession of their rental premises.

Vulnerable renter cohorts

Some cohorts of renter are more likely to experience housing insecurity or have faced difficult issues over their lives, which makes them more likely to need support. Being from a vulnerable renter cohort is not required to be eligible for RRS services but can be considered in the prioritisation of cases. RRS clients may also be part of an overrepresented group or be particularly vulnerable to housing insecurity, and RRS workers should be aware of intersectionality of disadvantage and its impacts, while maintaining a culturally safe environment without stigma.

Examples of priority cohorts include:

- First Nations people
- People from culturally and linguistically diverse backgrounds
- Older people
- Residents of rooming houses
- People affected by family violence
- People living with a disability
- Neurodivergent people.

Response times

Applicable response times are:

- for triage and early intervention cases, the agency must contact the renter within one (1) day.
- for urgent cases, the agency must contact (or make reasonable attempts to contact) the renter within two (2) business days
- for non-urgent cases, the agency must contact the renter within four (4) business days.

4. Service types

A key component of the RRS service model is the service types used to measure reportable hours of service. There are five service types RRS workers can use to record service duration. These are:

- Early intervention support
- Information and referral
- Negotiation and advocacy
- Assistance with Rental Dispute Resolution Victoria (RDRV) matters and VCAT cases
- Service enhancements.

Early intervention support

Early intervention support is an attempt to direct clients to the appropriate support as soon as possible. Early intervention support includes:

- intake and referral to relevant support services
- triage assessments of clients
- providing early intervention support services to prevent crisis.

RRS workers need to open a case to record time on providing 'early intervention support' for their dedicated intake workers.

Information and referral

The service type of 'information and referral' includes:

- the provision of general rental information, such as copies of the CAV rental guidebooks, or directing renters to the relevant pages of the CAV website

- initial or one-off tailored rental advice based on the renter's circumstances, or
- a referral to another service.

RRS workers need to open a case to record time on providing 'information and referral'.

Negotiation and advocacy

Negotiation is an attempt to resolve an issue outright or prevent a RDRV matter or a VCAT hearing. Only renters who are financially disadvantaged, at risk of losing their housing or victims of family violence are eligible for negotiation services.

When negotiating, an RRS worker may:

- ensure appropriate responses have been made to all important rental documents the renter receives (such as a Notice for breach of duty or rent increase)
- draft letters on the renter's behalf
- negotiate on behalf of the client with the other party (such as a rental provider (landlord), rooming house manager or real estate agent), and
- bring the parties together to negotiate a resolution of the issue.

On completion of the negotiation, the RRS worker may refer the renter to another support service (for example, financial counselling, mental health, family violence services) and provide options on further steps the renter may wish to undertake, including at RDRV or VCAT.

RDRV and VCAT assistance

RRS workers may provide the following assistance to eligible renters for a matter proceeding to RDRV or VCAT:

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- information and advice on processes and procedures
- assistance with completing forms and preparing documents
- assisting renters to prepare to represent themselves at hearings or cases
- attending and advocating for renters at RDRV dispute resolution sessions or VCAT hearings if the renter cannot represent themselves.

The RRS worker's participation at a VCAT hearing is at the discretion of the member and may be limited to opening and closing submissions.

It is expected the RRS worker will attend the venue where the renter's matter is heard. The RRS worker may need to attend a venue outside of their agency's service area to do this.

Duty advocacy

Duty advocacy is having a RRS worker at a VCAT location to assist an eligible renter should they need assistance.

Attendance at VCAT hearings by RRS workers in a duty advocacy role is optional. If your agency elects to act in a duty advocacy role, it must enter an agreement with the Registrar to record the arrangement. The duty advocacy service must be limited to assisting eligible renters under the RRS.

The hours providing casework at VCAT and travelling to and from VCAT to provide the duty advocacy role can be recorded; however, waiting time at VCAT cannot be claimed as service hours.

Service enhancement

Service enhancement activities should target the most vulnerable and disadvantaged clients who are unlikely to directly access rental services.

The types of service enhancement activities that can be claimed are:

- establishing working partnerships and referral pathways with other community organisations
- providing rental advice to another community worker on behalf of a client
- program promotion activities, such as attending a network meeting to raise awareness of RRS services
- providing educational sessions for renters
- travel time for casework and travelling to VCAT venues for RDRV and VCAT representation
- professional development.

5. Referrals

Renters may come to an RRS agency by several referral pathways including:

- self-referral by a client
- referral from CAV
- referral from another community agency, including an RRS, RCS or VRH provider
- referral from RDRV or VCAT member or Registrar (particularly when a duty advocate is available).

The RRS worker should:

- assess the eligibility of the renter for RRS services
- ensure the agency does not have a conflict of interest in taking on the case
- attempt to contact the client within the response timeframes above.

Making a referral to the RCS

An agency can refer a client to the RCS when:

- the complexity of the matter requires advice beyond the capacity of the RRS agency and requires the expertise of the RCS
- a conflict of interest occurs, or
- the renter requests that their case be referred to another RRS agency in another service area to better suit their needs.

Referrals to the RCS should happen as soon as practicable and should inconvenience the client the least amount possible.

To discuss whether a case is sufficiently complex to warrant referral, please contact the provider of RCS.

Accepting a referral from the RCS or VRH

An RRS agency must accept a referral from the RCS or VRH when all the following conditions are met:

- the renter has been assessed as eligible for RRS
- the renter requires either negotiation or RDRV and/or VCAT assistance (not information and referral) and
- the case has been assessed as urgent.

At times, the RCS may refer a renter when the only support they require is having documents or forms sighted, or require assistance to complete them.

Referrals between RRS agencies and the OPHRS

Under the RRS service model, agencies will be able to make referrals to and receive referrals from the Older Persons Housing Rights Service (OPHRS).

Making a referral to OPHRS

RRS workers can refer clients to OPHRS to provide casework if the client is 55 or older. OPHRS provides support for clients who are:

- a resident in a retirement village or rental village ('for profit' and 'not for profit'), or
- a permanent resident of a caravan or residential park, and their retirement housing matter is too complex for the RRS worker.

Accepting a referral from the OPHRS

The OPHRS will make referrals to RRS agencies if the resident meets the RRS eligibility criteria and lives in a caravan or residential park, and the matter is not complex.

Referrals from CAV

The CAV Contact Centre can assess and refer eligible renters to the RRS.

If you receive a referral from CAV, please acknowledge receipt of the email as soon as possible to the referring officer and to: consumer@dgs.vic.gov.au

Referrals to CAV

If a case involves a clear or apparent breach of the RTA, and the client has made a reasonable attempt to resolve the matter, RRS agencies should consider referring the matter to CAV Front Line Compliance and Response (FLCR) for review.

The FLCR team assists renters and rental providers to come to an agreement that is consistent with the RTA.

You can also refer closed cases to help CAV identify systemic or emerging issues.

A referral template is available for downloading from funded-services.consumer.vic.gov.au

Referrals and travel

Unless there are exceptional circumstances, an agency should not reject a referral on the basis that they will need to travel outside their service area. You can claim the cost of travel and record time spent traveling as service enhancement hours.

In some instances, the distance to travel may reasonably be considered too far to cover in a workday. In such cases, the agency that has received the referral should contact the renter as soon as possible to:

- notify them that their case has been received but is required to be transferred to another agency, and
- ask them what alternative arrangements would best suit their needs.

The agency may also contact the RCS support line for help transferring the case to another agency.

Referrals of complex cases

Victorian law prohibits a person who is not a qualified legal practitioner from engaging in legal practice in Victoria. To avoid the risk of engaging in unqualified legal practice, complex cases should be managed by qualified legal practitioners.

Agencies should continually consider the nature of the issues and the type of

assistance that a renter requires, and decide whether the case:

- can be appropriately managed by a RRS worker who is not a qualified legal practitioner, or
- should instead be managed by a qualified legal practitioner.

If the agency has qualified legal practitioners on staff, then the case can be transferred internally. Otherwise, complex cases should be referred to the RCS.

6. RRS workers

RRS workers do not require a specific qualification; however, it is important that they have a demonstrated practical understanding of the RTA and of VCAT processes and procedures.

The RRS worker will be required to provide the following assistance to renters:

- provide accurate rental advice and assistance to renters
- draft and prepare letters, documents and application forms on behalf of renters
- negotiate with rental providers (landlords) or real estate agents on behalf of the renter
- assist renters to prepare and understand RDRV and / or VCAT processes and procedures
- attend and advocate on behalf of renters at RDRV dispute resolution sessions and at VCAT Residential Tenancies List hearings.

RRS workers at VCAT

RRS workers are not lawyers but, as described in Section 62(8)(d) of the *Victorian Civil and Administrative Tribunal Act 1998*, they present at the tribunal as having "had substantial experience as an advocate in proceedings of a similar nature to the proceedings before the tribunal".

RRS workers must conduct themselves and perform their work professionally and with due respect for VCAT, its members, and its processes and procedures.

RRS workers must observe the etiquette of VCAT and will receive instruction and guidance about this from their agency and the VCAT Registrar.

VCAT duty advocacy

Agencies that offer a duty advocate role will be required to negotiate directly with the respective VCAT Registrar to develop the most appropriate strategy for effective delivery of duty advocacy services. This will include:

- provision of space to meet with clients confidentially
- procedures for the Registrar to initially assess and refer clients
- procedures for the member to stand down a matter to enable a client to receive assistance from the RRS worker.

An agreement between your agency and the VCAT Registrar should be drawn up to reflect the arrangements.

Ongoing training requirements

To deliver quality casework services, RRS workers are required to have an extensive knowledge of rental practice and law, most specifically the RTA.

RRS workers are also required to complete mandatory family violence training.

The compulsory professional development and induction training is provided through the RCS.

Rental induction training

All new RRS workers are required to attend the equivalent of a two-day induction training prior to working directly with clients, and a follow-up third day to address practical learnings.

The induction training is intended to provide a general understanding of the residential tenancies law and processes, and focuses on some of the common problems.

Legislation and skills development

All RRS workers are required to complete a minimum of two RRS legislation and skills professional development sessions each year provided by the RCS provider.

The professional development will focus on interpreting the RTA and a range of work practices including representing renters at RDRV and VCAT, and working with specific marginalised community groups.

Supervision

Agencies are required to provide RRS workers with regular professional supervision to support them with casework and the day-to-day impact of their work environment. The frequency of casework supervision should be determined on a case-by-case basis.

Agencies are required to:

- ensure RRS workers meet regularly with supervisors
- keep supervision records.

Family violence training requirements

The Family Violence Multi-Agency Risk Assessment and Management Framework (MARAM) has been established in law under Part 11 of the *Family Violence Protection Act 2008* (FVPA) to ensure relevant services contribute to the identification, assessment and management of family violence risk. The Family Violence Information Sharing Scheme (FVIS Scheme) is enshrined in Part 5A of the FVPA and describes legislative obligations for collecting and sharing family violence risk information.

RRS workers should be trained in the MARAM and FVIS Scheme. New RRS workers will be required to complete foundational family violence training as well as customised FVIS and MARAM training, as directed by CAV.

7. Casework support for RRS workers

To assist the RRS workers with client casework the following services are available for all RRS workers:

- rental legal advice
- rental tools and resources
- Older Persons Housing Rights Service
- VCAT family violence support worker
- interpreter and translation services.

Rental legal support

The Provider of the RCS is funded to provide a workers' advice line for RRS, VRH and OPHRS workers. RRS workers can contact this service for rental legal information and casework support. This could include guidance about the best strategy for a case, or clarification of legal arguments and legal procedure.

Rental tools and resources

The Provider of the RCS also provides an online knowledge base of residential rental law and practice resources to help RRS workers and supervisors research the law, update their skills and knowledge, and share information. Resources include basic and advanced information on specific rental topics, VCAT decisions and training videos.

Older Renter Support Service

The Older Renter Support Service (ORSS) provides a workers' advice line to provide retirement housing information and casework support for RRS workers.

The service can provide assistance on behalf of residents living in retirement housing covered by the RVA or the RTA (caravan parks, residential parks under Part 4A, and rental villages).

Interpreter and translation services

RRS workers have access to interpreting services for clients who have difficulties speaking or understanding English. This service is funded directly by CAV, and each agency is provided with a code to access the service.

RRS agencies have access to telephone interpreting, on-site interpreting and translation services through [VITS Language Loop](#).

If your agency is not already registered, you must register as a VITS Language Loop user.

If you require translation services for any RRS products or clients please contact CAV for approval prior to requesting this service.

Rental factsheets in languages other than English are also available from Tenants Victoria at tenantsvic.org.au

8. Program management

Insurance

All RRS agencies must have professional indemnity and public risk insurance, as detailed in the Schedule to the Funding Agreement.

The Victorian Managed Insurance Authority (VMIA) provides insurance to most community service organisations funded by DGS.

Client satisfaction survey

CAV may from time to time evaluate the quality of services. The design and development of the evaluation process and techniques will be done in consultation with agencies.

Complaints handling

All RRS agencies must have in place a client complaints policy. Renters who use the service (and others acting on their behalf) can make a complaint to either the agency or to CAV.

Privacy policy

RRS agencies must have a privacy policy that explains how client information will be managed, and that the policy:

- aligns with current privacy legislation, including the *Privacy and Data Protection Act 2014 (Vic)*
- includes information on how conflicts of interests can occur and what the agency will do if a conflict is identified

- acknowledges the requirements of a prescribed Information Sharing Entity under the *Family Violence Protection Act 2008*.

9. Reporting requirements

Under the funding agreement, your agency must provide a number of reports to assist CAV to assess service delivery performance and to contribute to overall program management. Agencies are required to provide the following reports:

- quarterly client level data reporting
- six-monthly narrative reports
- six-monthly case studies
- annual funding acquittal
- annual audited financial statement regarding the agency's finances (a program audit is not required).

The timeframes and further details on the reporting requirements are outlined in the funding agreement and RRS Request for Service Guidelines.

10. Payment and service hours

Your agency will receive quarterly payments for service delivery upon CAV's acceptance that the agency is meeting its requirements under the funding agreement including:

- delivery of service hours against the funded target
- quality and timeliness of reporting
- RRS workers attending a minimum of two legislative and skills development sessions and new workers completing the induction training.

Funding is provided on the basis that each full-time equivalent (FTE) position will provide 1,301 service hours.

