

# Family violence in rooming houses

## Operators

This fact sheet has information for rooming house operators who have residents experiencing family violence. It covers:

- family violence safety notices and intervention orders
- maintaining residents' privacy
- making changes to a rooming house
- goods left behind.

### Is someone in danger?

If you are concerned about the safety of a resident or their family, or think they require urgent assistance, call triple zero (000). Complaints about noise and damage may indicate violence has occurred or is ongoing in your rooming house.

### What is family violence?

Family violence is any behaviour that in any way controls or dominates a family member and causes them to feel fear for their own, or another family member's, safety or wellbeing. It can include physical, sexual, psychological, emotional or economic abuse and any behaviour that causes a child to hear, witness, or otherwise be exposed to the effects of that behaviour.

A person experiencing family violence can apply for a family violence intervention order or, if the person causing harm is not a family member, a personal safety intervention order.

Family violence notices and orders can also have a condition that prohibits a respondent from entering a rooming house where a protected person lives.

### Terms used on family violence notices and orders

An affected family member is a person (and their children) protected by a:

- family violence safety notice
- family violence intervention order (interim or final)
- personal safety intervention order
- domestic violence order.

An affected family member is also known as a **protected person**.

A **respondent** is someone who has had a family violence safety notice, family violence intervention order, or personal safety intervention order made against them.

### Family violence safety notice

Police officers apply for and issue family violence safety notices to provide immediate protection for people experiencing family violence.

A safety notice is also an application by police for a magistrate to make an intervention order. The safety notice stays in effect until a magistrate decides whether to make an intervention order.

A family violence safety notice may have conditions similar to a family violence intervention order.

If the respondent breaks any of the conditions of the safety notice, they can be charged by police with criminal offences and may be fined or imprisoned.

### Family violence intervention order

A family violence intervention order is issued by a magistrate to protect family members from violence.

An order can be **interim** or **final** – the word 'interim' will be in the title of interim orders and not in final orders. A magistrate will make an interim order if they think family members are not safe and need immediate protection.

Interim orders usually last until a magistrate decides if they will make a final order. A final order lasts until the date specified on the order, or it is revoked in court, or set aside on appeal.

If the respondent breaks the conditions of either order, they can be arrested by police and may be fined or imprisoned.

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### Orders issued in other states or territories

Domestic violence orders (DVOs) issued in other Australian states and territories on or after 25 November 2017 are recognised in Victoria. If the DVO was issued before 25 November 2017, the protected person can go to their local court to have the order recognised in Victoria.

For more information, visit the National Domestic Violence Order Scheme website [ag.gov.au/ndvos](http://ag.gov.au/ndvos)

### Personal safety intervention order

A personal safety intervention order is issued by a magistrate to protect someone who has fears for their safety caused by someone outside of their family - for example, neighbours or friends.

### Maintaining renters' privacy

A rooming house operator can give a copy of the order or notice a resident has provided to their legal representative - they cannot give copies of intervention orders or safety notices (or show them) to anyone else.

A protected person may have moved to a new address and changed their phone number and email address to ensure their safety. Using electronic transactions via RTBA Online (Residential Tenancies Bond Authority) to lodge or claim a bond means a protected person's details cannot be seen by anyone else.

### Making changes to a rooming house

Residents must get the rooming house operator's written consent before making changes to their room or the rooming house - for example, installing a security screen door or alarm system.

### Damages to property

Residents are responsible for damage to property caused by family violence.

### Goods left behind

If rooming house operators let Consumer Affairs Victoria know that family violence has occurred when they request an inspection of goods left behind, inspectors can contact support services and make arrangements to ensure the goods are removed quickly and respectfully.

### New renting laws

In October 2018, the Victorian Government passed the *Residential Tenancies Amendment Act 2018 (Amendment Act)*, which includes more than 130 changes to the *Residential Tenancies Act 1997*.

The new laws include reforms concerning family and personal violence in rooming houses, and will come into effect progressively. More information about the reforms will be published on [consumer.vic.gov.au](http://consumer.vic.gov.au) as they are introduced. All changes will be in place by 1 July 2020.

To view all the changes, visit the Fairer Safer Housing page on the Engage Victoria website [engage.vic.gov.au/fairersaferhousing](http://engage.vic.gov.au/fairersaferhousing)

### Suppressing a rooming house address

A recent reform enables rooming house operators to apply to the Director of Consumer Affairs Victoria to stop the public from seeing their property's address on the public rooming houses register. This may help protect residents threatened by interpersonal or family violence.

There must be exceptional circumstances for the Director to do so. This may include a rooming house run by either a housing agency registered under the *Housing Act 1983*, or a non-government organisation funded to deliver family violence services. Rooming house operators must apply in writing to the Director.

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### Useful contacts

#### Consumer Affairs Victoria

**Phone** 1300 55 81 81 (local call)

Family violence resources page  
[consumer.vic.gov.au/familyviolence](http://consumer.vic.gov.au/familyviolence)

Services from Consumer Affairs Victoria are available regionally.

#### TIS

Translating and Interpreting Service 131 450

#### TTY

Textphone or modem users only, ring the National Relay Service (NRS) on 133 677, then quote 1300 55 81 81.

Callers who use Speech to Speech Relay dial 1300 555 727, then quote 1300 55 81 81.

#### Registered Accommodation Association Victoria (RAAV)

Rooming house operators can download the free publication, 'Running a better rooming house: A best practice hand book for operators' from RAAV's website [raav.org.au/best\\_practise\\_handbook](http://raav.org.au/best_practise_handbook)

### Resources for residents

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

Residents who may be experiencing family violence can get help with the VCAT process:

**Phone** 1300 01 8228 (1300 01 VCAT). Calling this number costs the same as a local call. Additional charges may apply if you call from overseas, on a mobile or payphone

You can also contact a **family violence support worker** during business hours:

**Phone** (03) 9628 9856

55 King Street, Melbourne

[vcat.vic.gov.au/customer-support-at-vcat/family-violence-support](http://vcat.vic.gov.au/customer-support-at-vcat/family-violence-support)

#### Residents can get legal advice from:

##### Victoria Legal Aid

**Phone** 1300 792 387

[legalaid.vic.gov.au](http://legalaid.vic.gov.au)

##### Tenants Victoria

**Phone** (03) 9416 2577

[tuv.org.au](http://tuv.org.au)

#### Department of Justice and Community Safety

For further resources and support, visit the Family violence section – Department of Justice and Community Safety website

[justice.vic.gov.au/safer-communities/protecting-children-and-families/family-violence](http://justice.vic.gov.au/safer-communities/protecting-children-and-families/family-violence)

#### Women can get support from:

##### safe steps

safe steps Family Violence Response Centre provides specialist services to women and children.

**Phone** 1800 015 188 - a 24/7 family violence response phone line

[safesteps.org.au](http://safesteps.org.au)

#### Residents who have experienced crime can get information from:

##### Victims of Crime Helpline

The Victims of Crime Helpline can advise on reporting crimes, court processes, and applying for compensation and financial assistance.

The helpline is open from 8am to 11pm, every day.

**Phone** 1800 819 817

**Text** 0427 767 891

**Email** [vsa@justice.vic.gov.au](mailto:vsa@justice.vic.gov.au)

[victimsofcrime.vic.gov.au](http://victimsofcrime.vic.gov.au)