

Your Specialist disability accommodation residency agreement

Important information for you



How to use this document



Consumer Affairs Victoria (CAV) wrote this document. When you see the word 'we', it means CAV.



We have written this information in an easy to read way.

We use pictures to explain some ideas.



We have written some words in **bold**.

We explain what these words mean.

There is a list of these words on page 35.



This Easy English document is a summary of another document.



You can find the other document on our website at www.consumer.vic.gov.au/sda



You can ask for help to read this document. A friend, family member or support person may be able to help you.

What's in this document?

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What is specialist disability accommodation?



Specialist disability accommodation (SDA)

is accessible housing for people with disability.



When you live in SDA, we call you
an SDA resident.



The housing is provided by an SDA provider.



It doesn't include the supports you need to live in your SDA.



You can get the supports you need to live in your SDA from your **daily independent living support provider**.



Your daily independent living support provider will support you with daily tasks to help you live independently.



It's important that your SDA provider and your daily independent living provider work together.

What is your SDA residency agreement?



This document is about your **SDA residency agreement**.



Your SDA residency agreement is an agreement between you and your SDA provider.



It explains:

- how you can expect to be treated
- the things you must do.

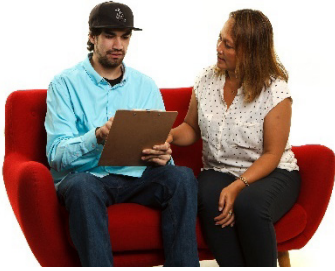


You need to be given this information:

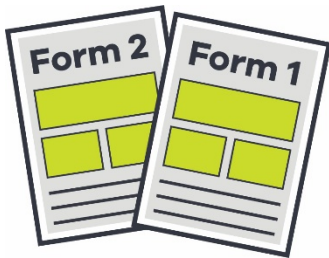
- 7 days before you sign the agreement
- in a way that you can understand.



You can ask for support to understand the agreement if you need it.



Your SDA provider must make sure you understand the agreement.



We have forms for SDA providers to use.
The law says they must use the forms.



The law that applies is the *Residential Tenancies Act 1997*.



This law protects the rights of:

- people living in SDA
- SDA providers.

What does an SDA residency agreement say?

Your SDA residency agreement talks about:



- the SDA you will live in



- you and any other people who will live in your SDA



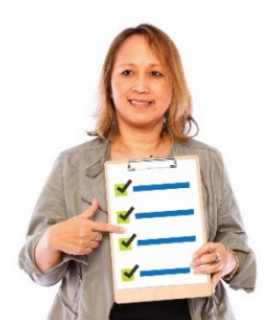
- your **rent** – how much you must pay to live in your SDA and how often you must pay it



- how long you will live in your SDA



- things you must do while you live in the SDA



- things your SDA provider must do



- the rules of your SDA



- what happens if you break the rules



- when your agreement ends



- how to make a complaint if you're not happy with your SDA.

Things you must do



There are things you must do when you live in your SDA.



They are part of your agreement.



You must look after your SDA.



You must pay your rent on time.

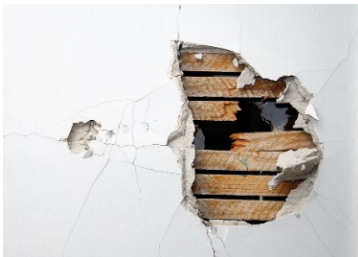


You must respect:

- other people who live in the SDA
- staff who work in the SDA.



You must not do anything in your SDA that is against the law.



You must try not to cause any damage.



You must tell your SDA provider about any damage that happens.



You must keep your SDA clean.



You must not get a pet unless your SDA provider says it is ok.



If you don't do these things, your SDA provider can give you a **Breach of duty notice**.



A Breach of duty notice is like a formal complaint.



It explains:

- what the issue is
- how it needs to be fixed.



If you don't fix the issue, your SDA provider can go to the **Victorian Civil and Administrative Tribunal (VCAT)**.



VCAT helps solve legal problems for people in Victoria in a way that is quick and fair.

Things your SDA provider must do



There are things your SDA provider must do while you live in your SDA.



They are part of your agreement.



They must treat you with respect.



They must protect your privacy.



They must put in things you need to support you to live your daily life.

For example, an accessible toilet.



They must quickly fix anything that gets broken or damaged.



They must make sure the SDA is secure.



If you want a pet but your SDA provider says you can't have one, they must have a good reason.



If your SDA provider doesn't do these things, you can give them a Breach of duty notice.

What is in your SDA residency agreement?



Your agreement will have lots of important information about:

- you
- your SDA provider
- the SDA you will live in.



This includes:

- how long you will live in the home
- the date the agreement starts
- the date the agreement ends
- if you are the only person living in your SDA
- if there are other people living in your SDA.

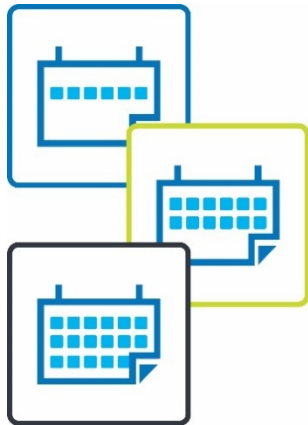
Your rent



Your agreement will tell you the date your first rent payment is due.



It will also tell you how often you must pay your rent.



You might have to pay your rent:

- each week
- every 2 weeks
- each month.



Your SDA provider can't ask you to pay your rent more than 30 days in advance.



Your agreement will tell you how much your rent will cost.



The amount of rent you pay can change.



But your SDA provider can only increase the cost of your rent every 6 months.



You can contact us if you don't agree with the increase.

We will look into it.



Phone: **1300 40 43 19**

Monday to Friday 9 am to 5 pm



Website: consumer.vic.gov.au



You can also contact VCAT.

Other charges



In SDA, you don't have to pay a **bond**.



A bond is money that people pay before they can move into a rental property.



You only have to pay for the other services you use in your home, like:

- electricity
- gas
- water.

When can your SDA provider enter your SDA?



Your SDA provider can enter your SDA for certain reasons.



They must tell everyone who lives in the SDA before they enter.



Your agreement explains how much time your SDA provider must give you before they enter your SDA.



For example, they need to tell you 24 hours before if they want to come and fix something.



Sometimes your SDA provider doesn't need to give you any notice before they enter your SDA. For example, if there is an emergency.



You need to be living at the SDA for at least 3 months before your SDA provider can ask for a **general inspection**.



A general inspection is when they look through the home to make sure you are looking after it.

Ending your agreement



Your agreement will last for a certain amount of time.



When this agreement ends, it will start again and go for the same amount of time unless you or your SDA provider end it.



There are different ways to end the agreement. We explain these in more detail below.



Notice of revocation

This means you must move out because the SDA provider can't use the home as SDA anymore.



This might happen if your SDA provider:

- breaks the law
- doesn't look after your SDA very well
- lets too many residents live in the SDA.



Notice to vacate

This means you can't live in your SDA anymore.



This could be because:

- you haven't paid your rent
- you have made other people living in your SDA feel unsafe
- your SDA will be knocked down.



If you don't agree with the SDA provider about this, you can contact VCAT.



If you get one of these notices, your SDA provider must explain what it says in a way that you can understand.



Notice of intention to vacate

This means you don't want to live in the SDA anymore.



You must:

- give the notice to your SDA provider in writing
- include the date you want to move out.



Notice of intention to terminate

This means you want to end the agreement with your SDA provider because they did not give you the information you needed before you signed the agreement.



You must:

- give the notice to your SDA provider in writing
- include the date you want to move.



Possession orders

This means that the SDA provider or owner of the SDA has given you a Notice to vacate, but you still haven't left.



If you haven't left 30 days after they have asked you to, they can ask VCAT for help.



VCAT will decide if you have to leave.



If you don't have someone supporting you, your SDA provider must explain what VCAT says you must do in a way you can understand.

Notice of temporary relocation



A Notice of temporary relocation means that you need to move out of your SDA for up to 90 days.



Your SDA provider must find you somewhere to live during this time.



This might be because:

- you have made other people living in the SDA feel unsafe
- you can't be supported at the SDA anymore
- repairs need to be made to the SDA.



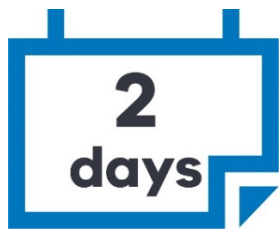
Your SDA provider must contact your daily independent living support provider if this happens.

Repairs to your SDA

Urgent repairs



If there is a problem with your home and you need it fixed quickly you can contact your SDA provider.



They must make sure the problem is fixed within 2 days.



An urgent repair can include:

- a blocked toilet
- a big leak in the roof
- hot water not working.

Non-urgent repairs



If there is a problem with your home and it isn't urgent, you can contact your SDA provider.



They must make sure the problem is fixed within 14 days.



If they haven't fixed the problem by this time, you can contact us.



A non-urgent repair can include:

- a hole in the wall
- broken blinds
- leaking tap.

Community visitors



Community visitors are **volunteers** – people who choose to work for free.



They will visit the SDA and make sure people living there are:

- being well cared for
- treated with respect.



They will also see if there is anything wrong at the SDA.



They may ask you questions about living in the SDA.



A community visitor can come anytime.

You can also ask for a community visitor to come to your SDA by contacting the Office of the Public Advocate (OPA):



Phone: **1300 309 337**



TTY

If you use textphone or modem, call the National Relay Service.

133 677

Give them OPA's number – **1300 305 612**



Email: opa_advice@justice.vic.gov.au



Website:

www.publicadvocate.vic.gov.au/our-services/community-visitors Community visitors page on the Office of the Public Advocate website

Extras



You and your SDA provider might have extra things you want to include in your agreement.



There is space in your agreement where you can write anything extra.



These extra rules:

- should be agreed by you and the SDA provider
- need to follow the law.



If you don't think an extra rule is right, you can contact VCAT.

Making a complaint



If you aren't happy with a service, you can make a complaint.



Complaints are important because they help fix issues and make the service better.

How to make a complaint about your accommodation



If you aren't happy with your SDA, you can contact your SDA provider.



Your complaint could be about:

- a problem in the house that hasn't been fixed
- an issue you are having with someone else living in the SDA.



Your SDA provider has ways to deal with any complaints properly.

How to make a complaint about your SDA provider



If you aren't happy with your SDA provider, you can contact the NDIS Quality and Safeguards Commission:



Phone: **1800 035 544**

TTY



If you use textphone or modem, call the National Relay Service.

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Give them the NDIS Commission's number – **1800 035 544**

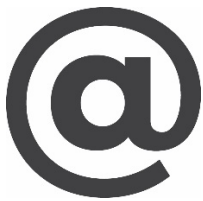


Website: ndiscommission.gov.au

Or you can contact the Disability
Services Commissioner:



Phone: **1800 677 342**



Email: **complaints@odsc.vic.gov.au**



Website: **odsc.vic.gov.au**

Word list



Bond

Money that people pay before they can move into a rental property.



Breach of duty notice

A Breach of duty notice is like a formal complaint. It explains:

- what the issue is
- how it needs to be fixed.



General inspection

When your SDA provider looks through the accommodation to make sure you are looking after it.



Rent

How much you must pay to live in the SDA and how often you must pay it.



SDA residency agreement

An agreement between you and your SDA provider.

It explains:

- how you can expect to be treated
- the things you must do.



Specialist disability accommodation

Accessible housing for people with disability, including NDIS housing.



Daily independent living support provider

People who support you with daily tasks to help you live independently.



Victorian Civil and Administrative Tribunal

VCAT helps solve legal problems for people in Victoria in a way that is quick and fair.



Volunteers

People who choose to work for free.

Contact us



1300 40 43 19

The cost is the same as a local call.

If you speak a language other than English, please contact TIS – Translating and Interpreting Service.



131 450

Ask to talk to an Information Officer at Consumer Affairs Victoria on

1300 40 43 19

TTY



If you use textphone or modem, call the National Relay Service.

133 677

Give them our number – **1300 40 43 19**



If you use Speech to Speech Relay call

1300 555 727

Give them our number – **1300 40 43 19**



www.consumer.vic.gov.au/sda



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