

Your Specialist disability accommodation residency agreement

A guide for you

Easy Read version

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 have written some words in **bold**. We explain what these words mean. There is a list of these words on page 21.

This Easy Read document is a guide to your Specialist disability accommodation residency agreement.

You can find the other document on our website at **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.

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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 a 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.

The money get for your daily independent living support could come from:

- the NDIS
- the Transport Accident Commission
- WorkCover OR
- the Disability Support for Older Australians program.

What is 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
- the rules of the SDA.

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.

They must also make sure they tell you at least 14 days before if the rules of the SDA will change.

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.

Things you must do

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

You must look after the 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 the SDA that is against the law.

You must try not to cause any damage.

If any damage happens, you must tell your SDA provider about it.

You must keep the 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.

A **complaint** is when you tell someone about:

- something that has gone wrong
- a problem you want 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 the SDA.

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.

When can your SDA provider enter your SDA?

Your SDA provider needs to give a reason for entering your SDA.

There are also rules about how much time your SDA provider needs to give you before they can enter your SDA.

They can enter:

- between 8 am and 6 pm
- on any day of the week that isn't a public holiday.

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

On the following pages, we explain:

- reasons your SDA provider can give you for entering your SDA
- how much time your SDA provider needs to give you before they can enter your SDA.

24 hours before

Here is a list of reasons your SDA provider can give you for entering your home where they must tell you 24 hours (1 day) before.

They need to carry out a task that the law says all SDA providers need to do.

They need to fix something that:

- is broken
- has been damaged.

48 hours before

Here is a list of reasons your SDA provider can give you for entering your home where they must tell you 48 hours (2 days) before.

They want to show a room in your SDA to a new resident.

The SDA provider can only give this reason if:

- they have told a resident of your SDA they must move out
- a resident of your SDA has said they plan to move out.

They want to show your SDA to someone who might buy it.

They want to show your SDA to a money lender.

If your SDA provider gives you one of these reasons, they can only enter your SDA:

- twice in 1 week
- for 1 hour at a time.

Everyone who lives in the SDA must agree about when the SDA provider will enter your SDA.

7 days before

Here is a list of reasons your SDA provider can give you for entering your home where they must tell you 7 days before.

They want to find out what price your SDA would sell for.

They need to inspect your SDA.

Your landlord can only inspect your SDA:

- once every 6 months
- after you've been living there for 3 months.

They have asked you if they can enter your SDA for a different reason.

Entering without telling you before

Sometimes your SDA provider doesn't need to give you any notice before they enter your SDA. This could be because:

- you have said it is ok for them to enter
- there is an emergency
- they think that someone is in danger
- they think that you have left the property and won't be coming back
- they need to fix something urgently.

Community visitors

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

They will visit your SDA to make sure people living there are being:

- cared for well
- treated with respect.

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

They might ask you questions about living in your SDA.

A community visitor can come anytime.

You can also ask for a community visitor to come to the 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

Making a complaint

If you have a complaint about your SDA, you can contact your SDA provider.

You can contact your SDA provider about:

- anything related to living in your SDA
- anything in your room or your SDA that is broken or damaged and needs to be fixed
- a problem you have with another resident who lives in your SDA.

Your SDA provider must have a good way to deal with any complaints.

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. 133 677. Give them the NDIS Commission's number – 1800 035 544

Website: ndiscommission.gov.au

If you have a complaint about a disability service funded by the Transport Accident Commission (TAC), Workcover or the Department of Families, Fairness and Housing, you can contact the Victorian Disability Services Commissioner for information and advice about making a complaint on:

Phone: 1800 677 342

Email: complaints@odsc.vic.gov.au

Website: odsc.vic.gov.au <odsc.vic.gov.au/>

How to make a complaint about your disability support funding

If you aren't happy with your disability support funding, you can contact to your Local Area Coordinator or the NDIA on:

Phone: 1800 800 110

Email: feedback@ndis.gov.au

Website: ndis.gov.au <ndis.gov.au>

You can contact the Disability Support for Older Australians program by contacting the Commonwealth Department of Health on:

Email: CommonwealthDSOA@health.gov.au

Website: <https://www.health.gov.au/our-work/disability-support-for-older-australians-dsoa-program>

You can contact the Transport Accident Commission (TAC) to make a complaint if your daily independent living support is funded by the TAC.

Phone: 1800 931 233

Email: saferservices@tac.vic.gov.au

Website: Do you need to report abuse or neglect by a TAC funded service? - TAC - Transport Accident Commission <tac.vic.gov.au/clients/working-together/reportabuse>

You can contact WorkSafe to make a complaint if your daily independent living support is funded by WorkCover.

Phone: 1800 136 089

Using the online form: Make a complaint to WorkSafe
<www1.worksafe.vic.gov.au/vwa/vwa029-005.nsf/xpOnlineComplaint.xsp>

Website: Make a complaint - WorkSafe
<worksafe.vic.gov.au/make-complaint>

How long you will live in the SDA

Your agreement will tell you:

- how long you will live in your SDA
- the date the agreement starts on
- the date the agreement ends on.

When your 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 have explained these in Your specialist disability accommodation residency agreement: Information about your rights and responsibilities.

You should be given a copy of that document with your SDA residency agreement.

Your rent

Your agreement will tell you:

- how much your rent will cost
- how much the government will give you to help pay your rent
- how much you must pay to live in your SDA
- the date your first rent payment is due on
- how often you must pay your rent.

You might have to pay your rent:

- each week
- every 2 weeks
- each month.

If you pay your rent each month, it must be paid on the same date.

Your agreement will tell you which day of the month your rent will be due.

The amount of rent you pay can change.

Your SDA provider needs to tell you 60 days before your rent will change.

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 SDA 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
- a leaking tap.

Contacting you

Your SDA provider might want to use email to:

- contact you
- send you information.

Your SDA provider needs your **consent** to do this.

When you give your consent, you say it is ok to do something.

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.

Word list

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.

Complaint

A complaint is when you tell someone about:

- something that has gone wrong
- a problem you want fixed.

Consent

When you give your consent, you say it is ok to do something.

Daily independent living provider

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

Specialist disability accommodation (SDA)

Specialist disability accommodation is accessible housing for people with disability.

Victorian Civil and Administrative Tribunal (VCAT)

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

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**

Website – **www.consumer.vic.gov.au/sda**

Facebook – **[/ConsumerAffairsVictoria](https://www.facebook.com/ConsumerAffairsVictoria)**

Twitter – **[@consumervic](https://twitter.com/consumervic)**

YouTube – **www.youtube.com/user/consumervic**

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