

The Housing Registrar's role with complaints by tenants or prospective tenants

This information sheet is for tenants and prospective tenants of registered housing agencies who may wish to complain about their landlord.

Step 1 – Can the Housing Registrar help you?

Before you contact the Housing Registrar about a complaint concerning a registered housing agency you need to answer the following questions:

1. **Am I tenant or prospective tenant of a registered housing agency?**
2. **Is my complaint about rental housing?**
3. **Has my complaint been through the registered housing agency's formal complaints process, and not been resolved to my satisfaction?**

NB. Please refer to [Attachment 1](#) for help to answer these questions

If your answer to all three questions is **Yes**, go onto Step 2, as we may be able to help you.

If your answer to questions one or two is **No** we are sorry but your complaint falls outside of our jurisdiction. If you are a neighbour of a property managed by a registered housing agency then please refer to our [neighbour complaints information sheet](#).

If the answer to question three is **No** your complaint must have gone through the registered agency's [formal complaints process](#) and you have been told of the outcome in writing.

We cannot get involved unless you have been through the agency's complaints process.

It is sensible to raise your concern with the agency first to try to have it resolved, before you make a formal complaint. If you are not happy with how your concern is dealt with, then you may wish to make a formal complaint.

If after making a formal complaint you are unhappy with how your complaint has been handled or with the outcome, you can make a formal complaint about it to us **once 30 days have passed** since you first made the complaint with the agency. You should preferably make your complaint in writing.

Step 2 – Contact the Housing Registrar

You can :

- Email our complaints inbox at housingregistrarcomplaints@dtf.vic.gov.au
- Call our general phone line on 9651 1402
- Mail your complaint to Housing Registrar, Department of Treasury and Finance, Level 5, 1 Treasury Place Melbourne 3001

Please tell us in writing:

- (i) what your complaint is;
- (ii) how your complaint has not been addressed fairly and appropriately by the agency;
- (iii) why the outcome is unsatisfactory; and
- (iv) how you want the complaint to be addressed.

You must also send us copies of all relevant correspondence between you and the agency including:

- an acknowledgement from the agency of receipt of your complaint
- advice from the agency about the outcome of your complaint.

Step 3 – Our approach

When we get all this information and it confirms your complaint is one we can investigate, we begin an internal investigation of your complaint and may:

- contact you to clarify something we are not clear about
- contact the registered housing agency to clarify information in the advice about the outcome of your complaint

If we have significant concerns about how your complaint has been handled, we may refer it for an independent, external investigation. We will tell you if this happens and our investigator may contact :

- you
- any advocate/s acting on your behalf
- any support workers you have who may be able to provide relevant information
- the registered agency.

Step 4 – The outcome

We will inform of the outcome of our investigation and any actions we plan to take in writing.

In some cases, the outcome or proposed actions may not be what you were seeking. However once we have concluded the investigation and advised you of the outcome, we close your complaint and will not conduct any other investigation of the same issues.

We do have powers under the *Housing Act 1983* to take action with a registered agency if we find they have acted unfairly or inappropriately in handling your complaint.

Attachment 1 - Some information to help you answer the questions in Step 1

Q1. Are you a tenant or prospective tenant of a registered housing agency?

- Registered housing agencies are listed on the Housing Registrar website as either housing associations or housing providers. Lists of the names of individual registered agencies can be found via the website: <http://www.housingregistrar.vic.gov.au/Registered-Housing-Sector>
- Tenants are people / households holding a tenancy agreement with a registered housing agency. Prospective tenants are applicants for housing with a registered housing agency.
- People living in public housing which is managed directly by the government via the Department of Human Services (DHS) fall outside of our jurisdiction. Any complaints from public housing tenants will be forwarded by us to the [DHS Complaints Unit](#) as we have no role to play with these complaints.
- People living in private rental housing managed through a real estate agent or private landlord, also fall outside of our jurisdiction. Any complaints from private rental tenants will be directed to other relevant authorities.

Q2. Is your issue related to your rental housing?

- Rental housing issues include matters related to your application for housing, tenancy agreement, rent, tenure, and condition of the property.
- Matters not related to rental housing include issues related to support workers or assistance offered by support agencies, and disputes between members of a co-operative or [between co-operative members and the committee](#) or between the co-operative and another governing body.
- Some issues related to rental housing fall under other jurisdictions such as the [Victorian Civil and Administrative Tribunal](#) (VCAT) or [Consumer Affairs Victoria](#), and have relevant processes to be followed. These include disturbances of peaceful enjoyment of your housing, and urgent and non-urgent repairs.
- For information on VCAT's role refer to the tenant application guide at the website: <http://www.vcat.vic.gov.au/resources/document/tenant-application-guide-86-kb-12-pages>
- For relevant information on Consumer Affairs Victoria go to the website: <http://www.consumer.vic.gov.au/housing-and-accommodation/renting>

Q3. Has your issue been taken through the registered housing agency's formal complaints process, and not been resolved to your satisfaction?

- It is appropriate to raise any of your concerns about your housing with your landlord agency. However, raising your issue through a phone call, email or letter does not mean it has been taken through the formal complaints process. Making a complaint is usually the next step you can take if you are not happy with how your issue has been dealt with by the agency.
- It is important for you to be clear with an agency whether your issues are at the stage of being considered and responded to by the agency, or whether they have now moved on to the formal complaints process based on your registration of dissatisfaction with the response to your issue/s.
- Getting a written acknowledgement of your complaint and written advice on the outcome of your complaint make it clear to you and us that your issues have been taken through the formal complaints process.