

INNER MELBOURNE COMMUNITY LEGAL (IMCL)

We are a community legal centre based in North Melbourne and Kensington that provides free legal assistance to people experiencing marginalisation.

REPAIRS



OVERVIEW

No matter what type of rental property you live in (public/community housing or a private rental), the rental provider must, and has a duty, to keep your home in 'good repair'.

There are two types of repairs:

- Urgent Repairs and
- Non-urgent Repairs

It is the **renter's responsibility to inform** the rental provider/agent if anything needs to be repaired.

URGENT REPAIRS

- Once you make a report that repairs are required, urgent repairs must be done **as soon as possible (usually within 48 hours)**.
- However, in situations where your safety is at risk or where the property could be damaged/damaged further, there should be an **attempt for it to be arranged immediately**.

Some examples of urgent repairs:

- Mould
- Burst water service
- Blocked toilet
- A serious roof leak or flooding/flood damage
- A dangerous electrical fault
- Fire damage
- A failure or breakdown of any essential service or appliance provided for hot water, water, cooking, heating or a failure or breakdown of the gas, electricity or water supply
- A serious fault in a lift or staircase
- Any fault or damage that makes the property unsafe or insecure including pest infestation; the presence of mould or damp
- A gas leak

HOW TO KNOW IF A REPAIR IS URGENT OR NOT?

Consider asking yourself if the issue makes your home **unsafe** to live in, or if it is an essential appliance required to make your home **liveable**.

NON – URGENT REPAIRS

- Non-urgent repairs are anything else that is not on the list of urgent repairs.
- They need to be repaired **within 14 days** of the repair being reported.

Some examples of non-urgent repairs

- Loose bathroom tiles
- Peeling paint
- Broken TV antenna

WHAT SHOULD YOU DO IF YOU WANT REPAIRS DONE?

1

INFORM THE RENTAL PROVIDER/AGENT THAT THERE IS AN ISSUE THAT NEEDS FIXING

- This should be done in writing (via text/email) or put it in writing after speaking with them.

2

COLLECT EVIDENCE

- Take photos/videos of the issue (initial photos but also if the problem gets worse and it hasn't been fixed).
- Keep records of any communication with the rental provider/agent.



YOUR OPTIONS IF YOU CAN'T CONTACT YOUR RENTAL PROVIDER OR URGENT REPAIRS ARE NOT BEING DONE?

APPLY TO RENTAL DISPUTE RESOLUTION VICTORIA (RDRV)

If your rental provider/agent refuses to undertake repairs, is not responding to you, or repairs are not being done properly, you can apply to the RDRV.

- It is a quick and free service that assists people to resolve rental disputes without having to go to court.
- There is an independent coordinator who will help facilitate a discussion to **try** and reach an agreed decision.
- Discussions may commence as early as **2 days** within your application being received.
- If an agreement is reached, it is important to get it in writing.
- If an agreement is not reached, the matter can be referred to the Victorian Civil and Administrative Tribunal (VCAT) (an accessible tribunal to resolve disputes without having to go to court and where binding decisions can be made).



You can apply by scanning this QR code.

We recommend you speak to a lawyer and get legal advice **BEFORE** commencing discussions.

PAYING FOR URGENT REPAIRS YOURSELF

We only suggest this as an option if the damage is severe and places your safety at risk **and** the rental provider is not responding to you.

You can only organise and pay for urgent repairs if:

- You tried to contact the rental provider but could not reach them;
- You contacted the rental provider and they did not organise for the repairs to be fixed;
- The repairs cost less than \$2500.

There are **responsibilities** placed on you if you decide to get repairs done yourself and things you may have to take into consideration such as:

- Getting quotes (the rental provider is only required to reimburse you for 'reasonable costs');
- Selecting a qualified tradesperson - there may be appliances/services that can only be fixed by certain tradespeople.

TIPS:

- Take 'before' and 'after' photos.
- Get an invoice.
- Get a few quotes to compare prices.

We recommend you speak to a lawyer and get legal advice.

GETTING NON-URGENT REPAIRS DONE

If repairs are not completed within 14 days, you can:

1. Apply to the RDRV;
2. Request a free inspection from Consumer Affairs Victoria (this report can be helpful evidence if you go to RDRV or VCAT)

You **cannot stop paying rent** while you are waiting for repairs.

Keep evidence of any expenses you incur as you may be able to get compensation.

SUPPORTS AVAILABLE

LEGAL SUPPORT:

01

INNER MELBOURNE COMMUNITY LEGAL
(03) 9328 1885

02

TENANTS VICTORIA
(03) 9416 2577

03

ANIKA LEGAL
0480 016 398

04

VICTORIA LEGAL AID
1300 792 387

OTHER SUPPORT:

CONSUMER AFFAIRS VICTORIA
1300 55 81 81

RENTAL DISPUTE RESOLUTION VICTORIA
1300 017 378

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
1300 018 228

STUDY MELBOURNE HUB
P: 1800 056 449
A: 17 Hardware Lane, Melbourne VIC 3000

Please note: this publication is not legal advice. If you would like legal advice, contact IMCL on (03) 9328 1885.