

Resolving Tenancy Disputes



Lisa May
State Operations Manager
Community Housing (Vic) Limited

Renter Centred Dispute Resolution



- ▶ Aim to sustain the tenancy
- ▶ Minimize escalation where possible - early intervention is key
- ▶ What vulnerabilities & complexities specific to this tenancy should we consider?
- ▶ Are there any alternative actions I could take?
- ▶ Are there any additional support referrals I could make/offer?
- ▶ Taking a risk-based approach (e.g., consider the risk or danger to the various parties and potential adverse consequences if early action is not taken)

Avoiding Escalation



- ▶ Robust feedback systems
- ▶ Understanding Residential Tenancies Act (RTA) & VCAT provisions
 - ▶ Timelines
 - ▶ Escalation Process
- ▶ What is the likely outcome if this goes to VCAT?
 - ▶ What are the barriers preventing us from resolving this issue outside of VCAT
- ▶ Ongoing negotiation/conversations
 - ▶ Negotiation is not a one-off conversation
 - ▶ Allow renter to have a support worker/advocate etc to support them in these conversations

Best Practice



- ▶ Communication
 - ▶ Utilising out of office replies & voicemail messages
 - ▶ Calling renters back within 24 hours of their call
 - ▶ Quick email replies
- ▶ Staff training and support
 - ▶ External Courses
 - ▶ Mentorship & buddy programs
 - ▶ Regular updates & mini workshops in team meetings
- ▶ Collaboration - Internal project control groups
 - ▶ Unpack issue & document
 - ▶ Determine roles and responsibilities for resolving the issue
 - ▶ Communicate plan to renter

Risks/Challenges & Opportunities



- ▶ General challenges
 - ▶ Willingness of parties to engage in the process
 - ▶ Initial influx of applications
 - ▶ Initial adjustment to a new process (change management considerations)
 - ▶ How do CHOs/renters follow up and escalate agreements that aren't complied with etc?
- ▶ Opportunities/Benefits
 - ▶ Preservation of relationships
 - ▶ Early resolution before issues have a chance to escalate
 - ▶ Free to use - more likely to be utilised
 - ▶ Speed and efficiency in resolving disputes
 - ▶ Ability to be flexible and employ creative solutions for better outcomes
 - ▶ Addresses power imbalance

Risks/Challenges & Opportunities



- ▶ THM specific challenges
 - ▶ As the tenancy managers, CHOs are often taken to VCAT for maintenance determinations
 - ▶ Maintenance is the responsibility of DFFH
 - ▶ CHOs are only able to raise, follow up and escalate maintenance with DFFH
 - ▶ Market rents are not set by the CHO - set by Homes Vic/DFFH
 - ▶ CHOs will have limited negotiation power in the dispute resolution as they are not the property owner
 - ▶ Any agreements made for maintenance/market rent remain the responsibility of DFFH to resolve
- ▶ Possible opportunities
 - ▶ Process could allow multiple parties to be present (i.e., bring DFFH into the dispute resolution hearings as an interest party to the outcome)

Thank you!



COMMUNITY HOUSING LTD
GROUP OF COMPANIES

Providing affordable housing since 1993.

www.chl.org.au

Lisa May
State Operations Manager
lisa.may@chl.org.au