

RENTING: COVID-19 AND YOUR RIGHTS AT HOME

What can I do if I can't afford my rent?

If you have lost income due to COVID-19, you have the right to seek rent relief with your landlord or real estate agent, which could include having your rent reduced.

If you come to an agreement, you should **get the agreement in writing and register it with Consumer Affairs** [here](#).

If you are unable to come to an agreement with your landlord, Consumer Affairs may be able to:

- **assist** you and your landlord come to an agreement;
- refer you to **mediation**; or
- refer your matter to the **Chief Dispute Resolution Officer** for Residential Tenancies, who can make a binding decision about rent relief.

Information about this process is available [here](#).

Tenants Victoria have information and resources that may assist you in negotiating with your landlord, available [here](#).

If you get a rental reduction through this process, you may be eligible for a **rent relief payment** from the government.

Information about these payments is available [here](#).

Sam has lost his job as a waiter because of COVID-19, and can no longer afford his rent of \$800 a month. He lets his landlord know about his financial hardship, and they agree to reduce his rent by \$100 a month.

Sam registers this agreement with Consumer Affairs, and becomes eligible for a rent relief payment, which helps him cover his remaining rent payments.

Can I be evicted?

Up until 29 March 2021, you cannot be evicted if you are behind in rent, as long as you can show this is because of the impacts of COVID-19.

Your landlord may be able to evict you if you are behind in rent when the eviction ban ends, so it is very important to apply for rent relief if you cannot afford your rent so that you don't fall too far behind.

Your landlord can still apply to VCAT to evict you, but the temporary laws, currently in place until 29 March 2021, make it more difficult to evict tenants. Information about this is available [here](#).

If your landlord threatens to evict you, or if you receive any legal documents in relation to eviction, or if you have to go to VCAT, you should seek legal advice immediately.



Can my landlord blacklist me if I can't pay my rent?

No, landlords are not allowed to 'blacklist' you if you fall behind on your rent as a result of COVID-19.

If they do this, you may be able to get the listing removed. See [here](#) for more information.

Can my rent be increased?

No, landlords are not allowed to increase your rent until after 29 March 2021. If you get a notice of rent increase during this period, it is not valid.

After 29 March 2021, you may still be able to challenge a rent increase if it is unreasonable. See [here](#) for details.

Can my landlord ask me to access my superannuation to pay rent?

No. Landlords and real estate agents are not permitted to provide unlicensed financial advice. If they do, they may be subject to significant criminal penalties.

If your landlord is asking you to access your superannuation to pay rent, you can report them to ASIC (1300 935 075).

Where can I get free legal advice?

Northern Community Legal Centre

Ph: (03) 9310 4376 Email: admin@northernclc.org.au

Tenants Victoria

Email: tenantsvic.org.au/contact/

Victoria Legal Aid

Ph: 1300 792 387 / Arabic: (03) 9269 0127

Where can I get further information?

Northern Community Legal Centre:

northernclc.org.au/covid-19-facts-and-info

Tenants Victoria:

tenantsvic.org.au/advice/coronavirus-covid-19

Consumer Affairs:

consumer.vic.gov.au/resources-and-tools/advice-in-a-disaster/coronavirus-covid19-and-your-rights

This document is not legal advice.

This information is accurate as of 24 August 2020. You should seek legal advice before acting on the basis of this information.