

Appealing a public housing decision



If you do not agree with a decision made by the Director of Housing* you may be able to **appeal** the decision, which means asking that the decision be reconsidered.

You can make an appeal if you:

- > have applied for public housing; or
- > have applied for bond assistance; or
- > you are currently renting a public housing property

You can appeal decisions about:

- > eligibility for public housing
- > eligibility for early allocation of housing
- > allocations or offers of housing
- > relocations or transfers
- > mutual swaps
- > applications for housing that have been removed
- > rebate calculations including cancellation of your rebate or backdating of a rebate
- > Bond Loan Scheme
- > eligibility for bond assistance
- > allocation of a car bay
- > movable units
- > requests for special maintenance work

Matters that are dealt with by the Victorian Civil and Administrative Tribunal (VCAT) cannot be reconsidered through the housing appeals process. These matters include:

- > rent arrears
- > Notices to Vacate and Possession Orders
- > request for repairs and property maintenance
- > tenant responsibility charges (see the **Avoiding maintenance charges** fact sheet for more information)

➡ You can contact the **Victorian Civil and Administrative Tribunal (VCAT)** on ☎ **9628 9800** or ☎ **1800 133 055** (freecall) for country residents.

How to appeal a decision

Step 1. Your local housing office

Discuss your concerns with your local housing office. If you are still not happy with the decision, you can put in an appeal.

Step 2. Submitting your appeal

It's best if you start your appeal as soon as possible. It is free to appeal and your appeal will be confidential, but you do need to put it in writing.

To appeal a decision you will need to fill in the *Housing Appeal Application Form* and submit it to the Housing Appeals Office. Explain what you're appealing against and why. You will need to include copies of any documents that support your case.

➡ If you have any questions or need assistance in completing your application contact the **Housing Appeals Office** on ☎ **9096 7426** or ☎ **1800 807 702** (freecall) for country residents or contact the **Tenants Union** for advice on ☎ **1300 068 860**.

Step 3. Response from Housing Services Manager

Once you submit your application for an appeal you will receive a letter of receipt from the Housing Appeals Office.

Your appeal will initially be considered by more senior housing staff in your local region on the basis of the information provided in your application.

A Housing Services Manager should contact you to advise you of the outcome of this initial review **within 10 working days** of the date that your appeal is received.

Step 4. Manager of Housing Appeals

If the Housing Services Manager does not change the original decision then it will be sent to the Manager of Housing Appeals who will independently check whether the Director of Housing's policy and procedures were correctly applied.

The Appeals Manager may contact you to discuss your appeal over the telephone or to arrange an interview. In this interview, you will be able to explain your situation and provide further information. You may request that an interpreter be used in any interview.

continued overleaf

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If you the Appeals Manager hasn't contacted you within one month of submitting your appeal, you should phone the Housing Appeals Office.

Once your appeal has been investigated by the Housing Appeals Office, you will be sent a letter advising you of the outcome.

Step 5. Ombudsman or Human Rights & Equal Opportunity Commission

If you are not happy with your Housing Appeals outcome you can contact the Ombudsman Victoria or, if you believe you are being discriminated against, the Human Rights and Equal Opportunity Commission.

The Ombudsman

The Ombudsman of Victoria can investigate appeals about administrative actions and decisions made by the Director of Housing, and about the conduct and behaviour of its staff. Complaining to the Ombudsman is free.

The Ombudsman can make an independent recommendation to the Director of Housing. You can contact the **Ombudsman Victoria** on ☎ **9613 6222** or ☎ **1800 806 314** (freecall) for country residents.

Equal Opportunity & Human Rights Commission

The Victorian Equal Opportunity and Human Rights Commission helps people resolve issues related to discrimination and harassment.

The Commission will help resolve an appeal by mutual agreement. Contact the Commission for free and confidential advice on ☎ **1300 292 153**.

For more information phone the Tenants Union Advice Line on ☎ (03) 9416 2577.

*The government department that manages public housing has used many names over time including the Housing Commission, Department of Housing and Office of Housing. It is now called the Housing and Community Building Division of the Department of Human Services. As an alternative, the Tenants Union is using the name Director of Housing as the best way to describe this service. Please also note that your local housing office may now be located within the Department of Human Services.

This information is a guide only and should not be used as a substitute for professional legal advice
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