

Renters Advisory Group to the Commissioner for Residential Tenancies

Terms of Reference and Charter

1. Purpose

The role of the Commissioner of Residential Tenancies (**CRT**) is to champion the rights of renters and to strengthen their voice on rental policies, laws and programs.

The Commissioner represents private and community housing renters, residents of rooming houses, caravan and residential parks and supported disability accommodation. To support this role, the CRT consults widely with renters and advocacy groups that act on behalf of renters.

A key consultation strategy is the establishment of a broad group of renters as members of the Renters Advisory Group (**RAG**) to meet directly with the Commissioner to share experiences, observations and their views on issues in the rental sector in Victoria.

2. Roles and Responsibilities

The role of the Renters Advisory Group is to provide a forum for renters to:

- raise and discuss the issues that are currently affecting renters or that they see emerging in the private rental sector
- make suggestions to develop or improve the Commissioner's work
- network with other renters and hear their issues and challenges.

Members of the Renters Advisory Group are responsible for:

- fostering collaboration between RAG members
- maintaining the focus of the RAG
- sharing and monitoring factors outside the groups control that are critical to its success
- behaving in an inclusive manner which is always respectful and non-judgemental of other members' opinions and perspectives
- being punctual for the start of meetings and participating in meeting discussions.

Members of the Renters Advisory Group can expect:

- that each member will be provided with complete, accurate and meaningful information in a timely manner
- to be given reasonable time to make key decisions
- open and honest discussions
- ongoing 'health checks' to verify the overall status and 'health' of the group.

The RAG is usually not a vehicle for consulting on specific reform proposals relating to government policies, laws and programs. The responsible government agencies will arrange consultation on these matters, as appropriate.

3. Term

Members of the RAG are appointed for a term (2 years) which may be extended at the discretion of the Commissioner.

4. Membership

Membership is drawn from renters living in Victoria with appointments made by the Commissioner through a formal recruitment process.

The RAG membership will comprise renters including those under mainstream residential tenancy agreements, rooming houses, caravans and moveable dwellings, site-tenants in residential parks and residents in specialist disability accommodation.

The selection of RAG members will be based on their capacity to represent the diverse views and experiences of renters and consist of at least 8 members.

A member may resign from the RAG at any time by writing to the Commissioner.

Where a member is likely to be absent for an extended period, arrangements should be discussed with the Commissioner. The Commissioner may grant a temporary leave of absence and may fill a temporary vacancy to ensure the proper functioning of the RAG.

Membership will lapse if a member fails to attend two consecutive meetings without notice.

5. Payment and Expenses

The RAG membership is voluntary however payment of travel expenses to and from meetings will be reimbursed and any payment issues should be raised with the Office of the Commissioner of Residential Tenancies (**OCRT**).

6. Meetings

The Commissioner or a representative from the Office of the Commissioner for Residential Tenancies (**OCRT**) will chair all meetings.

RAG meetings will be scheduled within the hours of 9.00 to 5.00 Monday to Friday with allowance made for travelling time unless they are held on-line.

Meetings will be held up to four times a year and ideally every three months.

Meetings are expected to be approximately two hours in duration.

The OCRT will prepare and distribute necessary papers. This includes preparing agendas, meeting minutes outcomes and actions, and the distribution of supporting papers at least 5 business days before meetings, except in unforeseen circumstances.

Any RAG member may propose agenda items.

7. Conflict of Interest

Members should disclose any personal, business, or volunteer affiliations that may give rise to a real or apparent conflict of interest with their role on the RAG at the start each meeting.

A conflict of interest does not necessarily mean that a RAG member cannot be involved in that discussion and often a conflict of interest can be managed just by disclosure of the other interest.

The Commissioner will decide about how any real or apparent conflict of interest is managed.

8. Confidentiality

Members are free to tell any other people about their membership of the group at their own discretion.

However, the information provided to members and the conversations held at RAG meetings are confidential and not to be shared publicly unless expressly authorised.

If a RAG member is being represented by a professional advocate or lawyer in a current tenancy issue the member should not discuss their personal situation or advice at the RAG meeting unless they have discussed the consequences of that disclosure with their legal representative. This is to protect the RAG member from losing the privilege of confidentiality that attaches to communications between a lawyer and their client which may have adverse consequences for the conduct of their tenancy matter.

9. Deliverables

The Commissioner works with the Minister for Consumer Affairs, senior departmental officers, advocacy groups, stakeholders and industry to highlight emerging issues effecting renters.

RAG meetings enable the Commissioner to much more effectively advise government and contribute to policy reform.

The operation of the RAG will be evaluated from time to time to ensure that it continues to deliver value for its members and the Commissioner.

10. Feedback

Members are encouraged to raise matters of concern about the operation of the group, or their own participation with the Commissioner or with the Commissioner's staff should they not wish to raise it in the RAG meeting.

Feedback on RAG is welcomed as a valuable opportunity to identify potential improvements.

The Commissioner will determine the appropriate response to any feedback or to resolve any complaints.

If the feedback is a complaint about the conduct of another RAG member (or members, including the staff of the Commissioner's office), the Commissioner will determine the process for resolving that complaint to ensure that each of the affected parties has an opportunity to be heard and that the complaint is properly resolved.

Reviewed and updated, June 2023.