

Annual Report

2020–21

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Letter to the Minister



The Hon. Melissa Horne MP
Minister for Consumer Affairs,
Gaming and Liquor Regulation
Minister for Ports and Freights
Minister for Fishing and Boating

Dear Minister,

In accordance with the *Australian Consumer Law and Fair Trading Act 2012*, the *Credit (Administration) Act 1984* and the *Veterans Act 2005*, I am pleased to present the Consumer Affairs Victoria Annual Report for the year ending 30 June 2021.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Nicole Rich', enclosed in a thin black rectangular border.

Nicole Rich
Executive Director, Regulatory Services &
Director, Consumer Affairs Victoria

Director's foreword

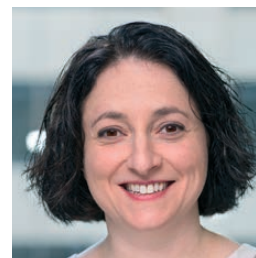
Consumer Affairs Victoria's (CAV) 2020–21 year was focussed on supporting the Victorian community and economy through the impacts of the coronavirus (COVID-19) pandemic and promoting Victoria's social and economic recovery.

When the pandemic began in 2020, CAV responded quickly to support the community in a time of uncertainty. Our staff rose to the challenge of implementing COVIDSafe workplaces, and I would like to especially thank our front-line staff who continued to provide services, often during periods of increased demand and pressure. This includes our Information and Dispute Services Centre (IDSC) – the CAV contact centre – which kept our priority phone lines and online services open throughout the year with all remaining lines reopened by mid-December. During periods where our inspectors and investigators were unable to conduct on-site inspections, we turned our focus to desk-based compliance activities. As restrictions eased, we resumed on-site inspections, with a focus on high-risk transactions and conduct.

This year we continued work to protect renters and rental providers under the *COVID-19 Omnibus (Emergency Measures) Act 2020*, particularly by delivering services under the Residential Tenancies Dispute Resolution Scheme (RTDRS). Our work in partnership with the Dispute Settlement Centre of Victoria (DSCV) helped tens of thousands of Victorians reach agreements on reduced rent and access various relief schemes.

The end of these emergency measures on 28 March 2021 coincided with the introduction of new rental laws, ensuring there was no gap in protection for renters. The *Residential Tenancies Amendment Act 2018* introduced more than 130 reforms to Victoria's rental laws from 29 March 2021, creating a safer

and fairer rental market for Victorian renters and rental providers. Our comprehensive communications and education campaign supported renters, rental providers, industry groups, community organisations and government partners to transition to the new laws.



Our compliance program supported safe and secure housing for rooming house residents. This included on-site inspections to check compliance with safety standards and to promote COVIDSafe environments in rooming houses. We also responded to Victorian community concerns about underquoting and trust account defalcations by identifying and responding to misconduct by estate agents.

In 2020–21, we instigated a range of enforcement actions against businesses for unfair practices across our regulated industries. In addition to responding to conduct identified in our rooming house, underquoting and trust account compliance programs noted above, we finalised a significant court action against a solar panel business which was found in breach of the Australian Consumer Law. The company was fined \$3 million in the Federal Court, and its director ordered to pay \$450,000 and banned from being a company director for five years.

We also issued two public warnings, with the first about an unregistered builder who was misleading consumers and providing substandard building works and the second about a furniture removalist for a range of poor practices. Our enforcement work will continue into next year, with nine criminal matters currently before the courts.

As the COVID-19 pandemic continued to impact consumers and businesses across the state, we found avenues to make it easier for businesses to comply with their compliance obligations. We supported refunds and extensions of time to meet regulatory obligations and simplified fundraiser obligations.

During the year we undertook significant work and consultation to prepare for the introduction of the *Professional Engineers Registration Act 2019* on 1 July 2021. This new registration scheme delivers on an important government commitment, supporting infrastructure delivery in Victoria and giving Victorians greater confidence by ensuring only suitably qualified and experienced engineers provide professional engineering services. Under a co-regulatory model, and in a first for Victoria, registration will be jointly administered by the engineering profession and government.

Last year we reported our IDSC would be moving from Melbourne to the GovHub in Ballarat as part of the Victorian Government's commitment to invest in regional Victoria. I am happy to advise the transition of 105 employees to the GovHub concluded on 28 June 2021, finalising a four-year transition of its operations and workforce to this important regional hub.

Looking ahead to 2021-22, we are committed to focussing on consumer wellbeing, minimising the risk of consumer harm and supporting the confident participation of consumers

and businesses in a market still impacted by the pandemic. We will continue to focus on responding to the impacts of COVID-19, providing funding for services to support the most vulnerable in our community and supporting consumers with up-to-date information through a range of communication channels. We will also work with businesses and organisations to ensure regulatory obligations can be clearly understood and that it is easier and faster to interact with us. Risk-based decision making will be central to our compliance program and working closely with partners will be an important element of achieving these aims.

I would like to thank the Minister for Consumer Affairs, the Hon Melissa Horne MP, for her ongoing support this year. I would also like to acknowledge and thank our colleagues in funded agencies delivering critical services to vulnerable Victorians, our partners across the department and other government agencies and regulators for their support, as well as again our staff for their resilience and hard work this year. While the year ahead will present new challenges, I am confident 2020-2021 has shown that as a regulator, Consumer Affairs Victoria has the flexibility, agility and expertise to contribute meaningfully to the government's efforts to support Victorians through a period of ongoing change and uncertainty.



Nicole Rich

Executive Director, Regulatory Services &
Director, Consumer Affairs Victoria

About us

We are Victoria's consumer affairs regulator, operating within the national consumer protection framework. We are part of Consumer Affairs, Liquor, Gaming and Dispute Services Group of the Department of Justice and Community Safety (DJCS).

Our values

As part of DJCS, we promote and embrace the department's values of:

- working together
- making it happen
- respecting other people
- serving the community
- acting with integrity.

These values inform the way we do business and are demonstrated every day through the actions of our staff.

Our vision

A fair and competitive marketplace in Victoria.

Our outcomes

- Businesses comply with consumer laws.
- Victorians exercise their consumer rights.
- A fair and safe rental market for Victorians.

Our functions

We help Victorians to be responsible and informed businesses and consumers. To do this we:

- provide information and advice to consumers, renters, businesses and rental providers about their rights, responsibilities and changes to relevant laws
- register and license certain businesses and occupations
- enforce compliance with consumer laws
- review and advise the Victorian Government on the consumer protection framework.

We also provide administrative support to several statutory offices and bodies. These include the:

- Business Licensing Authority
- Estate Agents Council
- Motor Car Traders Claims Committee
- Residential Tenancies Bond Authority.

Our regulatory approach

Our regulatory approach is intelligence-led, risk-based and outcome-focused. This enables us to target the conduct posing the highest risk to Victorians, making the best use of our available resources. Our compliance operating model ensures the approach is embedded in our day-to-day work.

Intelligence-led

A core element of our regulatory approach is the effective use of intelligence to inform decision-making.

Intelligence gathered in the course of our regulatory operations is supplemented by other sources, including:

- national information shared among Australian Consumer Law (ACL) regulators
- local councils
- law enforcement organisations
- industry stakeholders
- online forums and social media
- business reporting requirements.

For example, information provided from auditors' reports on estate agent trust accounts alerts us to businesses that may have problematic practices, allowing us to prioritise inspection activity.

We also receive reports from consumers and their representatives about business conduct or potential breaches of the law. While we do not pursue all of these individually, we use them as an important source of intelligence to help assess risks and take action as appropriate.

Risk-based

Where possible, we aim to identify and treat risks before they lead to actual consumer harm.

Regulatory risks are market behaviours that:

- represent non-compliance with the laws we administer
- present potential or realised consumer harm
- impact on our ability to be an effective regulator
- require a regulatory response due to public concern.

We monitor markets and use evidence to shape a targeted compliance program, focusing on those issues that pose the highest risk to Victorians. Risks can be posed by:

- a product
- a business's conduct
- a new or emerging business practice
- the conduct or business model of an entire industry.

Outcome-focused

We use a range of compliance tools, underpinned by a compliance strategy that ultimately seeks to affect market outcomes. We make decisions on compliance actions to achieve outcomes that deter unlawful conduct and promote future compliance.

We take enforcement action to serve the public interest. We exercise discretion, focusing on actions that benefit all consumers. We do not take action on behalf of individuals to obtain redress.

The nature of the problem and the desired outcome determine which compliance and enforcement approach we use. Where appropriate, we seek voluntary compliance.

Importantly, we have a full range of tools, including civil and criminal actions, infringements and public warnings to protect the Victorian community by holding businesses accountable for unlawful conduct.

Our performance

The COVID-19 pandemic continued to impact the services we delivered in 2020–21.

Some of our performance measures, which are demand-driven and vary across business activity levels, decreased or increased accordingly. We continued to focus our efforts on providing the services Victorians most needed from us during this time and protecting the rights of vulnerable groups to ensure fair and safe treatment.

We prioritised the delivery of services to support the Residential Tenancies Dispute Resolution Scheme (RTDRS), which enabled Victorians to lodge nearly 73,000 reduced rent agreements with an average 23 per cent decrease in rent payments before its conclusion on 28 March 2021.

While our telephone services were impacted by the need for our contact centre staff to work from home and prioritisation of the RTDRS, we continued to focus on providing crucial information and advice to vulnerable members of the community, including through online services.

We continued to deliver thousands of licensing and registration services to Victorian businesses and community organisations and, where required, compliance and enforcement activities.

We also supported financial counselling agencies to deliver critical assistance to Victorians over a year heavily impacted by restrictions on face-to-face service delivery.

We are proud to have played an important role in providing Victorians with necessary supports and protections required during such a challenging year.

This year, our performance was measured against target outputs specified in Budget Paper 3 2020–21.

Outputs are those goods and services provided to government by departments, agencies and statutory bodies, and through funding provided to others, such as community agencies.

Table 1: Performance against targets for output measures

| | Unit of measure | 2018-19 actual | 2019-20 actual | 2020-21 target | 2020-21 actual |
|---|-----------------|----------------|----------------|----------------|----------------|
| Quantity | | | | | |
| Information and advice provided to consumers, tenants and businesses: through telephone service ¹ | number | 295,955 | 234,623 | 302,900 | 214,819 |
| Information and advice provided to consumers, tenants and businesses: through other services including written correspondence, face-to-face and dispute assistance ² | number | 115,216 | 142,695 | 115,700 | 144,533 |
| Number of court and administrative actions ³ | number | 1,309 | 1,061 | 900 | 533 |
| Transactions undertaken: registration and licensing | number | 94,826 | 91,637 | 95,500 | 95,096 |
| Transactions undertaken: Residential Tenancies Bond Authority (RTBA) | number | 467,431 | 492,822 | 476,000 | 498,336 |
| Victims of family violence assisted with financial counselling ⁴ | number | 3,024 | 3,439 | 3,750 | 3,178 |
| Dispute resolution services provided by Domestic Building Dispute Resolution Victoria ⁵ | number | 6,003 | 6,619 | 6,000 | 5,175 |
| Quality | | | | | |
| Rate of compliance with key consumer laws ⁶ | per cent | 91.5 | 94.5 | 95 | 90 |
| Timeliness | | | | | |
| Regulatory functions delivered within agreed time frames | per cent | 97.8 | 94.4 | 95 | 96.7 |
| Proportion of high priority breaches resulting in regulatory response | per cent | 100 | 100 | 100 | 100 |
| Cost | | | | | |
| Total output cost | \$ million | 146.9 | 127.4 | 149 | 147.7 |

1 The actual was below the target due to phone services being restricted during parts of the year due to COVID-19 impacts as well as prioritisation of services under the temporary RTDRS.

2 The actual was above the target due to an increase driven by the temporary RTDRS and an increase in service demand while phone services were restricted during parts of the year due to COVID-19 impacts.

3 The actual was below target as court and administrative outcomes rely on investigation outcomes. Investigation outcomes decreased as a limited number of on-site inspections were able to be undertaken due to COVID-19 restrictions. The target was also impacted by staff resources being diverted to the RTDRS.

4 The 2020-21 expected outcome is lower than the 2020-21 target due to fewer people accessing the service as a result of COVID-19.

5 The actual is below the target due to the reduced number of applications received as a result of COVID-19.

6 The actual is below the target due to the impact COVID-19 has had on some businesses meeting their annual reporting compliance obligations.

Our achievements

Our achievements are presented under each of our outcomes, including data on our outputs and case studies highlighting our work.

Outcome 1 – Businesses comply with consumer laws

A key to achieving a fair and competitive marketplace is ensuring businesses comply with consumer laws. We focus on achieving high levels of business compliance by working with relevant industry bodies and other partners. We continue to support businesses to be compliant by giving them information and resources. Under our integrated, risk-based approach to compliance, we act quickly against businesses and organisations that are causing the most harm, to protect consumers before there is significant detriment.

Table 2: Compliance, registration and licensing activities

| | 2017–18 | 2018–19 | 2019–20 | 2020–21 |
|---|---------|---------|---------|---------|
| Compliance | | | | |
| Inspections | 5,972 | 4,324 | 1,929 | 567 |
| Investigations | 71 | 90 | 214 | 185 |
| Parties to criminal proceedings, appeals and re-hearings | 6 | 9 | 8 | 2 |
| Parties to civil proceedings | 35 | 19 | 16 | 9 |
| Parties signed to enforceable undertakings | 8 | 5 | 1 | 0 |
| Official warnings and infringement notices issued | | 1,145 | 948 | 510 |
| Registration and licensing | | | | |
| Annual returns, updates or cancellations processed for incorporated associations, fundraisers and co-operatives | 55,217 | 54,786 | 53,451 | 55,209 |
| Total registration and licensing transactions | 91,135 | 94,826 | 91,637 | 95,096 |

Helping Victorian businesses during the COVID-19 pandemic

This year we supported regulated industries to manage the impacts of COVID-19 on their ability to meet compliance obligations, such as annual reporting and payment of licensing or registration fees.

New regulations were made to allow the Registrar of the Business Licensing Authority (BLA) to refund licence fees in exceptional circumstances. This led to

sex work businesses, who were required to close because of COVID-19 restrictions, being refunded more than \$330,000 in annual licence fee renewals – a great result for businesses impacted by restrictions.

We also worked with the BLA to provide other fee waivers and refunds and extensions of time for annual requirements to businesses and community organisations that sought assistance. The BLA provided 144 fee waivers and refunds totalling more than \$64,500, in addition to the sex work

licence fee refunds. Consumer Affairs Victoria (CAV) gave 77 estate agents and conveyancers additional time to lodge their trust account annual audits. Extensions of time were also provided to almost 3,000 incorporated associations and co-operatives to hold annual general meetings and lodge annual statements.

Reduced reporting requirements for fundraisers

Following amendments to the *Fundraising Act 1998* introduced on 31 August 2020, there are now reduced registration and reporting requirements for charities that fundraise in Victoria.

Charities registered with the Australian Charities and Not-for-profits Commission now only need to report their intention to fundraise in Victoria to be deemed registered. Fundraisers already registered with CAV also benefit from reduced reporting and renewal requirements.

Overall, 60 per cent of all fundraisers currently listed on the public register now have reduced reporting requirements.

Registration of professional engineers has commenced

The *Professional Engineers Registration Act 2019* commenced on 1 July 2021, delivering a Government priority that supports infrastructure delivery in Victoria.

Implementing this Act will give Victorians greater confidence by requiring professional engineers to be formally registered for the first time. The aim is to protect consumers by ensuring only suitably qualified and experienced people provide these services.

To assist professional engineers to prepare for registration and ensure minimal disruption to business, registration is

being progressively rolled-out over the next two-and-a-half years. A single, modern, tailored online registration system has been developed for an estimated 28,000 professional engineers to apply for registration and manage their new regulatory obligations.

Under a co-regulatory model, and in a first for Victoria, registration will be jointly administered by the engineering profession and government. Engineering associations administer approved assessment schemes to verify the qualifications and experience of professional engineers. The BLA, with support from CAV and advice from the Victorian Building Authority, will register professional engineers and endorse them to work in the building industry.

The commencement of the new Act removed the requirement for engineers working in the building industry to be registered under the *Building Act 1993*. Nearly 4,000 engineers registered under the *Building Act 1993* on 30 June 2021 were automatically transferred across to the new Act, thereby becoming the first group of registered professional engineers in Victoria.

Extensive stakeholder engagement was undertaken to support implementation. This included two public consultations and ongoing engagement with the profession, relevant government agencies and the broader Victorian community. This provided us with valuable feedback to finalise guidance material, regulations and a Code of Conduct for professional engineers.

A targeted communication strategy informing professional engineers about the new laws includes website content, email newsletters and a comprehensive social media campaign using Facebook, Twitter and LinkedIn advertising.

Enforcement actions

We took several enforcement actions in 2020–21.

Trust account audit crackdown

Trust accounts are a critical part of the consumer protection framework. They protect consumers who pay money (such as rent or purchase deposits) to real estate agents and conveyancers.

Under the law, an estate agent must deposit any client money they receive in advance into a trust account for safe keeping and can face penalties of up to \$82,510 or 10 years' imprisonment if they fail to comply. This includes sales deposits, rent or fees for advertising and maintenance. Conveyancers have similar obligations. Estate agent and conveyancer trust account audits can be lodged electronically using our online portal myCAV.

Since 1 July 2020, we have initiated criminal prosecutions against six estate agents and one agent's representative for alleged trust account contraventions. One of the prosecutions has since finalised, resulting in a conviction and significant fine. It is envisaged that more criminal prosecutions will conclude in the financial year ending 2021–2022.

Trust account audits are an important additional protection measure that provide peace of mind to consumers handing their money over to agents. While most agents manage trust money appropriately, including by having their accounts audited annually and lodging a copy of their annual audit report, those who don't face penalties. To crack down on overdue audits, we fined estate agents more than \$120,000 this year for not having their trust accounts audited. A further 14 estate agents and conveyancers were issued official warnings regarding their trust accounting obligations.

We are mindful of the need to provide support, including extensions of time for lodgement, where COVID-19 has impacted on an estate agent or conveyancer's ability to complete their trust account audit by the ordinary due date. In 2020–21 we provided extensions of time to many licensees in recognition of the impacts of the pandemic. However, completing and lodging an annual audit is still an essential consumer protection requirement. In 2021–22 we will continue to remind industry participants of their obligations and will take action to promote compliance and address non-compliance where appropriate.

Australian Consumer Law court outcome – Solar Vic and Sunny Srinivasan

A solar panel retailer which made misleading representations to consumers, failed to comply with legal protections for unsolicited consumer agreements and engaged in unconscionable conduct, among other breaches of the Australian Consumer Law (ACL), was fined \$3 million in the Federal Court, and its director ordered to pay \$450,000.

The company, Vic Solar Technologies Pty Ltd (ACN: 160 835 941) (Vic Solar) contravened the ACL in relation to 4,300 consumer contracts.

Vic Solar used marketing companies (known as lead generators) to try to get around requirements within the ACL relating to unsolicited consumer contracts, such as door-to-door sales or telemarketing agreements. The lead generators knocked on home-owners' doors, advertised a false 'community bulk-buy' of solar photovoltaic systems and used the details of those who registered interest to engage in door-to-door sales.

As well as the financial penalty, Vic Solar’s Director, 31-year-old Sunny Srinivasan of Southbank, was banned from being a company director for five years.

Underquoting

This year, the COVID-19 pandemic resulted in unusual conditions in the Victorian property market which saw an increase in reports of underquoting. We responded by making unannounced visits to 29 metropolitan and regional estate agent offices to monitor their compliance with underquoting laws. We are undertaking a detailed analysis of the sales files obtained from those visits and will take further action if any wrongdoing is identified. This may include fines or court

action. We will also continue to monitor the property market to identify cases or agents to visit or investigate and will report on our outcomes in future publications.

We also published information on the CAV website to help agents understand how underquoting laws apply and assist the public identify and report suspected underquoting. Our communications were developed in collaboration with the Real Estate Institute of Victoria and were sent to more than 11,000 estate agents. As part of the campaign, we also published social media posts and produced consumer focused ‘postcards’ about underquoting which were distributed during Law Week in May 2021.

Actions completed or in progress as at 30 June 2021 are outlined in the tables below.

Public warnings issued in 2020–21

| Legislation | Parties |
|--|-----------------|
| <i>Australian Consumer Law and Fair Trading Act 2012</i> | My Moovers |
| <i>Australian Consumer Law and Fair Trading Act 2012</i> | Michael Johnson |

Court and tribunal matters finalised in 2020–21

Criminal prosecutions finalised

| Legislation | Parties |
|---------------------------------------|---------------------------------------|
| <i>Residential Tenancies Act 1997</i> | Omry Shani |
| <i>Estate Agents Act 1980</i> | Ranelagh Realty Property Helen Sly |

Civil proceedings finalised (including disciplinary inquiry and appeals)

| Legislation | Parties |
|---|-------------------------------|
| <i>Fundraising Act 1998</i> | Pets Haven Foundation Limited |
| <i>Second-Hand Dealers and Pawnbrokers Act 1989</i> | Aaron Ladner |

Administrative/judicial review completed on behalf of the Business Licensing Authority (BLA) and others

| Legislation | Parties |
|--|--|
| <i>Motor Car Traders Act 1986</i> | Christopher Kourlis |
| <i>Estate Agents Act 1980</i> | Robert Mullins-Smith Merelynn Mullins-Smith |
| <i>Motor Car Traders Act 1986</i> | Western Auto Exchange Pty Ltd |
| <i>Motor Car Traders Act 1986</i> | Simon Ogle |
| <i>Mutual Recognition Act 1992 (Cth)</i> | Ronald Cross |
| <i>Estate Agents Act 1980</i> | Balmain Real Estate Pty Ltd |
| <i>Estate Agents Act 1980</i> | Miten Shah |

Ongoing court matters as at 30 June 2021

Criminal prosecution

| Legislation | Parties |
|--|---|
| <i>Conveyancers Act 2006</i> | Eric Hans Richmond |
| <i>Residential Tenancies Act 1997</i> | Waterdale Property Agent Pty Ltd |
| <i>Australian Consumer Law and Fair Trading Act 2012</i> | Andreas Triantafyllos |
| <i>Motor Car Traders Act 1986</i> | Drives (Aust.) Pty Ltd |
| <i>Motor Car Traders Act 1986</i> | Zehar Saoud |
| <i>Estate Agents Act 1980</i> | Amit Miglani |
| <i>Estate Agents Act 1980</i> | Kylie Campbell |
| <i>Estate Agents Act 1980</i> | Boston & Brighton Simon Michaelis |
| <i>Estate Agents Act 1980</i> | Ausco Real Estate Pty Ltd Bruce Yang |
| <i>Estate Agents Act 1980</i> | Thomas Henry Albert Aloysius |

Civil proceedings (including disciplinary inquiry)

| Legislation | Parties |
|--------------------------------|--|
| <i>Estate Agents Act 1980</i> | Tsun Ngai Lee |
| <i>Estate Agents Act 1980</i> | Colliers International (Victoria) Pty Ltd |
| <i>Australian Consumer Law</i> | Vic Solar Technologies Pty Ltd Sunny Srinivasan |
| <i>Estate Agents Act 1980</i> | Surinder Sarain The Sarain Pty Ltd |

Administrative/judicial review on behalf of the BLA and others

| Legislation | Parties |
|-----------------------------------|------------------------|
| <i>Motor Car Traders Act 1986</i> | CMG Automotive Pty Ltd |
| <i>Motor Car Traders Act 1986</i> | Rajinder Kumar |
| <i>Conveyancers Act 2006</i> | Jesse Roberts |
| <i>Estate Agents Act 1980</i> | Mitchell Burdett |
| <i>Estate Agents Act 1980</i> | Irena Tsan |
| <i>Estate Agents Act 1980</i> | Erdal Karaagac |
| <i>Estate Agents Act 1980</i> | Joanne Borg |

Application for warrant for sale and seizure

| Legislation | Parties |
|--|--------------|
| <i>Competition and Consumer Law Act 2010 (Cth) – ACL</i> | Belle Gibson |
| <i>Competition and Consumer Law Act 2010 (Cth) – ACL</i> | Wen Hui Xu |

Registers we administer

These are outlined in Table 3.

Table 3: Registers administered by Consumer Affairs Victoria

| | New applications lodged | | | Total on register | | |
|--|-------------------------|---------|---------|-------------------|---------|---------|
| | 2018-19 | 2019-20 | 2020-21 | 2018-19 | 2019-20 | 2020-21 |
| Business Licensing Authority administered schemes | | | | | | |
| Estate agents | 1,850 | 1,733 | 1840 | 15,039 | 15,643 | 16,416 |
| Motor car traders | 111 | 148 | 159 | 1,983 | 1,991 | 2,080 |
| Second-hand dealers and pawnbrokers | 379 | 246 | 222 | 3,545 | 3,373 | 3,471 |
| Conveyancers | 189 | 125 | 102 | 1,093 | 1,161 | 1,200 |
| Owners corporation managers | 103 | 110 | 71 | 668 | 674 | 678 |
| Sex work service providers (licensees) | 7 | 5 | 1 | 115 | 112 | 113 |
| Sex work brothel managers | 121 | 81 | 112 | 616 | 558 | 631 |
| Rooming house operators | 151 | 143 | 208 | 1,002 | 1,099 | 1,024 |
| Consumer Affairs Victoria administered schemes | | | | | | |
| Incorporated associations | 2,226 | 1,964 | 1875 | 40,813 | 41,706 | 42,566 |
| Co-operatives | 40 | 14 | 10 | 524 | 514 | 512 |
| Patriotic funds | 0 | 2 | 0 | 485 | 415 | 390 |
| Limited partnerships | 15 | 10 | 10 | 398 | 406 | 423 |
| Retirement villages | 14 | 12 | 8 | 456 | 465 | 470 |
| Funeral service providers | 7 | 32 | 11 | 473 | 506 | 518 |

Outcome 2 – Victorians exercise their consumer rights

We empower Victorians to exercise their consumer rights by providing information and support. We continue to work with partner organisations to improve our services, and to target groups with specialised information needs.

Table 4: Information, advice and assistance provided to consumers

| | 2018-19 | 2019-20 | 2020-21 |
|---|-----------|-----------|-----------|
| Information and advice | | | |
| Calls answered ¹ | 295,955 | 234,632 | 214,819 |
| Advice provided to resolve disputes | | | |
| Disputes finalised ² | 6,752 | 12,826 | 26,757 |
| Digital | | | |
| Website visits | 3,675,683 | 4,466,428 | 5,723,880 |
| Letters, emails and online enquiry form contacts | 62,860 | 90,252 | 91,029 |
| Twitter followers | 10,240 | 10,466 | 10,634 |
| Facebook page likes | 45,657 | 46,932 | 49,693 |
| YouTube video views | 94,206 | 234,978 | 113,938 |
| Face-to-face or intensive assistance (funded community services) | | | |
| Victorians assisted under the Consumer Assistance and Advocacy Program | 828 | 562 | 287 |
| Clients assisted with financial counselling | 32,489 | 28,999 | 20,386 |

1 Calls answered include enquiries to the RTDS. See [‘Emergency measures for tenancy disputes’](#) on page 22 for further information.

2 Disputes finalised include matters dealt with by the RTDRS. See [‘Emergency measures for tenancy disputes’](#) on page 22 for further information.

Supporting consumers during the COVID-19 pandemic

We provided vital support to Victorian consumers during the COVID-19 pandemic. Consumers contacted us for information and advice using a range of channels including telephone, email, written correspondence, our website and social media.

We shifted our focus to online services when our telephone services were impacted by the need for our contact centre staff to work from home. During periods of closure for some phone services, we ensured consumers could access up-to-date information on the CAV website and provided a range of updates and information via our social media channels.

During periods with limited phone resources, we prioritised services to cohorts of consumers at greatest risk of harm including Koori, Special Disability Accommodation, Product Safety, Toy and Nursery, Travelling Con Men, Residential Tenancies Bond Authority and Residential Tenancy lines. Full services across all lines resumed by mid-December 2020.

From the start of the COVID-19 pandemic, we saw a particularly sharp rise in contacts about travel and accommodation issues as consumers were impacted by travel restrictions. In both 2019–20 and 2020–21 we experienced a more than 60 per cent increase in these contacts when compared to numbers in 2018–19. Consumers contacted us for information and advice about refunds for cancelled travel arrangements, particularly bookings with airlines and travel agencies. As well as providing advice to callers, we updated our website and published a range of social media posts on the matter. We also worked with the Australian Competition and Consumer Commission and other state-based consumer agencies to develop best-practice guidance for the travel industry about travel cancellations.

Since the beginning of the COVID-19 pandemic, we have received approximately 140 contacts about hand sanitisers.

We provided information and advice to consumers about issues relating to the supply, pricing, quality and formulation of hand sanitisers, as well as their refund rights. On 24 November 2020, new labelling standards were introduced for hand sanitisers, under the *Consumer Goods (Cosmetics) Information Standard 2020*. Under Australian Consumer Law, consumer regulators enforce compliance with these standards. The standards aim to provide more safety details to inform consumers about the products they are using, including a list of ingredients. Given the new standards and the rise of hand sanitiser products on the market, we took steps to alert consumers about potential hazards of these products by posting on social media.

Funded Community Services

CAV continued to provide a range of funded community services throughout the year to support vulnerable and disadvantaged consumers, including through the Financial Counselling Program, the Consumer Assistance and Advocacy Program and the Domestic Building Legal Service.

The Financial Counselling Program supported more than 20,000 Victorians with free and independent financial counselling sessions held by community agencies across Victoria in 2020–21.

In these sessions, trained financial counsellors provided consumers with advice about rights and responsibilities, support in negotiating with creditors and advice on how to make payment plans for debts. As a part of this program, specialist financial counselling services were offered to more than 3,100 Victorians experiencing family violence.

The Victorian Government provided additional funding for financial counselling services to support Victorians experiencing financial distress, including energy hardship and services for Victorians affected by bushfires in East Gippsland and the Northeast of the state. As part of a broader package of responses to the COVID-19 pandemic, the Victorian Government also provided additional funding to support the development of training and awareness in mental health for financial counsellors and the improved integration between the mental health and financial counselling sectors. These additional services were delivered through the CAV Financial Counselling Program.

While a significant number of Victorians were assisted with financial counselling services this past year, the overall number of clients supported was lower compared to the previous year. This was likely as a result of COVID-19 public health restrictions which impacted client presentation to services

and the consequent delivery of financial counselling sessions. The financial support provided by governments during this period such as the emergency rent relief measures and the increase in Australian Government JobSeeker and JobKeeper payments also likely reduced demand on financial counselling services.

CAV also continued to fund the Consumer Action Law Centre to run the Consumer Assistance and Advocacy Program which provided advice, casework and campaign and advocacy services to Victorian consumers throughout the year. Consumer Action Law Centre provided casework support to 287 vulnerable Victorians this year.

CAV also provided support to vulnerable and disadvantaged homeowners by funding the Domestic Building Legal Service. The service assisted 178 homeowners, with more extensive support from pro-bono lawyers provided to 15 complex cases.

Outcome 3 – A fair and safe rental market

As the Victorian regulator of rental laws, we work to achieve fair and safe rental housing. This includes increased collaboration with partners so we can continue to improve our understanding of the needs of a modern market and make positive changes across the sector.

Table 5: Information, advice and service delivery to tenants, landlords and agents

| | 2018–19 | 2019–20 | 2020–21 |
|--|----------------|----------------|----------------|
| Information and advice | | | |
| Website page views – renting section | 2,238,743 | 2,724,521 | 3,870,748 |
| Calls answered – residential tenancies | 64,118 | 67,678 | 93,153 |
| Calls answered – RTBA | 73,446 | 55,225 | 32,855 |
| Compliance | | | |
| Rooming house inspections (including repeat visits) | 406 | 267 | 187 |
| Rooming houses registered | 1,340 | 1,400 | 1,419 |
| Transactions | | | |
| Bonds lodged | 244,756 | 253,650 | 250,170 |
| Bond repayments | 219,297 | 239,175 | 248,166 |
| Bonds transferred | 81,698 | 83,305 | 75,172 |
| Bonds held | 669,688 | 684,163 | 686,167 |
| Value held | \$1.22 billion | \$1.27 billion | \$1.24 billion |
| Total transactions (bonds lodged and repaid) – RTBA | 464,053 | 492,822 | 498,336 |
| Face-to-face or intensive assistance | | | |
| Funded community services | | | |
| Tenants assisted under the Tenancy Assistance and Advocacy Program | 8,195 | 8,067 | 6,650 |
| Residential tenancy inspection advice provided | | | |
| Repair reports | 1,049 | 910 | 2,063 |
| Goods left behind reports | 3,133 | 2,336 | 1,531 |
| Rental reports | 1,518 | 1,258 | 752 |

Emergency measures for tenancy disputes

The *COVID-19 Omnibus (Emergency Measures) Act 2020* introduced on 25 April 2020 created several emergency rental measures designed to keep people safe and in a home during the COVID-19 pandemic. These included a moratorium on evictions, suspension of rent increases and establishment of a dispute resolution process for residential tenancies rent reductions. These measures were extended during the year and ran until 28 March 2021 alongside the availability of rent relief grants and land tax relief for eligible renters and landlords.

We partnered with the DSCV to deliver the Residential Tenancies Dispute Resolution Scheme. The scheme established a single point of entry for residential tenancy

disputes related to COVID-19. We provided information, advice and dispute resolution services to renters and rental providers to help them reach an agreement about rent reductions and registered reduced rent agreements. Parties could not take a rental dispute to the Victorian Civil and Administrative Tribunal (VCAT) without first accessing the scheme.

The emergency measures ended on 28 March 2021 and were followed by the introduction of new renting laws on 29 March 2021 to ensure there was no gap in protection for renters and rental providers

Over 11 months, we had more than 200,000 contacts for assistance and almost 700,000 views of our web content. Further achievements are provided on the following page.

Residential Tenancies Dispute Resolution Scheme – key achievements



222,737

total contacts



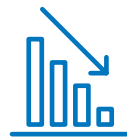
31,692

online disputes lodged



72,964

reduced rental agreements lodged



23%

average rent decrease



685,460

webpage views of scheme content



94%

of matters closed by our contact centre



20,332

matters closed through frontline resolution



29,441

referrals to VCAT



5,853

matters closed through the DSCV



175

binding orders by the Chief Dispute Resolution Officer

New rental laws

On 29 March 2021, more than 130 rental reforms were introduced under the *Residential Tenancies Act 1997* (the RTA).

The reforms clarify the rights and responsibilities of renters and rental providers – from before a rental agreement is signed until after the agreement ends – and apply to all types of residential tenancies. This includes private rentals, caravan and residential parks and rooming houses. This year we delivered an extensive program of work to support a smooth transition to the new laws.

To raise awareness and understanding, we delivered a comprehensive education and stakeholder campaign and communication strategy. Our advertising campaign included print, radio, digital and social media, while a comprehensive public relations strategy delivered information and resources to Culturally and Linguistically Diverse (CALD) and vulnerable and disadvantaged Victorians. This included older Victorians, those on low or fixed incomes, family violence survivors, and people with disabilities. The renting content on our website was refreshed to provide updated, clear and accessible renting information and an enhanced user experience. Information was also published via our social media channels.

We funded work to raise community awareness of the rental reforms, including translated information resources for CALD communities. A total of \$400,000 was allocated to agencies to provide training and support for tenancy and community sector workers and financial counsellors, helping to build their capacity to support vulnerable renters. Agencies that received funds included Tenants Victoria, Financial Counselling Victoria, the Victorian Council

of Social Service and the Registered Accommodation Association of Victoria.

Two new initiatives to protect renters, a rental non-compliance register and rent special account, were developed as a collaborative effort between CAV and VCAT. The public rental non-compliance register displays information about non-compliance by rental providers and their agents. The register is hosted on the CAV website and will help renters make informed decisions when considering rental providers.

The rent special account holds rent money in trust until repairs are made by a rental provider, protecting the health and safety of renters. The Residential Tenancies Bond Authority (RTBA) online system was also enhanced to support electronic bond transactions, which were introduced under the new laws. Modification bonds can now be lodged and renters can also apply directly to the RTBA to lodge bond claims.

We also developed guidelines issued by the Director of CAV that VCAT must consider when determining particular applications made under the RTA. The guidelines summarise relevant case law to help interpret the RTA and provide practical guidance for renters and rental providers about how to comply with renting laws. The guidelines support dispute resolution between renters and rental providers and greater consistency in VCAT decision making. They also cover common areas of dispute including maintenance, cleanliness, damage and fair wear and tear, urgent repairs and interpreting the term 'endanger'.

We will continue to monitor the rental market to ensure compliance with laws and to identify new and emerging issues the new laws may present.

Protecting residents of rooming houses

COVID-19 public health restrictions during the year had a significant impact on our ability to undertake in-person inspections during the past year. However, as restrictions eased from late 2020, we increased our inspection activity substantially, focusing on high priorities such as rooming house accommodation, which is often used by more vulnerable or disadvantaged members of the community.

This year we collaborated on a project with the Department of Families, Fairness and Housing, local health services, community health providers and local councils. The focus of this work was to encourage COVIDSafe environments in rooming houses. Regulators worked together to identify and inspect high-risk rooming houses.

A welcome observation was the strong attempts by rooming house operators to limit the spread of COVID-19. Some operators had proactively placed signs throughout properties instructing residents on how to maintain good hygiene to reduce spread of the virus. Some had developed procedures to manage guests by setting up registers. Remaining operators took action to make the rooming house COVIDSafe.

Under this collaborative project, we took the opportunity to examine compliance with minimum safety standards under the RTA. We completed 110 inspections of rooming houses. Non-compliance was addressed by issuing two infringements totalling \$6,608 and 15 official warnings. Remediation checks were also undertaken to ensure compliance was met.

In March 2021, we conducted another risk assessment of registered rooming houses to identify licensed operators with significant

market share and/or the highest risk of non-compliance. A total of 60 inspections of rooming houses run by those operators followed. Our compliance checks focused on six key safety standards designed to control potential fire hazards. Our initial regulatory response was to issue official warnings for each breach and ask for proof of remediation. Our focus was not simply to penalise non-compliance but to secure safe living conditions for residents. We have begun reinspecting these rooming houses to confirm all breaches have been remedied and will take escalated enforcement action for ongoing non-compliance.

We also protected rooming house residents from living in properties run by operators who were not 'fit and proper persons' as set out in the *Rooming House Operators Act 2016*.

In the first half of 2020, the BLA refused five rooming house operators licence renewals due to disqualifying offences. Upon receipt of this intelligence, CAV sought to reduce the risk of other disqualified persons operating in the sector by messaging all licensees to remind them of disqualifying criteria. In response, a further licensee voluntarily advised of a disqualifying offence. Those operators no longer hold a licence in Victoria.

Tenancy Programs

Tenancy Programs are comprised of the Tenancy Assistance and Advocacy Program (TAAP), the Tenancy Central Program and the Retirement Housing Assistance and Advocacy Program. During 2020–21 these programs provided much needed support to vulnerable and disadvantaged Victorians despite the challenges of the COVID-19 pandemic. Additionally, all Tenancy Programs continue to be funded through 2021–22.

The TAAP continued to provide much needed support to disadvantaged renters in what has been a challenging year. The program was particularly important for many renters who faced greater difficulty paying the rent after losing jobs or work hours. Through this program 6,644 Victorians were able to receive valuable help negotiating rent reduction agreements, understanding their rights under the temporary eviction moratorium, and resolving disputes with rental providers. Additionally, the Retirement Housing Assistance and Advocacy Program was able to assist 373 vulnerable elderly Victorians maintain their tenancy.

Victorian Property Fund in 2020–21

The *Estate Agents Act 1980* allows the Minister for Consumer Affairs to make grants from the Victorian Property Fund (VPF) for certain purposes. The Minister makes her decision on grants after consultation with us, the Estate Agents Council and any industry associations, government departments and other organisations, as appropriate.

We administer the VPF grants program. This includes evaluating applications, making recommendations about proposals to the Minister, and administering the grants.

In 2020–21, more than \$7.7 million was spent on existing grants to community organisations to deliver estate agent professional development training, social housing development and environmental housing development projects. The table below details this year's grant expenditure by purpose and recipients. No new grants were awarded from the VPF in 2020–21.

| Grant purpose under Section 76(3) <i>Estate Agents Act 1980</i> | Recipients | 2020–21 expenditure |
|--|--|---------------------|
| Estate agent training | Real Estate Institute Victoria Australian Livestock and Property Agents Association | \$94,751 |
| Housing assistance projects for low-income or disadvantaged Victorians | Aboriginal Housing Victoria Beyond Housing Kids Under Cover Community Housing (Vic) Ltd HousingFirst Ltd Launch Housing Ltd Women's Property Initiatives Housing Choices Australia Wintringham Housing Limited | \$7,617,111 |
| Development of environmentally sustainable housing | Unison Housing Ltd Community Housing (Vic) Ltd Community Housing Industry Assoc of Victoria | \$66,212 |
| Total | | \$7,778,074 |

Trust funds managed by Consumer Affairs Victoria

We manage eight funds established by Acts of Parliament. The funds, and their expenditure purposes, are reflected in Table 6.

Table 6: Trust funds we administer

| Trust fund | Expenditure includes |
|---|---|
| Domestic Builders Fund | Administration of the <i>Domestic Building Contracts Act 1995</i> , costs relating to the Victorian Civil and Administrative Tribunal (VCAT) Building and Property List and Domestic Building Dispute Resolution Victoria (DBDRV). |
| Motor Car Traders Guarantee Fund | Administration of the <i>Motor Car Traders Act 1986</i> , guarantee fund claims. |
| Residential Bonds Account | Bonds held on trust for Victorian tenants and landlords. |
| Residential Bonds Investment Income Account | Administration of the Residential Tenancies Bond Authority, transfers to the Residential Tenancies Fund. |
| Residential Tenancies Fund | Administration of the <i>Residential Tenancies Act 1997</i> , costs relating to the VCAT Residential Tenancies List. |
| Sex Work Regulation Fund | Administration of the <i>Sex Work Act 1994</i> . |
| Victorian Consumer Law Fund | Administration of the <i>Australian Consumer Law and Fair Trading Act 2012</i> Part 7, Division 2, s.102A to E, orders for payment to non-party consumers, special purpose grants. |
| Victorian Property Fund | Administration of the <i>Estate Agents Act 1980</i> and other real estate related legislation as permitted by s.75 of the Act, grants relating to property and housing as permitted by s.76(3) of the Act, operation of the Estate Agents Council, trust fund claims, costs relating to the VCAT Owners Corporation List. |

Statement of Expectations

In June 2019, the previous Minister for Consumer Affairs issued a Statement of Expectations (SOE) to Consumer Affairs Victoria (CAV) and the Business Licensing Authority (BLA) for 2019–21.

This SOE set out two-year governance and performance objectives aimed at improving CAV's administration and enforcement of regulation to reduce its impact on business and the community. A copy of the SOE can be located on the CAV website.

The performance objectives identified in the SOE fall under three broad objectives – timeliness, risk-based strategies, and compliance-related assistance and advice.

Improved timeliness

The SOE directed CAV to implement timeliness measures to make it easier for businesses to complete online transactions and reduce red tape and duplication for registered fundraisers. We continued to reduce the time required for Victorians to interact with us via more efficient digital services.

We launched new, easy to use online forms to save time for motor car traders, second-hand dealers and pawnbrokers to update their registration details. Work continued to develop our digital platform, myCAV, to support the introduction of the Professional Engineers Registration Scheme.

In recognition of the pressure businesses faced and as part of the State of Emergency, we granted extensions of time for certain regulated entities to meet reporting obligations, hold annual general meetings and lodge annual statements. See ['Our Achievements – Helping Victorian businesses during the COVID-19 pandemic'](#) on page 11 for further detail.

There are now reduced registration and reporting requirements for charities who fundraise in Victoria. The launch of new

business and technology frameworks has reduced time spent on registration and reporting for charities and fundraisers. See ['Our Achievements – Reduced reporting requirements for fundraisers'](#) on page 12.

Risk-based strategies

To improve compliance in areas of greatest risk to regulatory outcomes, we continued to ensure risk was at the centre of decision making. For more information about our risk-based approach to regulation, see ['Our regulatory approach – Risk-based'](#) on page 8.

We refined our compliance programs this year to address a drop in on-site inspections driven by COVID-19 restrictions. This included increasing desk-based activities to check compliance of estate agents' and conveyancers' trust accounts. Breaches of trust account laws are a key indicator for misappropriation of trust monies.

We also used intelligence gathered by our team and worked with partners to inform our inspections and investigations of high-risk rooming houses and rooming house operators, and estate agents to check compliance with underquoting and trust accounting laws. See ['Our achievements'](#) on pages 11-26 for further detail about the approach and outcomes of these compliance strategies.

Towards the end of 2020 and during unusual conditions in the Victorian property market, we identified risks and responded quickly to increased contacts about underquoting. We intensified inspections and communications to estate agents about compliance with underquoting laws. We also published information on our website during the 2020 spring sales campaigns to assist the public identify and report suspected underquoting. See ['Our achievements – Underquoting'](#) on page 14 for further detail.

Compliance related assistance and advice

To accompany the introduction of the new rental laws, we delivered a range of online and easy to understand content.

The renting content on the CAV website was refreshed to provide updated, clear and accessible information. Enhancements were also made to improve user experience. A comprehensive strategy provided clear, transparent and accessible information to CALD and vulnerable renters, including older Victorians, those on low or fixed incomes, family violence survivors, and people with disabilities. See [‘Our Achievements – New rental laws’](#) on page 24 for more information.

In anticipation of new requirements for registration of professional engineers, which commenced on 1 July 2021, we developed, user tested and published website material to support professional engineers’ understanding and future compliance with the Act. See [‘Our Achievements – Registration of professional engineers has commenced’](#) on page 12 for more information.

| | Victorian Consumer Law Fund | Domestic Builders Fund | Motor Car Traders' Guarantee Fund | Residential Bonds Investment Income Account | Residential Tenancies Fund | Sex Work Regulation Fund | Victorian Property Fund | Trust Funds Total 2020–21 |
|--|-----------------------------|------------------------|-----------------------------------|---|----------------------------|--------------------------|-------------------------|---------------------------|
| CAV trust funds revenue | | | | | | | | |
| Revenue recognition, Estate Agent and Conveyancer trust accounts | | | | | | | 3,869,862 | 3,869,862 |
| Revenue recognition, Residential Tenancy Bonds | | | | 43,448,086 | | | | 43,448,086 |
| Fees income | | 923,010 | 2,988,867 | | 2,211,206 | 336,573 | 7,814,336 | 14,273,992 |
| Interest income | 15,834 | 413,263 | 17,508 | 100,610 | 3,049,722 | 1,140 | 11,386,406 | 14,984,483 |
| Transferred from the Victorian Building Authority ¹ | | 18,240,924 | | | | | | 18,240,924 |
| Other revenue | 436,714 | 778 | | 1,893,060 | 10,072 | | 75,473 | 2,416,097 |
| Penalty income | 146,341 | | 1,256 | | 3,561 | | 221,527 | 372,685 |
| Transfers | | | | (8,400,000) | 22,900,000 | 1,400,000 | (14,500,000) | 1,400,000 |
| Total CAV Trust Funds Revenue | 598,889 | 19,577,975 | 3,007,631 | 37,041,756 | 28,174,561 | 1,737,713 | 8,867,604 | 99,006,129 |
| CAV trust funds expenditure | | | | | | | | |
| Audit services | | | | 18,300 | | | | 18,300 |
| Claims on consumer guarantee funds | | | 16,048 | | | | 2,530,674 | 2,546,722 |
| Contractors, consultants and professional services | | 396,171 | 9,319 | 233,091 | 113,582 | 126,529 | 286,436 | 1,165,128 |
| Employee related costs | | 10,116,565 | 1,641,836 | 2,042,739 | 10,982,756 | 1,388,445 | 9,391,901 | 35,564,242 |
| Grants paid | 1,190,675 | 4,117,272 | | | 18,924,007 | | 11,155,431 | 35,387,385 |
| Information technology | | 317,769 | 59,443 | 88,750 | 379,830 | 64,334 | 330,475 | 1,240,601 |
| Occupancy costs | | 24,176 | 2,246 | 21,943 | 4,649 | 4,321 | 17,566 | 74,901 |
| Other operating costs | | 788,817 | 349,962 | 327,415 | 2,072,079 | 169,533 | 988,373 | 4,696,179 |
| Outsourced contracted costs | | | | 6,139,868 | | | | 6,139,868 |
| Total CAV Trust Funds Expenditure | 1,190,675 | 15,760,770 | 2,078,854 | 8,872,106 | 32,476,903 | 1,753,162 | 24,700,856 | 86,833,326 |
| Trust Funds, opening equity 1 July 2020 | 5,259,384 | 25,749,524 | 5,240,722 | 33,306,183 | 42,809,484 | 528,634 | 168,685,002 | 281,578,933 |
| Current year operating surplus/(deficit) | (591,786) | 3,817,205 | 928,777 | 28,169,650 | (4,302,342) | (15,449) | (15,833,252) | 12,172,803 |
| Trust funds, closing equity 30 June 2021 | 4,667,598 | 29,566,729 | 6,169,499 | 61,475,833 | 38,507,142 | 513,185 | 152,851,750 | 293,751,736 |

¹ Domestic Building Dispute Levy and Registration Fees

Note that Consumer Affairs Victoria also receives funding through appropriations to perform its functions each year. Annual reporting against that expenditure is contained in the Department of Justice and Community Safety Annual Report.

Where a trust fund does not have sufficient funds to support the work relating to the administration of the relevant Act, we will sometimes supplement the trust fund with the necessary funding from appropriations.

Acts and regulations administered by CAV: passed, commenced, made and revoked in 2020–21

Acts passed

| Name | Date of Royal Assent |
|---|----------------------|
| <i>COVID-19 Commercial and Residential Tenancies Legislation Amendment (Extension) Act 2020</i> | 22 September 2020 |
| <i>Consumer Legislation Amendment Act 2020</i> | 4 November 2020 |
| <i>Consumer and Other Acts Miscellaneous Amendments Act 2021</i> | 9 February 2021 |
| <i>Owners Corporations and Other Acts Amendment Act 2021</i> | 23 February 2021 |

Acts commenced

| Name | Date commenced |
|---|----------------|
| <i>Residential Tenancies Amendment Act 2018</i> | 29 March 2021 |

Regulations made

| Name | Date made |
|--|-----------------|
| Residential Tenancies Regulations 2021 | 27 January 2021 |
| Professional Engineers Registration (General, Exemption and Assessment Scheme Fees) Regulations 2021 | 9 February 2021 |
| Residential Tenancies Amendment Regulations 2021 | 23 March 2021 |
| Residential Tenancies (Residential Tenancies Amendment Act 2018) Transitional Regulations 2021 | 23 March 2021 |
| Professional Engineers Registration (Fees) Regulations 2021 | 16 June 2021 |
| Professional Engineers Registration Transitional Regulations 2021 | 22 June 2021 |

Regulations commenced

| Name | Date commenced |
|---|---|
| Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020 | 22 June 2020 |
| Residential Tenancies (COVID-19 Emergency Measures) Amendment Regulations 2020 | 22 September 2020 |
| Estate Agents (Education) Regulations 2020 | 22 October 2020 |
| Professional Engineers Registration (General, Exemption and Assessment Scheme Fees) Regulations 2021 | 9 February 2021, except Part 2 which commenced on 1 July 2021 |
| Residential Tenancies Regulations 2021 | 29 March 2021 |
| Residential Tenancies Amendment Regulations 2021 | 29 March 2021 |
| Residential Tenancies (Residential Tenancies Amendment Act 2018) Transitional Regulations 2021 | 29 March 2021 |

Regulations revoked

| Name | Date revoked |
|--|---------------|
| Residential Tenancies Regulations 2019 | 29 March 2021 |

Legislative instruments commenced

| Name | Date commenced |
|--|----------------|
| Code of Conduct for Professional Engineers | 27 May 2021 |

The list below details the legislation administered by Consumer Affairs Victoria as of 30 June 2021:

Legislation administered by CAV

Associations Incorporation Reform Act 2012

Australian Consumer Law and Fair Trading Act 2012

Business Licensing Authority Act 1998

Business Names (Commonwealth Powers) Act 2011

Chattel Securities Act 1987

Conveyancers Act 2006

Co-operatives National Law Application Act 2013

Co-operatives National Law (Victoria)

COVID-19 Omnibus (Emergency Measures) Act 2020:

- Part 6.1 in so far as it relates to the making of regulations relating to the repeal of provisions inserted into an Act by Chapter 4 before the repeal of Chapter 4 (in so far as it does relate to those matters, this Part is jointly and severally administered with the Minister for Disability, Ageing and Carers and the Minister for Housing)
- The Act is otherwise administered by the Attorney-General, the Minister for Corrections, the Minister for Disability, Ageing and Carers, the Minister for Early Childhood, the Minister for Education, the Minister for Energy, Environment and Climate Change, the Minister for Health, the Minister for Housing, the Minister for Industry Support and Recovery, the Minister for Local Government, the Minister for Planning, the Minister for Police and Emergency Services, the Minister for Small Business, the

Minister for Training and Skills, the Minister for Victim Support, the Minister for Workplace Safety, the Minister for Youth Justice and the Premier.

Credit Act 1984

Credit (Administration) Act 1984

Credit (Commonwealth Powers) Act 2010

Domestic Building Contracts Act 1995
– except Part 5 (administered by the Attorney-General)

Estate Agents Act 1980

Fundraising Act 1998

Funerals Act 2006

Goods Act 1958

Motor Car Traders Act 1986

Owners Corporations Act 2006

Partnership Act 1958

Professional Engineers Registration Act 2019

Residential Tenancies Act 1997:

- Sections 23A-25, 27, 32, 33, 45-48, 74-77, 82, 90, 91, 91A, 102, 102A, 103, 104(1), 104(4), 104(5), 104(6), 105(2), 105(2A), 105(3), 124, 128, 130-134, 141-142B, 142D-212, 213AA-215, 230, 232-234, 241, 277, 289A, 291-327, 329-333, 335-339, 341, 343-366, 373-376, 385, 388, 388A, 390, 390A, 395-398, 399A-439M, 480, 486-499, 501-504 and 505A-510C
- Section 66(1) (this section is jointly administered with the Minister for Housing)
- Section 142C (this section is jointly and severally administered with the Minister for Housing)
- Part 12A and section 511 (these provisions are jointly and severally administered with the Minister for Disability, Ageing and Carers and the Minister for Housing)

- Part 16 (this Part is jointly and severally administered with the Minister for Disability, Ageing and Carers and the Minister for Housing)
- The Act is otherwise administered by the Attorney-General, the Minister for Housing and the Minister for Planning.

Retirement Villages Act 1986

Rooming House Operators Act 2016

Sale of Land Act 1962

Second-Hand Dealers and Pawnbrokers Act 1989

Sex Work Act 1994

Subdivision Act 1988:

- Part 5
- Section 43 (in so far as it relates to Part 5)
- The Act is otherwise administered by the Minister for Planning.

Travel Agents Repeal Act 2014

Veterans Act 2005:

- Part 4
- The Act is otherwise administered by the Minister for Veterans.

Warehousemen's Liens Act 1958

Consumer Affairs Victoria (part of the Department of Justice and Community Safety) acknowledges the Aboriginal and Torres Strait Islander people as the Traditional Custodians of the land. The department also acknowledges and pays respect to their Elders, past and present. Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.

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