

# Residential Tenancies Act 1997 Section 29C

Residential Tenancies Regulations 2021 Regulation 14

#### Information for rental applicants

- 1. Discrimination is treating, or proposing to treat, someone unfavourably because of a personal attribute. Discrimination is also imposing an unreasonable requirement, condition or practice that disadvantages persons with a personal attribute.
- 2. In Victoria it is unlawful to discriminate against someone in relation to certain personal attributes. This means that residential rental providers (rental providers) and real estate agents cannot refuse you accommodation or discriminate against you during your tenancy on the basis of personal attributes protected by law. The following is a list of some protected attributes that are sometimes discriminated against in the rental market—
  - age;
  - disability (including physical, sensory, intellectual disability and mental illness);
  - employment activity;
  - expunged homosexual conviction;
  - gender identity;
  - industrial activity (including union activity);
  - marital status;
  - parental status or status as a carer;
  - physical features;
  - political belief or activity;
  - pregnancy or breastfeeding;
  - race;
  - religious belief or activity;
  - lawful sexual activity or sexual orientation;
  - sex or intersex status;
  - association with someone who has these personal attributes.
- **3.** These personal attributes are protected by law and extend to agreements under the Residential Tenancies Act 1997 (the Act). It is against the law for a rental provider or their agent to treat you unfavourably or discriminate against you because of these personal attributes when you are applying for a rental property, occupying a rental property or leaving a rental property.
- 4. Discrimination on the basis of any of these personal attributes may contravene Victorian laws including the Act, the Equal Opportunity Act 2010 (the Equal Opportunity Act), and a range of Commonwealth Acts including the Age Discrimination Act 2004, the Disability Discrimination Act 1992, the Racial Discrimination Act 1975 and the Sex Discrimination Act 1984.
- 5. In some limited circumstances, discrimination may not be unlawful, including accommodation provided for children, shared family accommodation, and student accommodation. For example, a community housing provider who is funded to provide youth housing may positively discriminate to provide accommodation for a young person. For more information, contact the Victorian Equal Opportunity and Human Rights Commission (VEOHRC).

#### 6. Scenarios and examples of unlawful discrimination in applying for a property

- Refusing or not accepting your application because you have children, unless the premises is unsuitable for occupation by children due to its design or location.
- Processing your application differently to other applicants and not giving your application to the rental provider because you have a disability or because of your race.
- Offering you the property on different terms by requiring more bond or requiring you to have a guarantor because of your age.
- Refusing to provide accommodation because you have an assistance dog.

### 7. Scenarios and examples of unlawful discrimination when occupying or leaving a property

- Refusing to agree to you assigning your lease to someone else because of that person's personal attributes.
- Refusing to allow you to make reasonable alterations or modifications to the property to meet your needs if you have a disability.
- Extending or renewing your agreement on less favourable terms than your original agreement based on your protected attributes (e.g. due to a disability).
- Issuing you with a notice to vacate based on your protected attributes.

The examples listed and similar actions could contravene the Act, the Equal Opportunity Act, or the Commonwealth Acts.

#### Getting help

- 8. If a rental provider or a real estate agent has unlawfully discriminated against you and you have suffered loss as a result, you may apply to VCAT for an order for compensation under section 210AA of the Act. VCAT may be contacted online at vcat.vic.gov.au/ or by calling 1300 018 228.
- 9. If you would like advice about unlawful discrimination in relation to an application to rent or an existing agreement you may call Victoria Legal Aid on 1300 792 387.
- **10.** If you feel you have been unlawfully discriminated against when applying to rent, or once you have occupied a property, you or someone on your behalf may make a complaint to VEOHRC at humanrightscommission.vic.gov.au/ or by calling 1300 292 153.

For further information visit the renting section of the Consumer Affairs Victoria website at www.consumer.vic.gov.au/renting or call 1300 55 81 81.

Office

## A. Rental Property Address

Preference 1 Preference 2			
Date Inspecte	ed		Please complete one application per person.
2. Preferred Co	ommencement Date		
Day	Month	Year	
3. Term	4. Renta	Amount	
Months			Per Week
B. Applicant De	etails		

. Name						
First Name			Middl	e Name		
Surname						
. Contact Details						
Home Phone No.			V	Vork Phone No.		
Mobile Phone No.		Ema	ail			
			please print	clearly		
Other Applicant	Names (All adu	Its to reside at the	property m	ust be listed)		
1.	numes pin ada	2.	property m	use be insteal		
3.		4.				
. Number of Peop	ole to Occupy					
Adults	Number of Occu	pants that Smoke	Children			
Pets Y/N	Number of Pets	Type of Pet/Breed	Age of	Pet/s	Inside/Outside	
Identification (p	lease attach ph	otocopies of 100 p	oints of ID)		:o: https://www.jelliscraig.co 100-points-of-identification-g	
Drivers Licence No.		State of Issue	Expiry Date	Car re	gistration No.	
Alternative ID Pa	assport No.		Expiry Date	Coun	itry	
Current Address						
Postcode						

		• -					
	If you are not renti	ng go to Q	012				
11.	Name of current Estat	e Agent/Priv	/ate Rental Pro	vider (please circle)			
	Contact Person/Agency						
	Work Phone No.			Home Phone No. (If private landlord)			
	Mobile Phone No.			Current Weekly Rental	\$		
	Email						
	Length of Tenancy		Years	Months			
	Reason for Moving						
	(If you have previously rented please provide a receipt history. If rented from a private landlord please provide a copy of the lease agreement or formal written reference.)						
12	. Details if home owne	r					
	This home is to be	Sold	Rented	Retained			
	Details of Selling/Leasi	ng Agent					
	Agent Name						
	Contact						
	Work No.			Mobile No.			
	Sale Amount / Rental Amo	ount S	5				
	How long have you owne	d this home	Years	Months			
	Reason for Moving						
	Other Comments						

# D. Previous Rental Provider/Agent Details

13. Previous Addres	S				
				Postc	code
14. Previous Rental	Provider//	Agent (If you we	re not tenting go to Ques	tion 15)	
Contact Person/Ag	ency				
Work No.		Mobile	e No.	Em	mail
Weekly Rental	\$		Length of Ter	nancy Years	Months
Reason for Moving					
(If you have previou	sly rented fr	om a private lan	dlord please provide	copy of the Lease	agreement or formal written reference)
15. Details if home	owner				
Was your home	Sold	Rented	Retained	Sale Price/Re	Rental Amount \$
Details of Selling	/Leasing A	gent			
Agent Name					
Contact					Phone No.
Length of Stay		Years			Months
Reason for Moving					

## E. Employment

. Current Employer	(Please attach 3	3 most recent payslip	os to this applica	tion)	
Company Name					
Contact Person	Your Position				
Employment Address					Postcode
Phone No.			Email		
Employed Since				Net Income \$	per mont
	Full Time	Part Time	Casual		
If self employed:					
Accountant's Name				Contact No.	
Type of Business			ACN		
		of your business f Please provide detail		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
Additional Sources		-		Income \$	per mont
Additional Sources Type . Previous Employer	s of Income (F	-			per mont
Additional Sources	s of Income (F	-			per mont
Additional Sources Type . Previous Employer	s of Income (F	-	ls)		per mont
A Additional Sources Type Previous Employer Company Name	s of Income (F	-	ls)	Income \$	per mont
A Additional Sources Type • Previous Employer Company Name Contact Person	s of Income (F	-	<b>is)</b> Your	Income \$	per mont
Additional Sources Type Previous Employer Company Name Contact Person Phone No.	s of Income (F	Please provide detail	<b>is)</b> Your Email	Income <b>S</b> Position	
Additional Sources Type Previous Employer Company Name Contact Person Phone No. Employment Period Full Time Students	s of Income (F	Please provide detail	<b>is)</b> Your Email	Income \$ Position	
Additional Sources Type Previous Employer Company Name Contact Person Phone No. Employment Period Full Time Students Course Name	s of Income (F	Please provide detail	<b>is)</b> Your Email	Income \$ Position	

# F. References (Not next of Kin)

18.	18. Professional References							
	Name	Relationship	Phone No.					
	Name	Relationship	Phone No.					
19.	Personal References							
19.	Personal References Name	Relationship	Phone No.					

# G. Emergency Contact (Not residing with you)

Name	Relationship
Address	Postcode
Email	Phone No.

## H. Tenancy Disclosure Statement

The information on this form is being collected by the Jellis Craig agent named in this application. The primary purpose for which we collect the requested information is in connection to assessing your application for a lease or tenancy and if your application is accepted, of or incidental to managing your tenancy on behalf of the landlord. If you do not provide the information required in this form, we may be unable to accept your tenancy application. We may disclose your personal information to the following parties or types of organisations: the relevant Landlord, their agent and/or solicitor, tradespeople or other persons authorised by Jellis Craig where required, and to government or statutory authorities as required by law, including to the Bond Authority. We may contact your personal and/or credit referees in order to further assess your application. Your personal information will be added to our database and may be used for the secondary purpose of providing you with information about other properties and services offered by Jellis Craig. You can opt out from receiving such information at any time. For further information about to access the personal information we hold about you, how to correct information, how to complain about a perceived breach of the Australian Privacy Principles and how we will deal with such a complaint, please see our privacy policy at https://www.jelliscraig.com.au/about-us/important-info#privacy-policy or ask your Jellis Craig agent for a free copy.

## I. National Tenancy Database Disclosure Statement J. Declaration

#### You can contact National Tenancy Database Pty Ltd (ABN 26 000 602 862) (NTD) by 1. I acknowledge that this is an application to lease this property and that my application is subject to the owner's approval and the Telephone: 1300 563 826 Facsimile: 07 3009 0619 availability of the premises on the due date. No action will be taken Email: info@ntd.net.au Website: www.ntd.net.au against the Landlord or Agent if the application is unsuccessful or P.O. Box 13294 George St, Brisbane QLD 4003 Address: should the premises not be ready for occupation on the date for PRIMARY PURPOSE whatever reason. NTD collects your personal information to provide to its members and 2. The tenant is responsible for the connection and payment of gas, others listed below, historical tenancy and public record information on electricity, telephone and water consumption. I acknowledge that I am individuals and companies who/which lease residential and commercial responsible to turn the main power switch off before power is connected. property from or through licensed real estate agent members of NTD. 3. The tenant acknowledges that the premises are a "Smoke Free Zone" and will ensure they and their invitees do not smoke inside the premises. NTD also provides credit information on companies / directors applying for commercial leases. 4. I acknowledge that I have read and understood the privacy statements on this page. The real estate agent / property manager will advise NTD of your conduct throughout the lease / tenancy, and the information will form 5. I am aware that the agent will disclose my personal information to YourPorter for the purposes of transferring the water account into my name. This will enable YourPorter to connect all accepted tenants to part of your tenant history. NTD usually discloses information to: relevant water boards for water usage. Licensed real estate agent members 6. The tenant is aware that Jellis Craig Property Management will take National Tenancy Database is a division of Veda Advantage photos and video footage of the property at routine inspections. Information Services and Solutions Limited, Collection House Limited 7. During my inspection of this property I found it to be in reasonably ABN 26 000 602 862 and its subsidiaries and related entities clean condition and I accept the property in the current condition. Credit Bureaus If this is not the case, please indicate any items you would like If your personal information is not provided to NTD the real estate agent attended to prior to your tenancy. I acknowledge that these items are / property manager will not be able to carry out their professional subject to the owner's approval: responsibilities and will not be able to provide you with a lease / tenancy of the premises. I confirm that I have been notified of the tenancy database contact details & the reason for use. Signed Name APPLICANT Signature Date Please note, should your application be successful you will be required to sign Print Name a lease within 24 hours of approval providing a payment for your first months rental and your bond. Internet The Age **Relocation Consultant** Where did you first see the property advertised? Our rental list Local Real Estate Magazine Other **K. Utility Connections Your Porter** TELEPHONE 🗸 WATER ELECTRICITY GAS PAY TV INTERNET YourPorter is a FREE service connecting Declaration and Acceptance: utilities and other services. I/We consent to the disclosure of this application form (including any personal information contained in this form) to YourPorter Pty Ltd (ABN 36 252 576 050) for the purpose of allowing YourPorter and its service providers to contact me for the connection of If the Agent approves this application, services as offered by YourPorter YourPorter will connect your water for the I/We acknowledge that if I/We do not provide my/our personal information, YourPorter will not be able to provide these services purpose of usage charges at your new to me/us. YourPorter will ensure that your personal information is collected, used, held and disclosed in accordance with the requirements of the Privacy Act 1988 (Cth) property on behalf of the Real Estate Agent. I/We acknowledge that YourPorter, and the Agent, may receive a benefit in relation to the connection of any of the services listed above. I/We consent to YourPorter contacting me/us by phone or SMS in relation to the connection of the services listed above. I/We acknowledge that this consent permits YourPorter to contact me even if the numbers listed on this application are listed on the Do YourPorter will be contacting you by phone, SMS, or email for the purposes of assisting Not Call Register. you to connect your utilities within 24 hours YourPorter will otherwise collect, hold, use and disclose personal information in accordance with their privacy policies, which are of receiving this application for next available at www.yourporter.com.au/general/privacy-policy business day connection. YourPorter is a free service, but I/We acknowledge that standard connection fees may apply for services connected (in addition to the ongoing service fees) I/We acknowledge that neither YourPorter nor the Agency accept any responsibility for any delay in or failure to arrange or provide for any connection of a service or for any loss, damage, cost or expense in connection with such delay or failure. By signing this application, I/We understand YourPorter is a value add product and that I/We are under no obligation to use YourPorter. Telephone: 1300 400 600 Fax: 1300 326 468 www.yourporter.com.au Signature Date