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From: c j
Sent: Tuesday, 10 December 2019 12:34 AM
To: DJCS-CAV-rentalreforms (DJCS)
Cc: act@tenantsvic.org.au
Subject: My submission on mould and damp issues

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My submission:

The issue of mould in rental homes is not being dealt with effectively by VCAT or by this government.

I moved in to a home which had a musty storage area, plus mould inside a washing machine. I had never had to deal with mould before, so was unaware that this was a bad sign.

After a few months in the place, the bathroom ceiling became gradually covered with every colour of mould, including black mould. I am extremely clean and tidy, a person who takes pride in their home environment, so naturally kept cleaning this off, in horror. The ceiling was 40 cm above the height of the shower head and there was only an old-fashioned window for ventilation, which I could not effectively use, as it meant that any passerby could peer in during showers. In my 2.5 year tenancy, the ceiling became covered with mould 8 times in all. After several incidents, and cleaning it up myself, over and over, I complained, several times. The landlords grudgingly took steps to address this, by cleaning the ceiling, painting it, and then putting in a proper fan, but it did not do the job. I was told by the female landlord to avoid having a shower every day!!!

I then discovered that the place did not have adequate ventilation. Many of the normal ventilation slots had been covered over by plasterboard, the fireplace was bricked in, floorboards covered by carpet, and the sub-floor ventilation was also blocked off in two spots. One of the windows was painted over and unable to be opened. Another window could not be opened readily as it was at head height and easily accessed by people on the street. The landlords, who lived next door (the original house had been subdivided), freely admitted that they got mould in their home, but had air conditioning running 24/7. My furniture started to become contaminated, including wardrobes, cupboards, several mattresses, fabric-covered chairs, as well as my clothes and personal papers, and the curtains were ruined. The air became thick and heavy. I took to keeping the back door open a great deal, and all rooms were kept open permanently, with windows open late at night whenever I was home to supervise. The landlords paid for a machine to suck moisture out of the air but it didn't fix the issue, even though I ran it when I was home. I developed a skin condition and cough, but the landlords were dismissive. I began sleeping in the living room.

The landlords then paid for safety bars to be affixed to the main windows, and to have the windows permanently open. This absolutely ruined the ambient temperature inside the house, and spiders and insects started coming in.

In the end, I took them to VCAT, to get this fixed, once and for all. My landlords retaliated by giving me an immediate notice to vacate. At VCAT, the landlords got a so-called 'expert' to present a report, which clearly stated that it did not meet the standard for evidence, but the Member decided to allow it!!!! I also note that the 'expert' also chose not to look at the entire house when he did his assessment, refusing to view or include the covered up sub-floor ventilation and other defects. His website made it clear that he considered himself a person for hire, who would do whatever was necessary to assist landlords, including slanting his report unfairly. It was obvious that he was biased, and his report should never have been allowed by the Member. The Member wanted to know why I did not have an expert of my own at the hearing - but VCAT is meant to be informal. I had a huge amount of evidence re the pre-existing house defects plus several witnesses and signed stat decs, but the Member seemed antagonistic. The dodgy report alleged that I did not adequately ventilate the house, which was untrue. I simply kept different hours than my landlords, who were generally up at the crack of dawn, when I am more active at night. The legal advice I was given, considering the weird behaviour of the Member, was to settle, and so I had to make an

agreement to leave. I got no compensation whatsoever for the expensive move, for my ruined possessions, and nothing for my health (it took me █ years to get rid of the skin condition).

Although the landlords had alleged that the house needed to be immediately vacated for intensive mould cleansing, washing the walls, a process that would take 2 weeks, they were happy for me to take several weeks moving. On the day that I finally vacated, I rang up the various power and water companies - who advised that new tenants had already contacted them and even switched over the service, as they were moving in on the very next day. Don't ask me how that is possible, given privacy laws, but this is what I was told by representatives of these companies.

I have been very happy in my new place, and have lived here for a very long time, with absolutely no mould issues. I am happy to report that my landlord is caring and decent - but these issues should not be dependent on the goodwill of any particular landlord.

VCAT is absolutely biased, and this has got to be rectified, so that other renters do not go through the absolute hell that I endured. VCAT Members need to be educated and should follow proper processes, and not make up their minds based on dodgy reports. Dodgy reports that do not meet the standard for VCAT evidence should not be allowed in as evidence, full stop, and people that construct such reports should not be allowed to give evidence. Consumer Affairs needs to be adequately resourced so that other renters do not wait forever to get help and assessments of rental properties done. The Tenant's Union need to be funded so that they have a mould expert on hand for every relevant case, to assist with legal actions and prepare assessments of properties. I am very angry about what happened and I think it is an *unprintable* disgrace. Sort this out.

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This submission to the Victorian Government consultation on the RTA Regulatory Impact Statement was sent via Tenants Victoria's website. It represents the views of the author only and does not represent the views of Tenants Victoria.