

# A Notice to vacate your SDA

For SDA residents who have signed an SDA  
residency agreement

An Easy Read guide for you



## How to use this guide



Consumer Affairs Victoria (CAV) wrote this guide. When you see the word 'we', it means CAV.



We have written this guide in an easy to read way.

We use pictures to explain some ideas.



We have written some words in **bold**.

We explain what these words mean.

There is a list of these words on page 17.



This Easy Read guide is a summary of a notice.



You can find the notice on our website at [consumer.vic.gov.au/sda](http://consumer.vic.gov.au/sda)



You can ask for help to read this guide.

A friend, family member or support person may be able to help you.

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## What is specialist disability accommodation?



**Specialist disability accommodation (SDA)** is accessible housing for people with disability.



SDA is part of the National Disability Insurance Scheme (NDIS).



When you live in SDA, we call you an SDA resident.



The housing is provided by an SDA provider.

## What is this guide about?



This guide is about a notice from your SDA provider.



The notice is called a **Notice to vacate your SDA**.



Your SDA provider gives you this notice if they want you to vacate your SDA.



When you **vacate** your SDA, you move out.



This notice is for SDA residents who have signed an **SDA residency agreement**.



Your SDA residency agreement is a written agreement between you and your SDA provider.



It explains:

- how you can expect to be treated
- the things you must do.



You need to read the notice carefully.



The notice talks about:



- the reason you need to move out



- what you need to do.

## Why do you need to vacate your SDA?



There are lots of reasons why an SDA provider might give an SDA resident this notice.



We have a law in Victoria that talks about the reasons an SDA provider can give when they tell you that you must move out.



The law that applies is the *Residential Tenancies Act 1997*.



This law protects the rights of:

- people living in SDA
- SDA providers.



90  
days



When your SDA provider gives you this notice, you have at least 90 days before you have to move out.



On the following pages, we explain your SDA provider's reasons for telling you to move out.



Each reason has a number.

This number is about the part of the law the reason comes from.

## Reasons your SDA provider can use



Here is a list of reasons your SDA provider can give you for moving out of your SDA.



498ZX (1) (a) – you owe at least 14 days of **rent**.



Your rent is the money you pay to live in the SDA.



Your SDA provider can only give you this reason if they have already given you a **Breach of Duty Notice** about the rent you owe.



A Breach of duty notice is like a formal complaint.



It explains:

- what the issue is
- how it needs to be fixed.



498ZX (1) (b) – you have put other residents or staff at the SDA in danger.



498ZX (1) (c) – you have caused too much **disruption** to the other residents.



A disruption is something that stops you from doing normal things.



498ZV (1) (d) – you are causing danger to yourself and you aren't safe in the SDA.

Your SDA can't give you the support you really need.



498ZX (1) (e) – your SDA can't give you the support you really need anymore.



498ZX (1) (f) – you have caused serious damage to the SDA.



498ZV (1) (g) – you did something in the SDA that is against the law.



Your SDA provider can only give you these reasons if they have already given you a **Notice of temporary relocation:**

- about the same problem
- at least 24 hours before they gave you this notice.



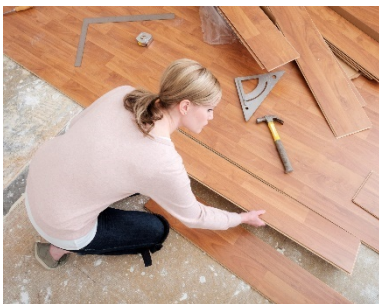
A Notice of temporary relocation is about moving out of your SDA for a short time.



**Temporary** means for a short time.



**Relocation** means you need to leave your SDA and stay somewhere else.



498ZX (1) (h) – your SDA provider wants to fix something or make changes to your SDA and the work can't be done while you are living there.

Your SDA provider can only give you this reason if they have:



- already given you a Notice of temporary relocation:
  - about the same problem
  - at least 24 hours before they gave you this notice



- offered you another room in your SDA but you didn't want to move into that room.



498ZX (1) (ha) – the SDA needs to be knocked down.



498ZX (1) (k) – your SDA provider wants to sell the SDA, or it has already been sold.



498ZX (1) (l) – you didn't do what an order from the **Victorian Civil and Administrative Tribunal (VCAT)** told you to do.



VCAT helps solve legal problems for people in Victoria in a way that is quick and fair.





498ZZD – the SDA provider borrowed money to buy the home and the money lender needs to take over.



The owner of the home also has the right to give you a Notice to vacate your SDA.



498ZZCA – the owner of the home is giving you this notice.

## Sending the notice



Your landlord can give you the notice:

- in person
- in the mail
- by email.



If your landlord sends the notice by mail, it's a good idea to use Registered Post.



This means you must sign for the notice when it comes in the mail.



Your SDA provider can only send you the notice by email if you have said it is ok.



You might have said it is ok:

- in your Residential tenancy agreement
- in writing at another time.

## Word list



### **Breach of duty notice**

A Breach of duty notice is like a formal complaint.

It explains:

- what the issue is
- how it needs to be fixed.



### **Notice of temporary relocation**

A Notice of temporary relocation is about moving out of your SDA for a short time.



### **Notice to vacate your SDA**

Your SDA provider gives you this notice if they want you to vacate your SDA.



### **Relocation**

Relocation means you need to move out of your SDA and stay somewhere else.



### **Rent**

How much you must pay to live in the SDA and how often you must pay it.



## **Specialist disability accommodation (SDA)**

Specialist disability accommodation (SDA) is accessible housing for people with disability.



## **SDA residency agreement**

Your SDA residency agreement is a written agreement between you and your SDA provider.



## **Temporary**

Temporary means for a short time.



## **Vacate**

When you vacate your SDA, you move out.



## **Victorian Civil and Administrative Tribunal (VCAT)**

VCAT helps solve legal problems for people in Victoria in a way that is quick and fair.

## Contact us



**1300 40 43 19**

The cost is the same as a local call.

If you speak a language other than English, please contact TIS – Translating and Interpreting Service.



**131 450**

Ask to talk to an Information Officer at Consumer Affairs Victoria on

**1300 40 43 19**

TTY

If you use textphone or modem, call the National Relay Service.



**133 677**

Give them our number – **1300 40 43 19**



If you use Speech to Speech Relay call

**1300 555 727**

Give them our number – **1300 40 43 19**



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