Annual Report

2021–22

CONSUMER AFFAIRS VICTORIA

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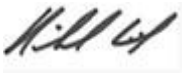
Letter to the Minister

The Hon Danny Pearson MP
Minister for Consumer Affairs

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 2022.

Yours sincerely,



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

Director's foreword

Consumer Affairs Victoria's (CAV) 2021–22 year was focused on supporting the Victorian community and businesses to navigate the continued impacts of the COVID-19 pandemic. This included promoting Victoria's social and economic recovery from the pandemic, and ensuring that as business activity regained momentum, businesses complied with their legal obligations and consumers were aware of and able to exercise their rights.

In the first half of the year, CAV supported both businesses and consumers to manage the impacts of lockdown restrictions. Businesses in regulated industries received fee waivers, refunds and deadline extensions for annual compliance requirements. While consumers were provided with information and advice on topics such as refunds for cancelled arrangements and the availability and cost of Rapid Antigen Test (RAT) kits. Updated contact centre technology was implemented to support the remote operation of our Information and Dispute Services Centre (IDSC) – the frontline CAV contact centre.

Throughout the year, CAV continued to deliver core services, through both new waves of the pandemic and the post-lockdown business regeneration. CAV provided thousands of licensing and registration services to Victorian businesses and community organisations and, where required, compliance and enforcement activities.

2021–22 saw significant digital improvements to the online licensing and registration systems of CAV and the Business Licensing Authority (BLA). The improvements were funded by the Victorian Government's Regulation Reform Incentive Fund, and have made transactions quicker and easier for businesses, professionals and organisations. Key improvements include online Automatic Mutual Recognition notifications, easier trust accounting notifications and digital identification verification in partnership with Service Victoria.

CAV played an important role in the continued implementation of the *Residential Tenancies Amendment Act 2018*. We monitored the impact of the new rental laws that came into effect in March 2021 and provided information and assistance to both renters and rental providers. The IDSC fielded over 70,000 residential tenancy calls and more than 3,700 online residential tenancy enquiries over the course of 2021–22.

CAV targets its service delivery resources to support the most vulnerable and disadvantaged cohorts and address the most complex problems faced by Victorians. We funded a range of community services throughout the year to support vulnerable and disadvantaged consumers. This included the Financial Counselling Program, the Consumer Assistance and Advocacy Program, Tenancy and Retirement Housing support programs and the Domestic Building Legal Service. Furthermore, CAV continued to prioritise compliance in the rooming house sector, an industry affecting some of Victoria's most vulnerable residents. Rooming house safety was emphasised in 2021–22, with CAV conducting over 230 rooming house inspections to ensure compliance with the prescribed minimum safety standards. As part of CAV's digital improvements, we also made it easier for rooming house operators to meet their safety obligations, enabling them to upload gas and electrical safety checks online. In 2021–22, over 530 safety certificates have been lodged.

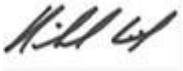
Enforcement actions continued to play an important role in CAV's objective to ensure businesses comply with consumer laws. In 2021–22, we secured a number of important court outcomes and initiated several new court proceedings where breaches of the law occurred. CAV also focused on compliance with essential estate agent obligations regarding trust accounting and underquoting. We issued over 170 infringements and over 220 Official Warnings to 200 estate agents regarding breaches in these areas.

This year also saw the introduction of the *Professional Engineers Registration Act 2019* on 1 July 2021. CAV led the implementation of the Act, which for the first time introduced a registration scheme and conduct requirements for professional engineers in Victoria, supporting infrastructure delivery and giving Victorians greater confidence in engineering services. In a first for Victoria, the scheme is run under a co-regulatory model, where registration is jointly administered by the BLA, CAV, the Victorian Building Authority and the engineering profession. Registration became mandatory for fire safety engineers on 1 December 2021 and will progressively become mandatory for the other four prescribed areas of engineering by 1 December 2023. Since 1 July 2021, 4,571 engineers have been registered across five areas of engineering.

Another crucial legislative reform implemented this year by the Department of Justice and Community Safety (DJCS) and supported by CAV was the decriminalisation of sex work. Decriminalisation maximises sex workers' safety, health, and human rights, and improves access to government, health and justice services. The *Sex Work Decriminalisation Act 2022* was passed by the Victorian Parliament on 22 February 2022. In June 2022, the BLA and CAV completed the destruction of all records associated with the former exempt small owner-operator register.

Looking ahead to 2022–23, we are committed to focusing 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 also work with businesses and organisations to ensure regulatory obligations are 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 former Minister for Consumer Affairs, Gaming and Liquor Regulation, the Hon Melissa Horne MP for her support over the year covered by this report. I would also like to acknowledge and thank our colleagues in funded agencies working hard every day to provide advice, support and advocacy to vulnerable Victorians. I thank as well as our partners across DJCS and other government agencies and regulators whose support and collaboration is crucial to our work. Our staff have shown ongoing resilience and dedication to achieving positive outcomes for the Victorian community this year and I'd like to recognise and thank them again for their efforts. While it remains unclear what the year ahead will bring in terms of new challenges for the community, we look forward to working with our new Minister, the Hon Danny Pearson, and the new department to continue to focus on how we can best support Victorians in facing these challenges and ensure the market operates fairly and safely for all.



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 the Consumer Affairs, Liquor, Gaming and Dispute Services Group of the Department of Justice and Community Safety.

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

In 2021–22, our performance reflected both the impacts of the COVID-19 pandemic and our efforts to identify and prioritise key areas and activities as more operations resumed following the lifting of restrictions.

During the period of public health restrictions, some of our performance measures, which are demand-driven and vary across business activity levels, decreased or increased accordingly. As restrictions eased, we focused on the areas most relevant to the community's recovery. For example, on-site compliance inspections were limited during 2021, and when restrictions lifted, CAV's resources were directed to the most urgent need for rent and repair inspections.

As restrictions eased, staff started returning to our offices, and we adjusted our services to accommodate a hybrid working arrangement. This included leveraging updated technology to support the remote operation of the contact centre, enabling us to focus on providing crucial information and advice to vulnerable members of the community, including through online services. We adjusted our service model to promote online advice, while ensuring telephone support remained available for those who need it. While this adjustment impacted the amount of information and advice provided to consumers and businesses over the phone, we are proud that we were able to be responsive and flexible in meeting consumer needs.

Over the year, CAV delivered thousands of licensing and registration services to Victorian businesses and community organisations as well as, where required, compliance and enforcement activities. Our regulatory transactions activity exceeded expectations as we implemented the Professional Engineers Registration Scheme.

We supported financial counselling agencies to deliver critical assistance to Victorians over a year heavily impacted by restrictions on face-to-face service delivery. While the increased complexity of client cases impacted the number of clients we assisted, we are reassured that we are providing meaningful assistance to the most vulnerable Victorians.

We are proud to have played an important role in providing Victorians with the necessary supports and protections during such a challenging year. We continued to focus our efforts on providing the services Victorians most needed during this time and protecting the rights of vulnerable groups to ensure fair and safe treatment.

This year, our performance was measured against target outputs specified in Budget Paper 3 2021–22. 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: BP3 results

	Unit of measure	2019–20 actual	2020–21 actual	2021–22 target	2021–22 actual
Quantity					
Information and advice provided to consumers, renters, rental providers and businesses: through telephone service[1]	number	234,623	205,508[2]	302,900	245,141
Information and advice provided to consumers, renters, rental providers and businesses: through other services including written correspondence, face-to-face and dispute assistance[3]	number	142,695	144,533	115,700	99,191
Number of court and administrative actions[4]	number	1,061	533	900	628
Transactions undertaken: registration and licensing[5]	number	91,637	95,096	95,500	100,711
Transactions undertaken: Residential Tenancies Bond Authority (RTBA)	number	492,822	498,336	490,000	494,809
Victims of family violence assisted with financial counselling[6]	number	3,439	3,178	3,750	3,438
Dispute resolution services provided by Domestic Building Dispute Resolution Victoria[7]	number	6,619	5,175	6,000	5605
Quality					
Rate of compliance with key consumer laws[8]	per cent	94.5	90	95	90
Timeliness					
Regulatory functions delivered within agreed time frames	per cent	94.4	96.7	95	96
Proportion of high priority breaches resulting in regulatory response	per cent	100	100	100	98
Cost					
Total output cost	$ million	127.4	147.7	137.2	127.2

1 The actual is lower than the target due to service model changes to promote online advice where appropriate whilst ensuring telephone support for those that need it.

2 The figure reported in the 2020–21 Annual Report was incorrect at 214,819 and has since been corrected to 205,508.

3 The actual is lower than target as while online services remain high, and the easing of COVID-19 restrictions has seen an increase in clients seeking rent and repair inspections and accessing financial counselling, tenancy and consumer services. As clients are needing more intensive and longer support, this means that service agencies are meeting or exceeding client hours but have not been able to engage as many clients.

4 Court and administrative outcomes rely significantly on compliance and investigation outcomes. Compliance activity, in particular, decreased as fewer on-site inspections could be undertaken due to COVID-19 restrictions. As on-site inspections resumed, inspection resources were prioritised to focus on meeting an increase in demand for rent and repair inspections and national product safety project inspections. A number of civil litigation matters are pending.

5 The actual is higher than target due to receiving applications, renewals, notifications and annual statements under the new Professional Engineers Registration Scheme, which commenced 1 July 2021.

6 While lower than target, the easing of COVID-19 restrictions has seen an increase in clients accessing these services. Clients are also needing more intensive and longer support per service.

7 The actual was below target due to continued pandemic restrictions impacting the domestic building sector throughout the first two quarters of the financial year. In quarters three and four, DBDRV has seen an 11 percent increase in applications.

8 The actual is lower than the target due to the impact COVID-19 has had on some businesses meeting their annual reporting and compliance obligations. Action has been taken for non-compliance where appropriate.

Our achievements

Our achievements are presented under each of our outcomes.

Businesses comply with consumer laws

A key to achieving a fair and competitive marketplace is ensuring businesses comply with consumer laws. We continue to support businesses to be compliant by giving them information and resources and act quickly against businesses and organisations that are causing the most harm, to protect consumers before there is significant detriment.

Over the past year CAV continued to prioritise licensing, registration and compliance activities with a focus on rooming house safety and digital improvements to our systems. We prioritised rooming house safety checks to ensure compliance with the prescribed minimum safety standards, including secure doors and windows and up-to-date gas and electrical safety checks.

Licensing and registration transactions were made quicker and easier for businesses, professionals, and organisations. This was achieved by implementing several digital improvements to the BLA and CAV's online licensing and registrations systems. Improvements included Automatic Mutual Recognition notifications, easier trust accounting notifications, and enabling rooming house operators to upload gas and electrical safety checks online.

Table: Compliance, licensing and registration activity undertaken

	2019–20	2020–21	2021–22
Compliance			
Inspections	1,929	567	1,009
Investigations	214	185	42
Parties to criminal proceedings, appeals and re-hearings	8	2	8
Parties to civil proceedings	16	9	5
Parties signed to enforceable undertakings	1	0	2
Official warnings and infringement notices issued	948	510	603
Registration and licensing			
Annual returns, updates or cancellations processed for incorporated associations, fundraisers and co-operatives	53,451	55,209	49,108
Total registration and licensing transactions	91,637	95,096	100,711

Table: Registers administered by CAV

	New applications lodged			Total on register		
	2019–20	2020–21	2021–22	2019–20	2020–21	2021–22
Business Licensing Authority administered schemes						
Estate agents	1,733	1,840	2,461	15,643	16,416	17,633
Motor car traders	148	159	113	1,991	2,080	2,199
Second-hand dealers and pawnbrokers	246	222	203	3,373	3,471	3,610
Conveyancers	125	102	155	1,161	1,200	1,270
Owners corporation managers	110	71	59	674	678	652
Sex work service providers (licensees)	5	1	4	112	113	103
Sex work brothel managers	81	112	65	558	631	692
Rooming house operators	143	208	119	1,099	1,024	1,060
Professional Engineers	N/A	N/A	1,395	N/A	N/A	4,571
Consumer Affairs Victoria administered schemes						
Incorporated associations	1,964	1,875	1,537	41,706	42,566	41,590
Co-operatives	14	10	33	514	512	508
Fundraisers	761	473	534	2,007	2,310	2469
Patriotic funds	2	0	1	415	390	389
Limited partnerships	10	10	36	406	423	457
Retirement villages	12	8	6	465	470	481
Funeral service providers	32	11	5	506	518	525
Rental non-compliance[1]	N/A	N/A	N/A	N/A	0	13

1 Rental non-compliance register came into effect in March 2021.

Digital improvements to licensing and registration online systems

The Minister for Consumer Affairs, Gaming and Liquor Regulation issued the BLA and CAV with a new Statement of Expectations in September 2021. Significant changes included the addition of a key element to *support economic and social recovery*, as well as refreshed targets for the standing elements of *timeliness*, *risk-based strategies* and *compliance related assistance*. A crucial new target was to implement ongoing digital improvements to make licensing and registration interactions quicker and easier for businesses, professionals, and community groups.

In response, CAV implemented several digital improvements to its and the BLA's online licensing and registrations systems, funded by the Victorian Government's Regulation Reform Incentive Fund, with more planned for 2022–23. These digital improvements will make licensing and registration transactions quicker and easier for businesses, professionals and organisations.

In 2021–22, these improvements include online Automatic Mutual Recognition notifications, the inclusion of additional content in trust accounting notifications and the introduction of new functionality which enables rooming house operators to upload gas and electrical safety checks online. In 2021–22, 537 safety certificates were lodged. These can be more easily checked as part of CAV's compliance monitoring activity to ensure residents are safe while saving operators time and giving them handy automated reminders when an updated certificate is due.

Through a joint project with Service Victoria, identification verification technology was integrated into the licensing and registration online portal myCAV. This has delivered a faster application process and reduced processing times for businesses and professionals.

The launch of the professional engineering registration scheme resulted in the extension of myCAV to facilitate registration applications. The single capture of data approach enables the Victorian Building Authority to manage registration endorsement and insurance requirements for building engineers through data sharing mechanisms.

Helping businesses through the COVID-19 pandemic

This year we supported regulated industries to manage the impacts of COVID-19 and their ability to meet compliance obligations, such as annual reporting and payment of licensing or registration fees. We worked with the BLA to provide fee waivers, refunds and deadline extensions for annual statements and trust account audit requirements to businesses and community organisations that sought assistance. The BLA provided 38 waivers and refunds totalling more than $6,700, in addition to 113 sex work licence fee refunds totalling more than $246,000. CAV gave 910 estate agents and conveyancers additional time to lodge their trust account annual audits. Extensions of time were also provided to more than 1,200 incorporated associations and co-operatives to hold annual general meetings and lodge annual statements.

Automatic mutual recognition

Automatic mutual recognition (AMR) enables individuals licensed or registered for an occupation in one Australian state or territory to work in another state or territory using their home state licence.

The AMR scheme commenced for several occupations in Victoria from 1 July 2021 and from 1 January 2022 for estate agents and professional engineers. Workers covered by AMR may be able to do the activities they are licensed for in their home state or in other states and territories without the need to apply and pay fees for a second licence. The scheme makes it easier for licensed or registered workers to operate in multiple states and territories while providing safeguards to maintain standards and protect consumers, workers and others.

We also extended our licensing and registration portal, myCAV, to allow estate agents and professional engineers to notify the BLA of their intention to operate under AMR in Victoria. This seamless process will deliver an increase in available qualified professionals and the faster delivery of services to Victorians, whilst ensuring all necessary public protection requirements, such as complying with Victorian trust account requirements, are met.

Professional engineers registration scheme

CAV led the implementation of the *Professional Engineers Registration Act 2019*, which for the first time introduced a registration scheme and conduct requirements for professional engineers in Victoria. This was a historic moment for the engineering profession in Victoria, and finally provided recognition of the vital role that engineers play in building our world and protecting our communities. The scheme also supports infrastructure delivery in Victoria and gives Victorians greater confidence by ensuring only suitably qualified and experienced engineers provide professional engineering services.

In a first for Victoria, the scheme is run under a co-regulatory model, where registration is jointly administered by the BLA, CAV, the Victorian Building Authority and the engineering profession. Under a progressive implementation model, professional engineers in five nominated areas – civil, structural, electrical, mechanical and fire safety – will be required to register unless they work under the direct supervision of a registered professional engineer or under a prescriptive standard.

The Act commenced on 1 July 2021 with existing registered building engineers, across all five areas, automatically transferred from the Victorian Building Authority to new registration with the BLA. The first area of engineering to be implemented in full was fire safety engineers, with registration becoming mandatory in December 2021. Implementation will conclude with mandatory registration for mechanical engineers in December 2023, although engineers can apply for registration at any time since the scheme commenced. In 2021–22, 4,571 engineers have been registered across the five areas of engineering.

Sex work decriminalisation

The *Sex Work Decriminalisation Act 2022* was passed by the Victorian Parliament on 22 February 2022. Decriminalisation ensures that sex work is safe work. It maximises sex workers' safety, health, and human rights and improves access to government health and justice services. It also reduces stigma and fear of criminal repercussions. Decriminalisation of sex work recognises that sex work is legitimate work and should be regulated through standard business laws, like all other industries in the state.

Stage One commenced on 10 May 2022. In addition to the decriminalisation of street-based sex work in most locations, under Stage One, the Act repealed industry-specific advertising controls, the requirements for independent sex workers to register or be licensed by the BLA, and public health offences under the *Sex Work Act 1994*. The Act also included new anti-discrimination protections in the *Equal Opportunity Act 2010*. Stage Two of the reforms will come into force in December 2023 and repeal the *Sex Work Act 1994*. Upon the repeal of the requirements for independent sex workers ('exempt small owner-operators') to register, the BLA and CAV destroyed all records associated with the former small owner-operator register.

New educational requirements for prospective conveyancers and estate agents

New educational requirements for conveyancers were introduced in Victoria on 30 September 2021, following a national review of the existing qualification. The new qualification is the refreshed and updated Advanced Diploma of Conveyancing. The new qualification requires prospective conveyancers to complete nine core units and six electives. The changes to the regulations also changed the work experience requirements to be licensed, to recognise previous work as a licensed conveyancer. A person who has held a conveyancer's licence within the last five years is now able to rely on that experience to be re-licensed, without having to undertake further supervised work experience.

DJCS sought stakeholder feedback on whether the proposed electives for the new qualification would give students the right skills they need to work as conveyancers. This feedback informed changes to the Conveyancers (Qualification and Experience) Regulations 2018 to implement the new qualification in Victoria.

Conveyancers who were already licensed were not affected by these changes.

Enforcement actions

We took various enforcement actions in 2021–22, with a particular focus on ensuring compliance with essential estate agent obligations.

Public warnings issued in 2021–22

Legislation	Parties
Australian Consumer Law and Fair Trading Act 2012	Kingdom Warehouse

Court and tribunal matters finalised in 2021–22

Criminal prosecutions finalised

Legislation	Parties
Motor Car Traders Act 1986	Zehar Saoud
Estate Agents Act 1980	Thomas Aloysius
Estate Agents Act 1980	Simon Michaelis Boston & Brighton Property Consultants
Estate Agents Act 1980	Amit Miglani
Estate Agents Act 1980	Zhenhua Yang AUSCO Real Estate Pty Ltd
Australian Consumer Law and Fair Trading Act 2012	Andreas Triantafyllos
Domestic Building Contracts Act 1995	Michael Johnson
Motor Car Traders Act 1986	Drives (Aus) Pty Ltd

Civil proceedings finalised (including disciplinary inquiry and appeals)

Legislation	Parties
Australian Consumer Law and Fair Trading Act 2012	Vic Solar Technologies Sunny Srinivasan
Estate Agents Act 1980	Colliers International (Victoria) Pty Ltd
Estate Agents Act 1980	The Sarain Pty Ltd Surinder Sarain

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

Legislation	Parties
Estate Agents Act 1980	Mitchell Burdett
Estate Agents Act 1980	Erdal Karaagac
Estate Agents Act 1980	Irena Tsan
Estate Agents Act 1980	Michael Burdett

Ongoing court matters as at 30 June 2022

Criminal prosecution

Legislation	Parties
Residential Tenancies Act 1997	Waterdale Property Agent Pty Ltd
Estate Agents act 1980	Skyline Developments Richard Hayden
Conveyancers Act 2006	Marina Laprese
Estate Agents Act 1980	BSM Realty Kylie Campbell
Motor Car Traders Act 1986	Shahriyar Noori
Estate Agents Act 1980	Lawrence Paul Vella
Estate Agents Act 1980	Justin Scavo
Conveyancers Act 2006	Eric Hans Richmond

Civil proceedings (including disciplinary inquiry)

Legislation	Parties
Estate Agents Act 1980	Robert John Pedersen
Estate Agents Act 1980	Tsun Ngai Lee
Estate Agents Act 1980	Yen Howell Real Estate Pty Ltd Yen Howell
Judgement Debt Recovery Act 1984	Eric Hans Richmond
Estate Agents Act 1980	Thomas Aloysius
Estate Agents Act 1980	Joshua Allison

Administrative/judicial review on behalf of the BLA and others

Legislation	Parties
Motor Car Traders Act 1986	CMG Automotive Pty Ltd v Motor Car Traders Claim Committee
Mutual Recognition Act 1992 (Cth)	Venetia Louise Storry v Business Licensing Authority
Sex Work Act 1994	Wenlu Mao v Business Licensing Authority
Estate Agents Act 1980	Borg v Wons & Director of Consumer Affairs Victoria

Application for warrant for sale and seizure

Legislation	Parties
Australian Consumer Law and Fair Trading Act 2012	Annabelle Gibson

Protecting consumers from underquoting and trust account losses

In 2021–22, CAV focused on compliance with essential estate agent obligations regarding trust accounting and underquoting. We issued 171 infringements and 226 Official Warnings to 200 estate agents regarding breaches in these areas.

Underquoting occurs when a property is advertised at a price below the estimated selling price, the seller's asking price or a price that has been rejected as too low by the seller. When underquoting occurs, potential buyers can waste significant time and money inspecting and assessing properties that were never in their price range. It may also distort the market and create an artificial purchasing environment while enriching those who break the law.

Throughout the year, CAV monitored compliance with underquoting laws across the industry to protect homebuyers from underquoting. The pandemic contributed to unique conditions in the Victorian property market and raised concerns some agents were engaging in underquoting. We responded by making over 350 visits to estate agencies to ensure their compliance with underquoting laws.

We also continued to facilitate consumer and industry awareness, including website updates and social media posts to help agents understand the laws and to educate Victorians on how they can report suspected underquoting.

Trust accounts are a critical part of the consumer protection framework. They protect consumers who pay money (such as rent, purchase or sale deposits or advertising and maintenance fees) to real estate agents and conveyancers. Under the law, estate agents and conveyancers must deposit any client money they receive in advance into a trust account for safe keeping and face high penalties if they fail to comply.

In 2021–22 we finalised four criminal prosecutions against estate agents for trust account, underquoting and other conduct breaches. We also finalised a matter concerning the director of former western suburbs estate agency The Sarain Pty Ltd, Surinder Sarain, who agreed to an undertaking after admitting to breaches of Victoria's *Estate Agents Act 1980* and Estate Agents (Professional Conduct) Regulations 2008, including failing to disclose relevant information about the commission of two properties, making false and misleading representations whilst advertising properties and underquoting while marketing 11 properties. Additionally, Mr Sarain failed to maintain accurate trust accounting records. The matter was resolved out of court, with an undertaking provided to the Director of Consumer Affairs Victoria by Mr Sarain preventing him from working in any management position in the industry and a payment of $2,500 made to the Victorian Consumer Law Fund.

Completing and lodging a trust account annual audit is an essential consumer protection requirement. Estate agent and conveyancer trust account audits can be lodged electronically using our online portal myCAV. We continued our focus on ensuring compliance with these requirements in 2021–22 and will continue to take further enforcement action regarding non-lodgement of audits where required.

Enforcing compliance with domestic building consumer protections

Building or renovating a house is one of the biggest investments many people will make in their lifetime. Victorian consumers seeking to engage in residential building works are provided with a number of legal protections, including domestic builder registration requirements and contractual regulations under the *Domestic Building Contracts Act 2005* (the DBC Act).

The DBC Act prohibits building practitioners from demanding an excessive upfront deposit and regulates stage payments and cost escalation. Consumers who are pressured to pay too much up-front are at risk of the builder not finishing the works on time or at all or not fixing defects. Consumers who unwittingly engage an unregistered building practitioner can also risk financial and workmanship problems; this is as well as not being afforded the same protections they would have had if engaging a registered building practitioner.

Mr Michael Johnson undertook outdoor building works across Melbourne as an unregistered builder, trading under several business names. Following a public warning notice issued about Mr Johnson in January 2021, CAV commenced court action against Mr Johnson in late 2021 for entering into a major domestic building contract without being a registered building practitioner and for receiving deposits greater than the amounts permitted under the DBC Act. We took action against Mr Johnson following complaints from consumers who had made payments for building work, which was then not supplied or completed, or was completed poorly and without the required building permit or registration.

In June 2022, Mr Johnson was convicted of breaches under the DBC Act and ordered to pay an aggregate fine of $7,000. He was also ordered to pay over $43,000 in compensation to affected consumers and to pay costs.

CAV will continue to respond to domestic building conduct that puts consumers at risk and unfairly damages confidence in the industry and registered builders doing the right thing.

Victorians exercise their consumer rights

We empower Victorians to exercise their consumer rights by providing information, advice and support, including through our website, contact centre, online services and funded partner organisations delivering more intensive assistance to vulnerable Victorians.

In 2021–22, we provided information and advice services to Victorians throughout the COVID-19 pandemic, including providing over 245,000 phone services, an increase on the previous financial year. This was driven by the resumption of full services after the disruptions caused by the pandemic over the past two years.

We continued to support vulnerable and disadvantaged Victorians through the delivery of the Financial Counselling Program and tenancy and consumer programs. In 2021–22, $14.62 million supported place-based financial counselling services across Victoria, the National Debt Helpline in Victoria, specialist family violence financial counsellors and dedicated services for bushfire, storm and flood victims.

As we begin the transition of our contact centre to a more modern digital platform, we look forward to greater efficiency and allowing for the integration of phone and online channels, which will mean increased accessibility and service improvements for Victorians. The harmonisation of processes across our contact centres will support improved quality and consistency of services allowing us to better adapt to fluctuating community needs.

Table: Information, advice and assistance provided to consumers

	2019–20	2020–21	2021–22
Information and advice			
Calls answered	234,632	205,508[1]	245,141
Advice provided to resolve disputes			
Disputes finalised [2]	12,826	26,757	6,709
Digital			
Website visits	4,466,428	5,723,880	5,415,957
Letters, emails and online enquiry form contacts	90,252	91,029	63,325
Twitter followers	10,466	10,634	10,717
Facebook page likes	46,932	49,693	49,941
YouTube video views	234,978	113,938	68,363
Face-to-face or intensive assistance (funded community services)			
Victorians assisted under the Consumer Assistance and Advocacy Program	562	287	349
Clients assisted with financial counselling	28,999	20,386	21,223

1 The figure reported in the 2020–21 Annual Report was incorrect at 214,819 and has since been corrected to 205,508.

2 The significant decrease in disputes finalised reflects the cessation of the Residential Tenancies Dispute Resolution Scheme which ran in 2019–20 and 2020–21. This year's number are in line with 2018–19 results.

CAV's contact centre: Supporting consumers from restrictions to recovery

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. Updated contact centre technology was leveraged to support the remote operation of the contact centre. We adjusted our service model to promote online advice, while ensuring telephone support was available for those who need it. While this adjustment impacted the amount of information and advice provided to consumers and businesses over the phone, we were able to meet consumer needs by being responsive and flexible.

Consumers contacted CAV for information about changes in terms and conditions from airlines, travel agencies, short stay rental providers and event organisers. Information and advice related to refunds for cancelled arrangements due to COVID-19 and the availability and cost of Rapid Antigen Test (RAT) kits was a significant driver of demand.

The resumption of full services drove a significant increase in the number of phone calls, with over 245,000 calls answered. In particular, the resumption of full services to the Fair Trading line saw a return to pre-pandemic levels of demand by Victorian consumers. The contact centre is continuing to invest in its staff, processes and technology to meet this demand and to maintain quality service to the community.

CAV website improvements

The CAV website is a vital resource that helps consumers access information and services and understand their rights. It also supports business to understand their obligations. Ninety per cent of consumer engagement with CAV starts on the CAV website.

Feedback about the website has highlighted issues that are negatively impacting experiences. This feedback is guiding a project to redevelop and improve the website. The project started in December 2021 and will deliver an increasingly human-centric site with content that is easier to find and understand. Better access to content online also frees-up other resources to serve more vulnerable and disadvantaged consumers and address the most complex problems Victorians face.

Work has started on sections of the site to address navigation and content concerns. A staggered delivery of enhancements means users will see the benefits of each update as it is finished.

Funded Community Services

CAV continued to fund a range of 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 17,785 Victorians with free and independent financial counselling services delivered by community agencies across Victoria in 2021–22. This is an increase on the number of Victorians supported in 2020–21 due to the relaxing of COVID-19 restrictions on face-to-face service delivery and withdrawal of related financial supports.

Financial counsellors provide consumers with advice about their rights and responsibilities, support in negotiating with creditors and advice on how to make payment plans for debts. Clients supported by the Financial Counselling Program typically report incomes of less than $30,000 per year and are experiencing vulnerability due to personal circumstances. The support provided by the Financial Counselling Program helps to ensure that they are able to meet their obligations and are not subject to unfair or unreasonable debts. As part of this program, specialist financial counselling services were provided to more than 3,400 Victorians experiencing family violence. Victorians impacted by natural disasters were supported through dedicated bushfire, storm and flood programs.

CAV also continued to fund the Consumer Assistance and Advocacy Program (CAAP), providing advice, casework and campaign and advocacy services to Victorian consumers. The CAAP casework service focuses on support to groups experiencing vulnerability including culturally and linguistically diverse community members, Aboriginal and Torres Strait Islander people and older Victorians. Throughout the year, 349 vulnerable Victorians received support with clients impacted by scams, breaches of consumer guarantees and contractual disputes.

The Domestic Building Legal Service provided support to vulnerable homeowners experiencing disputes with their builder. The service provided support to 217 homeowners who had not been able to successfully resolve the dispute through Domestic Building Dispute Resolution Victoria. More intensive support from pro-bono lawyers was also provided to 15 homeowners with complex cases. Clients are supported to resolve disputes across a range of areas including with payments and with legal support where the works are defective and incomplete and they do not have the means themselves to engage legal support.

Integration of family violence response training across a range of CAV services

We continued to look for ways to improve our service delivery, with a focus on improving responses to people experiencing family violence, improving outcomes and supporting victims/survivors to recover and thrive.

Senior leaders across CAV were supported to improve their understanding of how service delivery and policy development can be informed by contemporary approaches to family violence. Our contact centre team underwent training on how to identify family violence in their contacts, aligned with the Multi Agency Risk Assessment and Management Framework. Processes have also been established to ensure Victorians who are experiencing family violence have access to all of CAV's services and are referred to an appropriate family violence service.

Our senior leaders also undertook family violence training to ensure they have the knowledge and tools to support staff who are experiencing or using family violence.

Launch of Property Market Review

Changing market conditions, such as concerns about housing affordability, have increased community concerns about underquoting and access to the property market. As a result, in February 2022, a review into Victoria's property market was commissioned to ensure that consumer property laws provide Victorians with easier and fairer access to the housing market.

The review was conducted by an independent expert panel, comprised of Carolyn Bond AM, consumer advocate and former co-Chief Executive Officer of the Consumer Action Law Centre and Enzo Raimondo, industry expert and former Chief Executive Officer of the Real Estate Institute of Victoria. The expert panel undertook public consultation via the Engage Victoria platform. In addition, the expert panel conducted stakeholder consultations via interviews and workshops, targeting stakeholders from the property industry, housing providers, community organisations, government departments and agencies with a role in the property market. Victorians were invited to participate in the review through a survey, submissions, and public forums. Consultation was open from 18 February 2022 to 1 April 2022.

The review's terms of reference cover issues relating to consumer property laws, tasking the expert panel with making recommendations on the terms. The expert panel provided its report to the government in late April 2022 for further consideration.

A fair and safe rental market

As the Victorian regulator of rental laws, we work to achieve fair and safe rental housing. In 2021–22 CAV maintained a focus on the implementation of the new rental laws that came into effect in March 2021 for renters and rental providers (landlords) in Victoria. The laws focused on increasing protections for renters while ensuring rental providers can effectively manage their properties.

We maintained a particular focus on ensuring compliance with essential estate agent obligations whilst continuing to inform renters and rental providers of their rights and responsibilities through our frontline contact centre, website and social media channels. The pandemic resulted in unusual conditions in the Victorian property market; we recognise this, and know it's important for agents, renters and rental providers to be aware of Victoria's rental laws.

Table: Information, advice and service delivery to renters, rental providers and agents

	2019–20	2020–21	2021–22
Information and advice			
Website page views – renting section	2,724,521	3,870,748	3,544,425
Calls answered – residential tenancies	67,678	92,427[1]	70,633
Calls answered – RTBA	55,225	32,180[2]	56,128
Compliance			
Rooming house inspections (including repeat visits)	267	187	233
Rooming houses registered	1,400	1,419	1,369
Transactions			
Bonds lodged	253,650	250,170	259,479
Bond repayments	239,175	248,166	236,443
Bonds transferred	83,305	75,172	57,967
Bonds held	684,163	686,167	706,892
Value held	$1 .27 billion	$1 .24 billion	$1.27 billion
Total transactions (bonds lodged and repaid) – RTBA	492,822	498,336	494,809
Face-to-face or intensive assistance			
Funded community services			
Tenants under the Tenancy Assistance and Advocacy Program	8,067	6,650	7,339
Residential tenancy inspection advice provided			
Repair reports	910	2,063	704
Goods left behind reports	2,336	1,531	2
Rent increase reports	1,258	752	2,452

1 The figure reported in the 2020–21 Annual Report was incorrect at 93,153 and has since been corrected to 92,427.

2 The figure reported in the 2020–21 Annual Report was incorrect at 32,855 and has since been corrected to 32,180.

Supporting the implementation of the new rental laws

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. The wide scope of these reforms meant significant support was required from CAV to help renters and rental providers understand and comply with these new laws.

The contact centre's Residential Tenancies phone and online service provided a significant amount of support to renters and rental providers. This included questions from renters about the reforms and their practical impacts, and questions from rental providers about their new obligations. Over 70,000 residential tenancy calls and over 3,700 online residential tenancy enquiries were received over the course of the financial year.

The contact centre also provided support to renters and rental providers lodging complaints or seeking frontline conciliation services. Over 1,450 frontline residential tenancy conciliation cases and over 2,200 residential tenancy complaints were resolved by the contact centre in 2021–22.

The Owners Corporations and Other Acts Amendment Act 2021

The *Owners Corporations and Other Acts Amendment Act 2021* was passed by Parliament in February 2021 and commenced on 1 December 2021. The Act contained a package of 36 reforms, the most significant reforms since the commencement of the Owners Corporations Act in December 2007.

The reforms introduce a range of changes, including different levels of requirements depending on the size of the owners corporation, changes to responsibilities for managers and developers, and other reforms designed to ensure owners corporations are better governed and more liveable for residents. CAV is committed to working with industry to deliver a voluntary, ongoing information and training program for owners corporation managers. We are currently liaising with key stakeholders to identify activities that would support enhanced information.

Rooming house inspections and safety checks

CAV is committed to the effective regulation of rooming houses and recognise that these premises are often the last resort for some of the most vulnerable Victorians.

We prioritised rooming house safety through the continued delivery of CAV's State Inspection Program, conducting over 220 rooming house inspections including over 300 gas and electrical safety checks, to ensure compliance with the prescribed minimum safety standards.

CAV undertakes risk-based targeting of rooming houses, focusing on breaches causing the most serious consumer detriment. CAV's regulatory response to any identified non-compliance is informed by its published Regulatory Approach and Compliance Policy.

This year, we also initiated the electronic lodgement of gas and safety electrical certificates using our online myCAV licensing and registrations portal. Certificates are mandatory under the Regulations and are a key minimum safety standard. These can now be more easily checked as part of CAV's compliance monitoring activity to ensure residents are safe, while saving operators time and giving them handy automated reminders when an updated certificate is due.

Tenancy programs

Funded Tenancy Programs supports community organisations to deliver a range of programs including the Tenancy Assistance and Advocacy Program (TAAP), the Tenancy Central Service and the Retirement Housing Assistance and Advocacy Program. These programs provided integrated support to vulnerable and disadvantaged Victorians in private rentals or retirement housing throughout 2021–22.

The TAAP continued to play an important role in supporting vulnerable renters, including those who had been impacted by the COVID-19 pandemic, through loss of employment or removal of the COVID-19 supports. Funded agencies reported that as a result of the pressures in the housing market and withdrawal of COVID-19 supports, more renters are experiencing higher rents and rent arrears, pushing many into financial difficulty. TAAP agencies support clients with a range of concerns including urgent repairs, those at risk of eviction or who are facing rent increases. They do this through negotiating with agents and rental providers, providing information on client rights and supporting clients in proceedings at the Victorian Civil and Administrative Tribunal. In 2021–22, the TAAP supported 7,339 Victorians.

The Retirement Housing Assistance and Advocacy Program provided support to 340 Victorians over the age of 55 to maintain their tenancy and exercise their rights in retirement housing across the year. Clients were supported to address urgent repairs, including subsidence issues, and to enforce minimum standards.

Retirement villages: Review

DJCS recently completed a review of the Retirement Villages Act, in which Victorians were provided with the opportunity to suggest improvements to modernise the Act and to balance effective consumer protections with continued growth and innovation in the sector.

A summary of submissions received in response to a public Options Paper was released on the Engage Victoria website in March 2022. The summary highlighted key themes, including the need for change to clarify rights and responsibilities of residents and operators, to reduce contract complexity, and improve internal and external dispute resolution.

Victorian Property Fund

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

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

In 2021–22, more than $4 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 2021–22.

Grant purpose under Section 76(3) *Estate Agents Act 1980*	Recipients	2021–22 expenditure
Social Housing	Common Equity Housing Ltd Housing First (Formerly Port Phillip Housing Association Ltd) Community Housing (Vic) Ltd Loddon Mallee Housing Services Housing First (formerly Port Phillip Housing Association Ltd) Rural Housing Network (Beyond Housing) Housing Choices Australia	$3,948,352.00
Estate Agent Education	Australian Livestock and Property Agents Association	$2,653.60
Repair and Conservation of Heritage Places	Heritage Victoria	$5,000.00
Redesign and Renovation of Out-of-Home Care Properties	Department of Families, Fairness and Housing (formerly Department of Health and Human Services)	$100,000.00
Total		**$4,056,005.60**

Statement of Expectations

In September 2021, the Minister for Consumer Affairs, Gaming and Liquor Regulation issued a Statement of Expectations (SOE) to CAV and the BLA for 2021–23.

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 businesses and the community. A copy of the SOE can be located on the CAV website.

The performance objectives identified in the SOE fall under four broad objectives – support economic and social recovery, improved timeliness, risk-based strategies, and compliance related assistance and advice.

Support economic and social recovery

The SOE directed CAV to prioritise regulatory reforms necessary to address the areas of greatest potential consumer harm in a recovering economy, while ensuring businesses have the tools they need to expand and adapt in a changing marketplace.

CAV delivered digital improvements for users of BLA and CAV online licensing and registration systems that supported economic recovery and saved time and effort for Victorian businesses and community groups while addressing consumer harms. Digital improvements included for national licensing and occupational mobility reform ('automatic mutual recognition') readiness and streamlining online compliance functions such as allowing rooming house operators to upload gas and electrical safety checks online

Improved timeliness

The SOE also directed CAV to promote and advance national harmonisation of regulation to reduce business costs and increase community understanding of their consumer rights and responsibilities.

To achieve this, CAV implemented the national automatic mutual recognition of licensed occupations and made improvements to its online systems to allow interstate licensees to notify the BLA of their commencement in Victoria, plus update appropriate public registers.

Additionally, CAV was directed to implement ongoing digital improvements to make licensing and registration interactions quicker and easier for businesses, professionals, and community groups. As part of delivering digital improvements for users of BLA's and CAV's online licensing and registration systems, CAV implemented improved online identity verification capabilities, with professional engineers as the first sector to receive this benefit.

Risk-based strategies

Another priority for CAV was to put consumers at the centre of the design and enforcement of regulation, with a focus on consumer wellbeing, accessibility, engagement with diverse communities, and minimising the risk of consumer harm and supporting the confident participation of consumers in the market.

CAV continued to develop its community engagement and apply a risk-based, intelligence-led and outcomes-focused regulatory approach with an emphasis on its current regulatory priorities. These priorities include better housing services, fair and safe trading in a COVID world, protecting consumers in financial stress, and trust account obligations and defalcations. In line with our current regulatory priorities, CAV focused on enhanced compliance in the rooming house sector and with the laws regulating the use and management of trust accounts by estate agents and conveyancers.

Compliance related assistance and advice

CAV was directed to help businesses to acquit their regulatory obligations effectively and efficiently, whilst also ensuring that businesses do not undertake poor trading conduct or predatory practices.

A key initiative in 2021–22 to support this mandate was the commencement of the professional engineers registration scheme. Over the year, CAV monitored registration operations and reviewed and maintained online content to support professional engineers' compliance with the scheme and ensure appropriate protections are in place for consumers of engineering services throughout the two-and-a-half year phase-in period. To promote compliance in the residential rental industry, CAV provided more efficient digital mechanisms for agents and rental providers to submit data to the Residential Tenancies Bond Authority.

Trust fund managed by Consumer Affairs Victoria

CAV manage eight funds established by Acts of Parliament. The funds, and their expenditure purposes, are reflected in the table below.

Table: Trust funds administered by CAV

Trust fund	Expenditure includes
Domestic Builders Fund	Administration of the *Domestic Building Contracts Act 1995*, 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 *Motor Car Traders Act 1986*, guarantee fund claims.
Residential Bonds Account	Bonds held on trust for Victorian renters and rental providers.
Residential Bonds Investment Income Account	Administration of the Residential Tenancies Bond Authority, transfers to the Residential Tenancies Fund.
Residential Tenancies Fund	Administration of the *Residential Tenancies Act 1997*, costs relating to the VCAT Residential Tenancies List.
Sex Work Regulation Fund	Administration of the *Sex Work Act 1994*.
Victorian Consumer Law Fund	Administration of the *Australian Consumer Law and Fair Trading Act 2012* Part 7, Division 2, s .102A to E, orders for payment to non-party consumers, special purpose grants.
Victorian Property Fund	Administration of the *Estate Agents Act 1980* 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 and contribution to the costs of the VCAT Residential Tenancies List.

Financial information 2021–22

	Victorian Consumer Law Fund	Domestic Builders Fund
CAV Trust Funds Revenue		
Revenue recognition, Estate Agent and Conveyancer trust accounts		
Revenue recognition, Residential Tenancy Bonds		
Fees income		753,772
Interest income	13,374	638,551
Transferred from the Victorian Building Authority[1]		18,734,339
Other revenue	245,714	13,216
Penalty income	74,500	
Net Transfers in		
Total CAV Trust Funds Revenue	**333,588**	**20,139,878**
CAV Trust Funds Expenditure		
Audit services		
Claims on consumer guarantee funds		
Contractors, consultants and professional services		39,823
Employee related costs		10,062,126
Investments – market value adjustments		1,926,580
Grants paid	1,265,992	5,331,489
Information technology		233,211
Occupancy costs		29,499
Other operating costs		882,071
Net Transfers out		
Outsourced contracted costs		
Total CAV Trust Funds Expenditure	**1,265,992**	**18,504,799**
Trust Funds, opening equity 1 July 2021	**4,667,598**	**29,566,729**
Current year operating surplus/(deficit)	(932,404)	1,635,079
Trust Funds, closing equity 30 June 2022	**3,735,194**	**31,201,808**

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.

Motor Car Traders' Guarantee Fund	Residential Bonds Investment Income Account	Residential Tenancies Fund	Sex Work Regulation Fund	Victorian Property Fund	Trust Funds Total 2021–22
				4,166,255	4,166,255
	26,458,040				26,458,040
3,729,615		2,368,973	356,533	7,753,314	14,962,207
22,315	169,085	1,238,217	885	4,851,761	6,934,188
					18,734,339
600	58,686	25,000		122,146	465,362
1,273		49,999		272,319	398,091
		19,000,000	1,400,000		20,400,000
3,753,803	**26,685,811**	**22,682,189**	**1,757,418**	**17,165,795**	**92,518,482**
	11,000				11,000
16,017				6,194,780	6,210,797
27,013	1,356,747	306,019		313,452	2,043,054
1,514,837	2,223,358	12,481,896	1,709,948	8,736,790	36,728,955
	28,577,161	2,858,396		11,244,426	44,606,563
		16,086,608		5,011,598	27,695,687
62,729	320,401	419,671	68,070	343,251	1,447,333
5,444	25,019	6,281	4,313	19,198	89,754
357,329	199,847	1,269,917	137,712	1,211,643	4,058,519
	7,000,000			12,000,000	19,000,000
	5,797,892				5,797,892
1,983,369	**45,511,425**	**33,428,788**	**1,920,043**	**45,075,138**	**147,689,554**
6,169,499	**61,475,833**	**38,507,142**	**513,185**	**152,851,750**	**293,751,736**
1,770,434	(18,825,614)	(10,746,599)	(162,625)	(27,909,343)	(55,171,072)
7,939,933	**42,650,219**	**27,760,543**	**350,560**	**124,942,407**	**238,580,664**

Acts and regulations administered by CAV: passed, commenced, made and revoked in 2021–22

Acts passed

Name	Date of Royal Assent
Sex Work Decriminalisation Act 2022	1 March 2022

Acts commenced

Name	Date commenced
Professional Engineers Registration Act 2019	1 July 2021
Owners Corporations and Other Acts Amendment Act 2021	1 December 2021
Sex Work Decriminalisation Act 2022	10 March 2022

Acts revoked

Name	Date revoked
COVID-19 Omnibus (Emergency Measures) Act 2020	26 April 2022

Regulations made

Name	Date made
Australian Consumer Law and Fair Trading Regulations 2022	15 June 2022
Domestic Building Contracts Amendment Regulations 2021	29 June 2021
Funerals (infringements) Regulations 2021	6 July 2021
Owners Corporations Amendment Regulations 2021	30 November 2021
Professional Engineers Registration (General, Exemption and Assessment Scheme Fees) Amendment Regulations 2021	31 August 2021
Professional Engineers Registration Transitional Regulations 2021	22 June 2021
Professional Engineers Registration (Fees) Regulations 2021	16 June 2021
Residential Tenancies Amendment Regulations 2022	31 May 2022
Service Victoria (Transfer of Miscellaneous Licensing and Registration Identity Verification Functions) Regulations 2022	10 May 2022
Service Victoria (Transfer of Professional Engineers Registration Functions) Regulations 2021	26 October 2021
Sex Work (Fees) Amendment Regulations 2022	27 April 2022
Sex Work Amendment Regulations 2022	27 April 2022

Regulations commenced

Name	Date commenced
Australian Consumer Law and Fair Trading Regulations 2022	27 June 2022
Domestic Building Contracts Amendment Regulations 2021	1 July 2021
Funerals (Infringements) Regulations 2021	25 July 2021
Owners Corporations Amendment Regulations 2021	1 December 2021
Professional Engineers Registration (General, Exemption and Assessment Scheme Fees) Amendment Regulations 2021	31 August 2021
Professional Engineers Registration Transitional Regulations 2021	1 July 2021
Professional Engineers Registration (Fees) Regulations 2021	1 July 2021
Residential Tenancies Amendment Regulations 2022	1 June 2022
Service Victoria (Transfer of Miscellaneous Licensing and Registration Identity Verification Functions) Regulations 2022	12 May 2022
Service Victoria (Transfer of Professional Engineers Registration Functions) Regulations 2021	1 November 2021
Sex Work (Fees) Amendment Regulations 2022	10 May 2022
Sex Work Amendment Regulations 2022	10 May 2022

Regulations revoked

Name	Date revoked
Funerals (Infringements) Regulations 2011	25 July 2021
Australian Consumer law and Fair Trading Regulations 2012	27 June 2022
Australian Consumer Law and Fair Trading Amendment Regulations 2012	27 June 2022
Australian Consumer Law and Fair Trading Amendment Regulations 2013	27 June 2022

Legislation administered by CAV as at 30 June 2022

- *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*
- *Company Titles (Home Units) Act 2013*
- *Consumer Credit (Victoria) Act 1995*
- *Conveyancers Act 2006*
- *Co-operatives National law Application Act 2013*
- *Co-operatives National Law (Victoria)*
- *Credit Act 1984*
- *Credit (Administration) Act 1984*
- *Credit (Commonwealth Powers) Act 2010*
- *Domestic Building Contract 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, 230,323–234, 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*
- *Sex Work Decriminalisation Act 2022*
- *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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