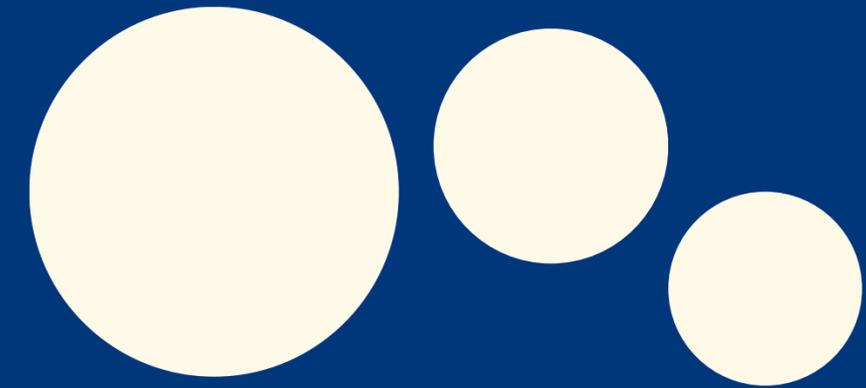


# Unrepresented

Improving VCAT and RDRV for self-represented renters



**Anika Legal acknowledges the Traditional Owners of the land on which we work and live, the Wurundjeri People of the Kulin Nation. We pay our respect to Elders past and present and acknowledge that sovereignty was never ceded.**

Anika Legal 'Unrepresented', Melbourne: Anika Legal November 2025.

This report can be viewed online at:  
<https://www.anikalegal.com/blog/unrepresented>

We thank the many renters we work with for placing their trust in us to fight beside them for a fairer rental system, and the many renters who responded to our survey to share their stories with us.

This report has been supported by the Victorian Legal Services Board and Commissioner.

We thank our university, community and corporate partners for their support of our work and research.



## Who are we?

Anika Legal is a registered charity and community legal centre with a clear vision: **a world where everyone can access justice.**

We provide free ongoing legal services to Victorian renters with repair issues, bond disputes, and those facing a retaliatory eviction; empowering renters to represent themselves at VCAT and assert their rights.

The rental system is failing a huge and growing proportion of Victorians. In September 2025, the average rental vacancy rate throughout Victoria averaged just 1.6%, well below the 3% benchmark for a functional rental market.

The rental crisis has left renters in Victoria with **fewer options** and **less power**.

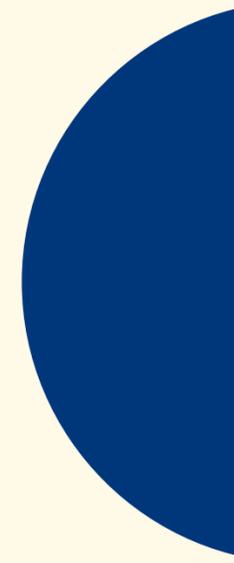
Every client case at Anika feeds an evidence base for our systemic advocacy, ensuring our reform agenda is both data-driven, and grounded in the lived experience of Victorian renters. We talk to renters to understand the issues that are most important to them so that when we speak, **we speak for renters.**

Through our casework and systemic advocacy, **we fight for a fairer housing system**; one which empowers renters to thrive in safe homes.



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## Our self-representation service

In 2023, Anika received funding from the Victorian Legal Services Board Grants Program to deliver a project designed to better understand the barriers Victorian renters face when self-representing at VCAT in residential tenancy disputes.

As part of this project, the VLSBC funded Anika to provide enhanced VCAT support to over 150 renters. **Enhanced VCAT support** included:

- Providing an Anika paralegal to attend the hearing as a **support person**
- Drafting **written submissions**
- **Preparing** and collating VCAT **evidence**
- Engaging directly with the VCAT registry to **resolve procedural issues**

In addition to our casework and enhanced VCAT support, we surveyed 85 renters, conducted qualitative interviews and completed data analysis, to capture renters' experiences.

This report reflects the insights we have gained from our casework and action research between June 2024 - September 2025 (**Reportable Period**).



## The impact of our self-representation service

*“Anika Legal encouraged us to stand our **ground** and ask for evidence. We didn’t know we could do this until they told us.”*

*“Thank you to the entire Anika Legal team for **supporting and standing by us** in these very difficult times. Without your legal help, we don't know what would become of these wrong allegations placed on us. Your legal advice and acting on our behalf has been very important to us.”*

*“I really appreciate all the time and effort you have invested in my situation. I could never repay you for your support from afar.... I'm so very happy that I had [Anika] to support me through this. **I could not have done it without you.**”*

*“I’m incredibly grateful to Anika Legal for their support with my VCAT matter. From the very beginning, their team was compassionate, knowledgeable, and genuinely committed to helping me navigate the process... They made a complex situation feel manageable, explained everything clearly, and treated me with respect throughout... **Their service is not only professional but deeply human.**”*

*“Anika provided not only legal advice, guidance, and all the necessary submission materials, but also **gave me the confidence I needed to face the situation.** Their support meant a great deal to me, and I feel very fortunate to have received it.”*

*“Anika Team has been helping my family in **defending our rights** here in Australia as renters of a private property. They have been open to help and **showed us the laws and our rights here with the VCAT tribunal** when the landlord wanted to take advantage of our misunderstanding of our rights... Since the beginning, we were received in a good manner, reducing our stress when discussing our case with them.”*

*“I could never thank [Anika] enough for the legal help they assisted me with **they saved myself and my 2 young daughter's from being homeless.**”*

*“I felt incredibly **supported and informed throughout the entire process** thanks to Anika’s assistance. I couldn’t have achieved such a great result without [Anika].”*

*“I’m extremely grateful to [Anika], they have given me a great deal of help. **Without them, I might have given up.**”*

## Summary of findings

We have identified **six key barriers** that make it difficult for self-represented renters to meaningfully access justice through VCAT and RDRV.

- 1 VCAT does not provide an **accessible service** for many self-represented renters.
- 2 VCAT fails to adequately address the significant **power imbalance** between self-represented renters and rental providers/ agents.
- 3 The **cost of asserting rights** at VCAT is disproportionately **higher for renters**.
- 4 The high demand on VCAT **undermines** its ability to **ensure fair hearings** and procedural fairness for self-represented renters.
- 5 **RDRV entrenches power imbalances** and pressures renters to **forgo their rights**.
- 6 A lack of **public accountability and transparency** increases **renter distrust** in VCAT as a fair and effective dispute resolution body.

## Summary of recommendations

Anika believes that these barriers can be overcome with **six key recommendations**, aimed at improving VCAT and RDRV for self-represented renters.

- 1 Improve **accessibility** through **plain-English and human-centered** design.
- 2 Introduce **proactive case management** to protect procedural fairness for self-represented renters.
- 3 Provide dedicated **support** for self-represented renters at VCAT.
- 4 Strengthen **fairness and consistency** so self-represented renters receive fair hearings.
- 5 **Reform RDRV to prioritise fairness**, not just efficiency.
- 6 **Enhance accountability** through transparent performance reporting, effective renter feedback mechanisms, and periodic independent reviews.

Once adopted, these recommendations will **improve the confidence of self-represented renters** at VCAT and RDRV, **increase public trust** in rental dispute resolution mechanisms, and could lead to **cost-savings for the Victorian Government** by improving VCAT's case management and embedding processes for continuous improvement.



## Outcomes snapshot

During the Reportable Period, we provided enhanced support to **158 renters** who self-represented at VCAT and/or RDRV:

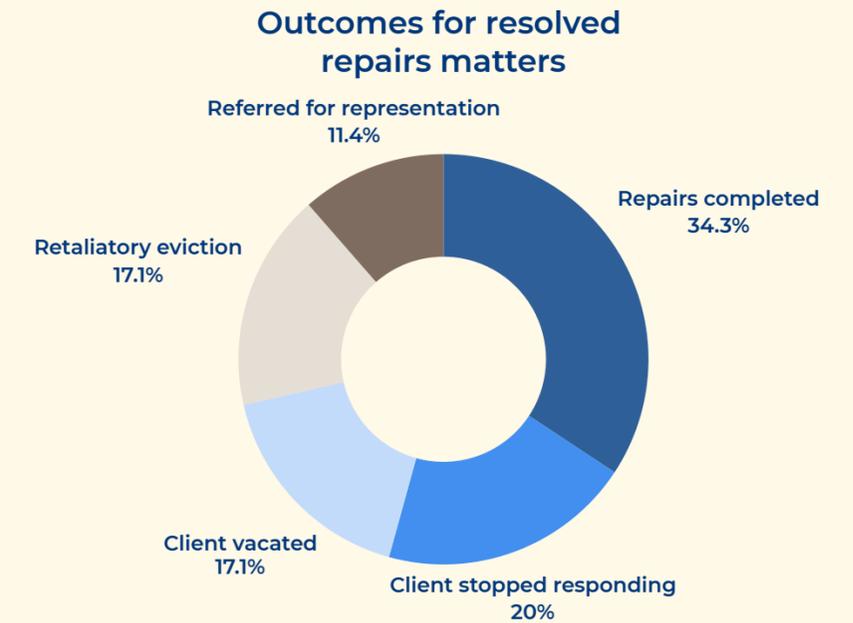
- **111 renters** who self-represented in **bond matters**
- **37 renters** who self-represented in **repairs matters**
- **10 renters** who self-represented in **evictions matters**.

During the Reportable Period, only 46% of all Anika cases went to VCAT and/or RDRV, with 20% of all cases resolving through negotiations.

## Repairs

**35** of the 37 repairs matters we have assisted are now closed, with **3** matters still ongoing.

The outcomes for these matters highlight the **challenges faced by renters when seeking to get repairs performed** in their homes.



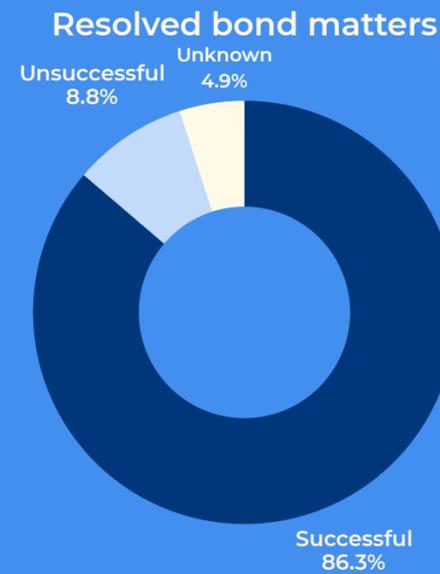
## Bond Recovery

**80** of the 111 bonds matters we have assisted are now closed, with **31** matters still ongoing.

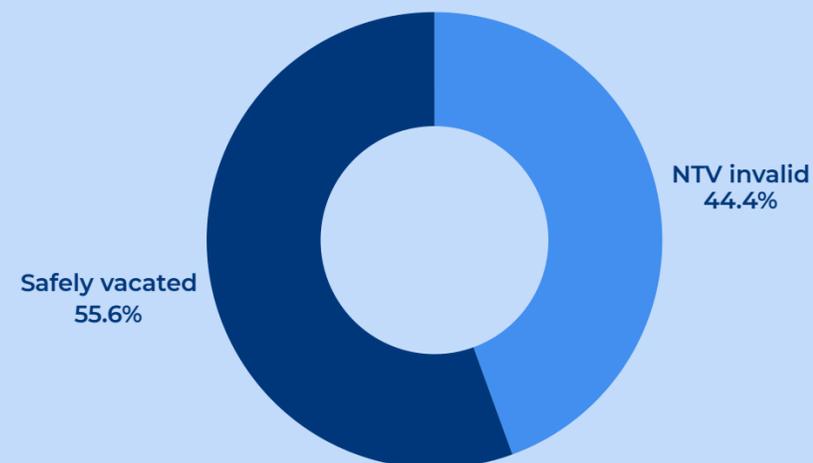
**86.25%** of bonds matters were resolved successfully - which means the rental provider got less from the bond than they claimed.

Significantly:

- In **31.25%** of all resolved matters, **the rental provider received no money at all.**
- We helped renters to recover **\$147,914** in bond monies, with rental providers only being awarded **\$41,846.**



## Outcomes for resolved retaliatory evictions



## Retaliatory Evictions

We have supported **10 renters** facing eviction notices after they sought to enforce their rental rights, **9** are resolved, with **1** matter still pending.

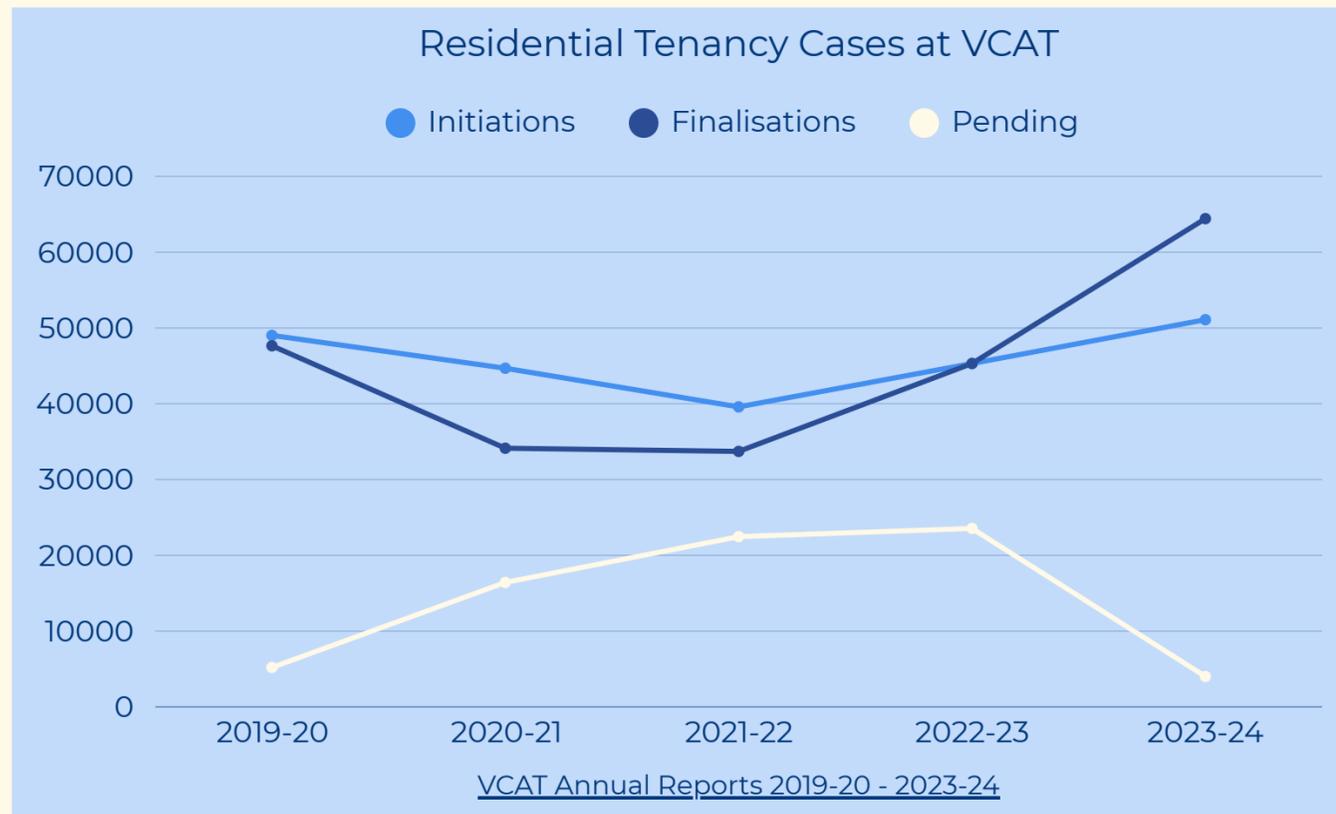
Many **renters decide to vacate in response to a retaliatory eviction.**

Possession applications are prioritised for hearing at VCAT, so tend to progress through the tribunal quickly.

## The Residential Tenancies Division at VCAT

The Residential Tenancies List at VCAT hears and determines disputes between rental providers and renters. It is VCAT's highest volume list, receiving an average of **45,000 new cases each year**.

Since 2020, the Residential Tenancies List has continually operated with a **significant backlog** of cases pending finalisation:



In 2024, Anika Legal's **Broken Bonds report** found that renters involved in a bond dispute between January 2022 - December 2023 waited an average of **502 days** for their VCAT hearing to be listed.

In October 2023, VCAT re-launched the Backlog Recovery Program to bring the number of cases pending finalisation to 4,007 by June 2024.

## Who is taking tenancy disputes to VCAT?

Rental providers disproportionately initiate more applications at VCAT than renters.

**84%**  
of tenancy applications made to VCAT are initiated by rental providers\*  
While only 16% are initiated by renters

\*Including private and public housing landlords, rooming house operators, caravan park owners and site owners

**The most common applications to VCAT**

- **27%** are applications for possession
- **26%** are claims for bond and/or compensation
- **5%** are applications to renew proceedings
- **1%** are applications for urgent repairs

Source: [VCAT Annual Reports 2018-19 - 2022-23](#)

## Rental Dispute Resolution Victoria

In early 2025, VCAT rolled out the pilot for RDRV. RDRV formally launched in June 2025, with all applications relating to bond and compensation and repairs being referred to RDRV in the first instance.

RDRV is an alternative dispute resolution service, designed to help renters and rental providers reach a mediated settlement without the need for a formal hearing.

RDRV aims to provide renters and rental providers with:

- Fair outcomes
- Faster resolutions
- Free support and guidance

Since its launch, Anika Legal has supported over **50 renters** with bond disputes at RDRV

## Legal capability and confidence at VCAT

Legal capability refers to the knowledge, skills and attributes required to decide whether and how to use the law and engage in legal processes. Building on Victorian Law Foundation's *Public Understanding of Law* work, we conducted voluntary surveying to assess renter confidence in different elements of their legal capability before and after receiving our assistance.\*

### Renters before receiving help from Anika



### Renters after receiving help from Anika



\* At the time we conducted this survey, 101 matters were resolved, and 28% of those renters responded to this survey.

## Clients who received enhanced support from Anika

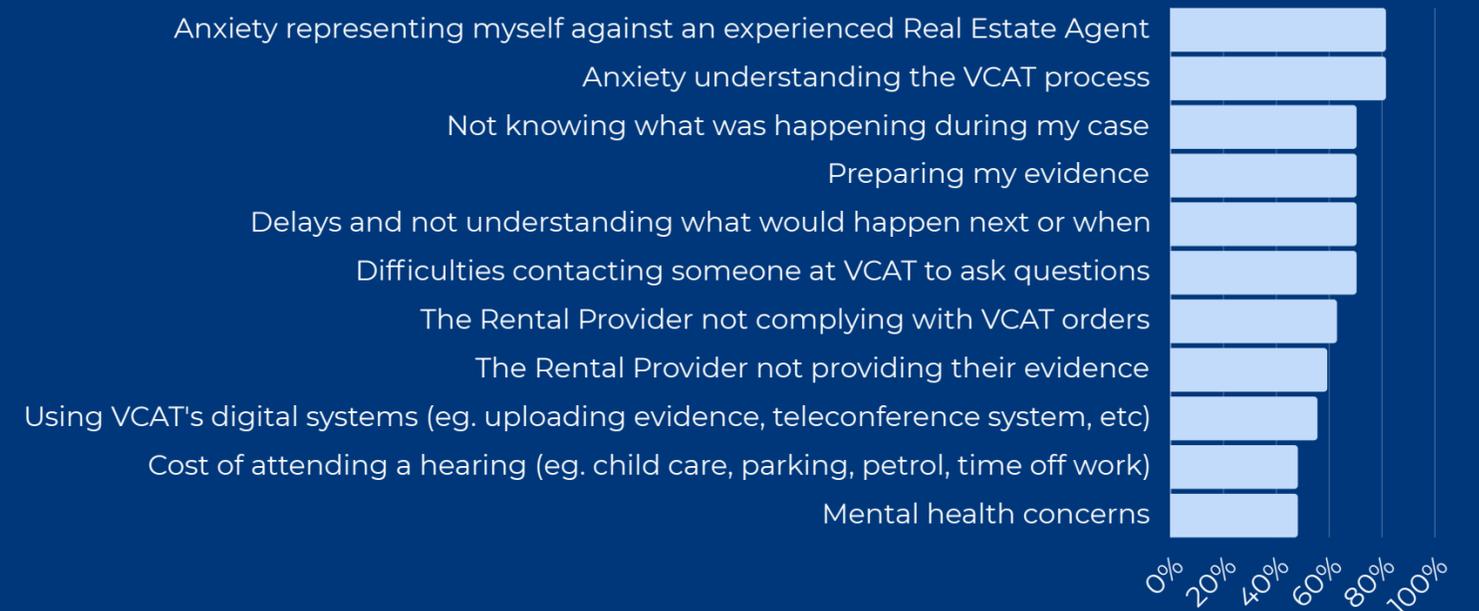


## All other renters helped by Anika in the same period



## The challenges renters face at VCAT

Our survey asked renters to identify the specific challenges they encountered when self-representing at VCAT.



## Bond claims at RDRV

During the Reportable Period, Anika Legal provided assistance to **50 renters** with **bond disputes** at RDRV. Here is what the renters we surveyed told us.\*

*“Although VCAT prides itself on neutrality, I still felt a pressure to settle from our mediator, even though it was becoming clear we would almost certainly get our entire bond back at a hearing...I felt pressure that we were taking up the time of VCAT and that going to a hearing was unnecessary. As VCAT is the authority, it is hard to ignore those pressures when presented with them, even subtly.*

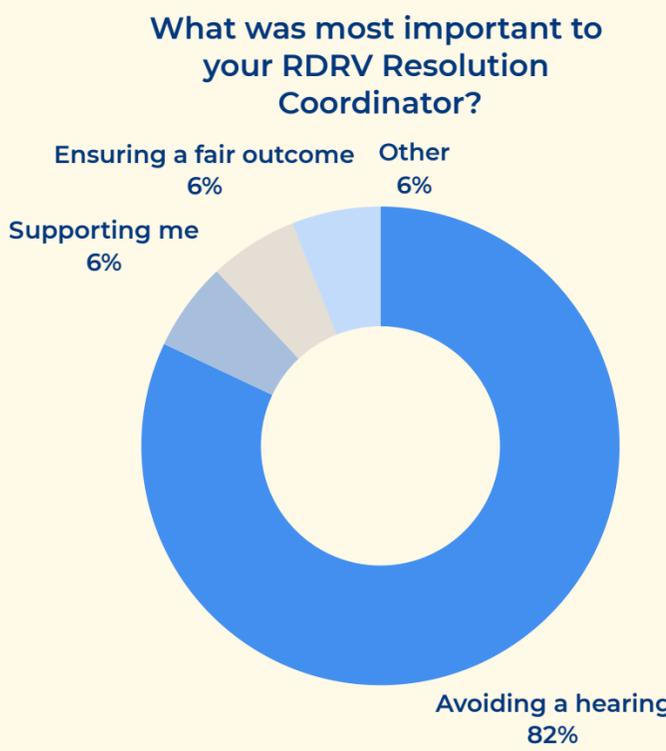
**When a tenant with no experience of any, let alone this, legal process is in the room with an experienced VCAT employee and professional Property Manager, it is not an even playing field. I don't feel much was done to level this.**

*The mental load this process has taken was exhausting and settling put an end to this. As Property Managers are paid to execute the desires of the landlord, this emotional toll is much less prevalent and therefore not a factor that impacts both parties to the same degree.”*

## Renters defending bond claims at RDRV

- 94%** were asked to make an offer of settlement through RDRV before their rental provider had provided any evidence
- 47%** were told by RDRV that they would have to give some amount of their bond to the rental provider
- 82%** described feeling rushed by the RDRV Resolution Coordinator/ Mediator
- Renters gave RDRV an average satisfaction score of **4.1/ 10**

*“I was not satisfied with the service I was provided with at all. I felt pressured to make an offer to resolve my case... they were not confident guiding me through to resolution. They kept asking me to make an offer as my case was “so complicated”. These words were used repeatedly. This boosted my anxiety so I capitulated and settled... in a case where I still do not know whether I had any liability for the amount paid at all.”*



- Only 5%** were told by RDRV that **they did not have to make an offer** of settlement if they did not want to
- Only 12%** were told by RDRV that negotiations and mediations were **confidential and without prejudice**
- No renters** were told by RDRV that **the rental provider had the burden** of proving a bond claim
- No renters** were informed by RDRV about **the strengths and weaknesses** in theirs or the rental provider's case

*“The mediator said we could contact her any time with our questions but when we did... she gave us links to websites with too much information. We could have looked up that stuff ourselves.”*

*“We had no choice but to make an offer. After that Anika told us we didn't have to make the offer but we had no idea. The mediator didn't tell us that or make it clear at all that the landlord had to provide evidence. It was unfair because then we gave money to someone who wasn't entitled to it.”*

**“At the last minute when we attended VCAT, they thrust on us that there was to be a mediation without any notice. We had waited seven months already to go to hearing at VCAT just to get our bond back in order to pay the next bond. The RDRV coordinator rushed us and said that if we did not settle then our case might not be set down for hearing today and we really did not want to wait longer than 7 months because of the emotional exhaustion and weight of the entire process.”**

*“It felt like they just wanted us to give up our bond and our right to a fair trial... We are glad that we stood our ground and did not settle because [VCAT ordered our full bond back] to us at the hearing.”*

\*At the time we conducted this survey, 29 of the matters were resolved (either at RDRV or at a final VCAT hearing). 58% of those renters responded to this survey.

## What renters need from VCAT and RDRV

For most Victorian renters, engaging with VCAT or RDRV is **their first encounter with the legal system**. In these moments, the dispute resolution process needs not only to decide the matter, but to **support meaningful participation**, confidence and procedural fairness.

After receiving support from Anika Legal, renter confidence improved dramatically. To understand **what support renters need** to feel more confident about self-representing at VCAT, we asked them to identify the support and assistance that made **the most positive contribution** to their confidence:

- Assistance with preparing and collating VCAT evidence
- Support filling in a VCAT application form
- Information about the burden and standard of proof in their case
- Translating VCAT correspondence and orders into plain English
- Support targeted at reducing the Renter's stress and increasing confidence
- Information about the strengths and weaknesses of each parties' case
- Information about the VCAT process and likely next steps

Decades of Australian access-to-justice research has demonstrated that people are **more likely to enforce their rights** when they understand the process, **feel heard**, and believe the **system treats them fairly** and respectfully.

## Clear, plain English, accessible information

Renters told us they need information that is **easy to navigate**, accessible in **plain language**, and transparent about next steps. Consistent with the [Victorian Law Foundation's research](#) on legal capability and public understanding of law, this includes:

- **clear explanations** of the VCAT/RDRV process
- practical **examples and explanations** of what evidence may support their case
- **certainty** about timelines and hearing modalities
- **simple legal information** about the burden and standard of proof

After receiving Anika's enhanced VCAT support, which included **translating correspondence** into plain English and **providing step-by-step guidance**, 81% of renters reported increased confidence preparing forms and paperwork, and 81.5% reported increased confidence speaking at a hearing.

## Fair, respectful hearings where self-represented renters are heard

The [Council of Australasian Tribunals](#) requires tribunals to uphold procedural fairness, provide parties a meaningful opportunity to present their case, and mitigate procedural disadvantage for self-represented parties. Renters told us that **fairness feels real** when:

- Members **listen actively**
- renters are **given adequate time** to present their case
- **evidence** submitted in advance is reviewed before the hearing
- decisions include short, plain-English **explanations** of outcomes

These practices align with [Judicial College of Victoria](#) guidance for Tribunals dealing with vulnerable self-represented parties, which emphasises **respectful communication**, trauma-informed engagement, and **transparent reasoning** in the context of a power imbalance between parties.

## Support that builds legal capability and confidence

Renters said that modest, **well-timed support** dramatically changes their confidence. The most impactful supports identified were:

- assistance **preparing and organising** their evidence
- help **completing VCAT forms**
- **simple explanations** of rights, obligations, and procedures
- **reassurance** throughout the process

These are **low-cost interventions** that materially shift confidence. After receiving support of this nature from Anika, 81% of renters were more confident preparing for and attending VCAT. This demonstrates that renters do not need full legal representation to meaningfully participate.

They need **accessible information**, human-centred communication, and **procedural clarity**.

## Consistent, predictable processes that minimise stress

Our experience working with vulnerable self-represented renters at VCAT shows that **predictability reduces stress**, improves trust, and **prevents drop-out**.

Renters told us that consistency matters when:

- deadlines are **proactively enforced**
- decisions about **hearing modality** are fair and clearly explained
- **cases progress** without unexplained delay
- parties receive **regular updates** about next steps

## Hassan's experience at VCAT

Hassan\* first came to Anika Legal for help in 2021 as a newly arrived immigrant living with his wife and three children in **a home without adequate heating**. His daughter suffered from a serious medical condition and her health was acutely impacted throughout winter. He'd asked his rental provider multiple times to fix the issue. When they refused, Hassan had no choice other than to move out. In response, his rental provider made a bond claim to VCAT for lease break fees.

VCAT ordered the rental provider to serve Hassan with a copy of the VCAT application and supporting evidence. When they failed to do so, **it took VCAT 500 days to strike out the rental provider's claim**. VCAT told Hassan to apply the RTBA for his bond to be released. When he did this, his rental provider lodged a new VCAT application to prevent the bond repayment.

VCAT again ordered the rental provider to serve Hassan with a copy of their VCAT application and supporting evidence. When they failed to do so again, **it took VCAT 120 days to follow up with the rental provider** after Hassan sent **multiple unanswered emails** to VCAT. Hassan first received the rental provider's VCAT application and evidence **780 days** after they had lodged their original claim.

VCAT first listed the case for hearing **333 days** after the second application had been made and **991 days** after Hassan had vacated the property. Hassan was only notified about the hearing when VCAT sent him an order **granting the rental provider an adjournment** on grounds that the agent was unavailable. **VCAT had not provided Hassan with the adjournment application or the Notice of Hearing** prior to this.

VCAT re-listed the case for hearing **470 days** after the second application had been made and **1121 days** after Hassan had vacated the property. The parties were given 20 days notice of the hearing, however 3 business days before the hearing, **the rental provider applied for another adjournment** on grounds that the agent was unavailable. Hassan was unsure whether the hearing was going ahead.

He took time off work and picked his son up from school early to attend the VCAT. Neither the rental provider nor the agent showed up. VCAT ordered the RTBA to repay the full bond to Hassan. **Two days later**, the rental provider made an **application to re-open the case**. In response, Hassan made an application for summary dismissal and seeking compensation for the expenses, loss, inconvenience and embarrassment he had suffered throughout the proceedings.

At the final hearing, **the Member granted the re-opening application without discussion**. The Member **told Hassan that he could apply to VCAT separately if he wanted to seek compensation**, encouraging him to come back to VCAT, 3 years and 3 months after his dispute first began.

Final orders were made in relation to Hassan's bond **542 days** after the second application had been made and **1200 days** after Hassan had vacated the property.

\* Name changed for privacy reasons

## Findings

### Finding 1: VCAT does not provide an accessible service for many self-represented renters

Renters consistently reported that VCAT’s processes, forms, and digital systems were **confusing and difficult** to navigate. More than **four in five renters (81.48%)** told us they felt **anxious about understanding the VCAT process**, and over **70%** said they did not know **what was happening during their case** or how to prepare their evidence. Many described receiving **conflicting or unclear information** when they attempted to contact VCAT, or **no response at all**, which further increased their stress.

*“VCAT’s processes made this 100% more stressful than it needed to be.”*

*“I couldn’t have done the urgent repair application on my own or the second application for the rent special account.”*

*“You send an email to a generic inbox asking for help and someone different responds every time, often giving conflicting information.”*

*“I was trying to ask anyone for help and couldn’t find someone to help me.”*

*“It would have helped having someone to talk me through what might occur and how I could handle that... More in-depth information about what to expect and how to cope with challenging behavior from landlords/agents, etc would help.”*

*“I couldn’t do the forms or the evidence by myself because they are too confusing.”*

Renters also struggled with **VCAT’s digital systems**. More than half reported difficulty using the evidence portal, and many discovered at the hearing that **their evidence had not been viewed** or was **missing entirely**.

*“I uploaded all my evidence to a portal and then when I went to the hearing they said I didn’t have my evidence. They said they moved to different platform but they never told me before the hearing... I said can I upload my evidence to the zoom hearing now and [the Member] said no you had enough time to show your evidence before today.”*

*“I put my evidence on the evidence portal but when I got to the hearing the member said they didn’t have it. Lucky I had printed it out for the hearing because otherwise they were just going to decide the case without seeing my evidence.”*

*“When I got to the hearing after 6 months, VCAT said they didn’t have my evidence which we spent a lot of time preparing... I had uploaded it to the portal and the Member said she can’t see the portal. What is the point of the evidence portal if no one can access it?”*

**In-person hearings created further hardship.** Renters were often forced to take time off work, arrange childcare, or transport children to the hearing when **requests for remote attendance were either ignored or refused without explanation.**

These barriers are not minor inconveniences; they fundamentally restrict access to justice. Self-represented renters who are already vulnerable, disadvantaged, and unfamiliar with legal systems are being asked to navigate processes that were never designed with them in mind. The result is predictable: **many abandon their rights because the system is too confusing or too stressful to engage with.**

*“I asked for them to make it a zoom hearing because I couldn’t get there. No one replied so I had no idea what was happening. In the end I had to pick my kids up from school early and take them to VCAT with me.”*

*“I had to take many days off work. I had to take my children with me to the hearing because I cannot pick up them from the school because of the time of the hearing... It’s not nice for them to come to VCAT because it’s a very quiet place and we have to keep them very quiet in there. It means that my son asks me a lot of questions I don’t have answers about like why we come here and what is the issue and is everything okay. He was worried about us.”*

*“The zoom was way less scary than I imagine the in person session to be.”*

## Finding 2: VCAT fails to adequately address the significant power imbalance between self-represented renters and rental providers/agents

Renters overwhelmingly described **feeling intimidated** appearing alone against experienced property managers or advocates. In our data, **81% of renters reported anxiety about representing themselves against a real estate agent**, and the same proportion were concerned about **retaliation**. Renters reported that this imbalance was not acknowledged or addressed by VCAT.

The rental dispute system assumes that parties participate on equal footing. In reality, self-represented renters arrive at VCAT **already at a significant structural disadvantage**. Renters attend VCAT often for the first time, alone, unfamiliar with legal processes, and already **under personal, financial and emotional pressure**. Conversely, rental providers are repeat players who are usually represented by a professional advocate.

On the road to VCAT, self-represented renters must overcome hurdles that rental providers rarely face. A renter comes to VCAT while dealing with the stress of housing insecurity, fears of retaliatory rent increase or eviction, rising cost-of-living pressures, and dwindling rental supply that undermines their agency. For many renters, **VCAT is the last resort before homelessness**, insolvency, or serious health implications from unsafe housing.

*“Rental providers have outspoken and confidently lying real estate agents.”*

*“Real estate agents pressure tenants using stressful tactics and threats.”*

*“[VCAT should have] managed my case better because the Agent was using loops in the law to abuse the process.”*

*“VCAT should punish agents with compensation or reporting them to CAV because they are clearly abusing their power.”*

*“When you get there you’re forced to wait outside with the Agent who’s been ignoring you for months, refusing to fix the mould. The person who’s made your life hell but who you have to keep transferring rent to even though you can’t use your kitchen from the mould.”*

*“If a lawyer could have done it for me then I think we wouldn’t have to go back so many times. The landlord was told by VCAT they had to fix the mould, they got the mould inspection which said how to fix it. Then we asked them to fix it and they said that VCAT didn’t order them to fix it they ordered them to get the report. It felt like they were trying to make us suffer by going back again and again.”*

*“We didn’t want to have to end up taking them to VCAT. They should have just fixed the issue before that. It wasted so much of our time and energy going all the way to VCAT for VCAT to tell them just to do what we’d asked them to do. Now they’re finally doing it but it’s taken months and we didn’t have heating and are sick from the mould.”*

*“It is unfair that VCAT prefers landlords and agents to renters. Even when we tried to explain that we couldn’t find another house and we were going to be homeless there was no compassion from the agent or the member.”*

*“The landlord didn’t have any evidence or a strong case and forced us to wait for four months, probably hoping we’d give up and just let her take the money.”*

*“I felt like the Member was against us and more on side of landlord.”*

The opposing party in the dispute **holds the power** to issue rent increases, withhold bonds, and seek eviction. A fair dispute process has to acknowledge that a rental provider exerts control over a **renter’s fundamental right** to safe and secure housing.

This imbalance is not theoretical; it shapes outcomes. Members must acknowledge that **the emotional toll** on a self-represented renter in a tenancy dispute is often far greater than that on a rental provider, particularly where the rental provider is represented by an agent who is paid to be there and experiences no personal consequences if the matter goes against them.

A fair system requires more than formal neutrality. It requires active steps to **recognise and correct a power imbalance** where one party is an experienced user with power over a renter’s housing, and the other is an often first-time participant **fighting to protect their home, family, financial standing and stability**. Without these steps, procedural fairness for self-represented renters exists on paper but not in practice.

### Finding 3: The cost and burden of asserting rights at VCAT is disproportionately higher for renters than rental providers/agents

An overwhelming proportion of applications to VCAT are brought by rental providers, with only 16% initiated by renters.\* Most renters appear at VCAT as first-time attendees, usually as respondents **defending against an eviction** or a claim for bond and/or compensation.

Many renters are reluctant to assert their rights alone. **81% of renters told Anika they were concerned about retaliation from their rental provider or agent if they enforced their rights.** In our repair cases, 34.2% of renters who asked for repairs either received a retaliatory eviction or decided to move out when their requests were denied.

The scarcity of community legal services able to provide Tribunal representation in bond and repair disputes means that **many renters give up**, because they do not have the time or energy to figure out how to navigate VCAT alone.

When renters do choose to self-represent, they shoulder the full practical, financial and emotional burden of preparing and attending VCAT. They must collate evidence, prepare submissions, **take time off work, arrange childcare, navigate confusing digital systems and attend hearings, often while dealing with financial stress, disability, or language barriers.**

For many, **the emotional toll outweighs the monetary cost.** Renters described feeling **anxious, overwhelmed and exhausted**, particularly where rental providers used delay tactics, failed to comply with orders, or **lodged repeated applications to wear them down.** By contrast, agents and advocates are professionally trained, paid to attend, and face no personal consequences if the matter drags on or is dismissed.

A justice system that requires people to sacrifice income, wellbeing and sometimes housing stability simply to enforce rights already set out in law **disproportionately punishes those who most desperately need the system's protection.**

*“When the Member made the order, I couldn’t get my words out because I was trying not to cry. The Member just kept going and I couldn’t even think how to argue or what to say. All I could think was how much work I’d done to get there and lose everything.”*

*“Having to prepare lengthy paperwork, look into evidence and expose the lies of the real estate agent who was lying while having to care for special needs children, house work, cooking, cleaning, studying and others. I had to spend up to 10 hours straight looking at and organising evidence.”*

*“We are lucky we found somewhere to move into but the whole process has been so exhausting and stressful.... It’s no surprise so many people just give up.”*

*“I have a family with three children and every time the case was adjourned or the Agent did not show up it cost me a lot of time and money.”*

*“After it took so long to fix the mould we just moved out. Now someone else is going to be living there with the same issue and they will get away with it again.”*

*“I think I acted very professional and didn’t lie under oath, despite being just a disabled renter.”*

*“I am in public housing had a very clear cut case... They were really horrible to me once I took them to VCAT and it was just really hard to handle.”*

*“I felt abused by the process because we didnt do anything wrong and did a lot to make the house clean as possible and look after it. It was bad for our rental reputation for them to say we didn’t do this.”*

## Finding 4: The high demand on VCAT undermines its ability to ensure fair hearings and procedural fairness for self-represented renters

VCAT's service commitment aims to provide users with service excellence by being approachable, responsive, accessible, informal, timely, fair, impartial, consistent, professional and efficient. However, the demand on the Residential Tenancies Division means that many renters **do not receive the level of service excellence promised**.

The Residential Tenancies List is inundated with a significant number of new applications each year, consistently struggling to meet the demand for its services. The **impacts of an overrun service are felt by self-represented renters** at each stage of the dispute resolution process. 70% of renters said they did not know what would happen next in their case or when it would happen, and the same proportion reported **delays and uncertainty** as a challenge they encountered at VCAT.

*"The case dragged on for a long time with the agent not showing up to the hearings and then getting the right to re-open each time they didn't show up. VCAT should have ordered the bond back to me when they didn't show up instead of giving them lots of chances."*

*"When the other party did not show up that was very unfair and frustrating."*

*"No one at VCAT or RDRV would tell us exactly how long we would have to wait for the hearing... that not knowing might make some people feel like they have to settle before the hearing just to get it done."*

*"My case took months to go to a hearing because the landlord didn't provide any evidence. When VCAT asked them to provide it by the deadline, they didn't. Then I tried to ask VCAT when my case would go ahead and VCAT said not until the landlord provided their evidence. I explained to them that the landlord had missed the deadline and was not providing his evidence... VCAT did not do anything about this and did not schedule my hearing for months."*

*"The Member did not allow me to present my evidence effectively. She did not address my written evidence. She followed her own agenda never asking me to respond to the real estate agents evidence just moving on to her next matter. When I did speak up she dismissed me. I simply was not given a fair go and the anxiety overwhelmed me."*

*"There seems to be no central VCAT system for monitoring whether the landlord has given their evidence in time and no system for VCAT to follow up with them if they miss the deadline."*

Before a hearing was listed, renters told us that they **regularly could not contact anyone at VCAT** to ask questions and **did not receive updates or information** to help them understand what was happening. Renters who did receive a response often heard back from VCAT after their case had progressed such that the information provided was no longer relevant.

Case management was consistently reported to be a major issue, with **VCAT failing to follow up rental providers** who missed deadlines, extended and **unexplained delays** before listing a hearing, and frequent granting of rental provider applications for adjournment and re-opening without providing renters an opportunity to be heard.

*"The amount of time, stress and money I put into getting [to the hearing] was not at all proportionate to the little amount of time or attention the Member gave my case."*

*"It was really stressful getting ready for the hearing and going there in person. I knew I had my evidence and I knew what I had to say but it was still stressful. Then I got there and the Member said they didn't have my evidence even though I'd emailed it and put it on the evidence portal. I felt like I was the only person ready for the case to start because the Member didn't read the evidence beforehand and the landlord hadn't provided any."*

*"I asked for an interpreter but [the Member] was making a face about it. [The Member] was inconvenienced by this being a waste of time... but we wanted to because even though 95% we can understand English, we were worried about technical words."*

*"We have suffered a lot at VCAT and we hope that other new immigrants will not suffer the same way we have - everyone should be treated and respected the way they deserve."*

At hearings, renters told us that Members often **rushed** them, failing to explain decisions or their implications, becoming **impatient** when renters asked reasonable questions, and not providing them with an **adequate opportunity to present their case**. Likewise, Members regularly permitted rental providers to produce evidence at the hearing that the renter had not had a meaningful opportunity to review before being asked to respond to it.

Where a pervasive pressure exists for cases to be finalised, **fairness may inadvertently become a secondary priority**. This is a significant risk where an unrepresented renter requires additional assistance and support throughout the process to **level the playing field** between them and their rental provider/ agent.

## Finding 5: RDRV entrenches power imbalances and pressures renters to forgo their rights

RDRV has not published any Guidelines or Practice Notes to outline its procedures, powers, or performance measures. The information available on the RDRV website states that RDRV aims to provide renters and rental providers with information and assistance to help them resolve disputes fairly and efficiently.

Although RDRV continues to reduce the VCAT backlog and alleviate pressures on the residential tenancies list, it has done so **at the cost of the rights of many already vulnerable renters**. It is still very unclear how RDRV proposes to assess and measure the fairness of case outcomes. Likewise, RDRV Resolution Coordinators are **not legally trained**, and do not appear to have any training in relation to working with vulnerable self-represented parties in the context of a significant power imbalance.

Anika's bond service has been inundated with **urgent requests for assistance** from renters who have been **contacted by RDRV and given less than three business days** to make an offer of settlement when their rental provider hasn't provided any evidence to support their claim.

*"We needed legal advice urgently because they gave us only a few days to respond with an offer... The landlord didn't even have an Exit report which meant they'd never be able to prove their case."*

*"[The Resolution Coordinator] seemed very junior... they said things like 'I have not seen a case like this before'. They did not seem equipped to be able to resolve my case in a fast, efficient and capable manner."*

*"It felt like RDRV wanted us to just give up our bond and our rights... We didn't want it on our record and we didn't want the Agent to win after they had tried to bully us for so long. The Agent's evidence clearly showed that we had held up our end of the deal. We are glad that we stood our ground and did not settle."*

*"They didn't tell me any of the stuff Anika did about the evidence and the proof. Someone else without Anika would have thought they have to make an offer."*

*"They just emailed us saying we had a week to make an offer. We thought we had to make an offer so we made a small offer for \$50. The landlord didn't accept that so we had to make a bigger offer. It felt unfair that we were doing this when we'd already paid professional cleaners and there was already someone new moved into the property so I really doubt the landlord used the bond money he got from us to pay cleaners."*

*"I didn't know anything about RDRV when they contacted me which is why I contacted Anika Legal. Then Anika explained to me that I shouldn't make an offer when the landlord had not given any evidence. Anika also explained that I didn't have to make an offer in RDRV which I think they should have explained to me at the start."*

*"My wife was pregnant we were 8 weeks when everything was starting which was really stressful. RDRV was contacting her asking her to make an offer. She had to go to hospital because she started bleeding and we were worried about our babies health."*

*"They did provide me with links to information... but there was so many pages of information that was very stressful and overwhelming. I had to read so many websites of information and it was hard to wrap my head around. They rely on the renter having hours to go through these websites and probably a lot of renters have lives, no money, and not a lot of time."*

In their initial communication to renters, **RDRV does not mention the standard or burden of proof applicable in the case**. They do not inform renters that they do not have to participate in negotiations if they do not want to, nor do they explain that the mediation process will be confidential and without prejudice.

The only information RDRV does provide to renters at the point of initial contact **stresses that the case will go to a formal hearing** if a negotiated resolution cannot be reached. This is **threatening messaging for a renter to receive from VCAT, when we know that 81% of self-represented renters do not feel confident about going to a VCAT hearing**.

RDRV's handling of bond claims is also of considerable concern because in **86% of Anika's bond cases that went to a VCAT hearing, rental providers received less** than what they originally claimed and **31% received nothing at all**. **RDRV risks incentivising more unsupported bond claims** at the end of a tenancy, further adding to the power imbalance and disadvantage renters face.

## Finding 6: A lack of public accountability and transparency increases renter distrust in VCAT as a fair and effective dispute resolution body

VCAT's decisions can only be appealed to the Supreme Court of Victoria on a question of law, and only with leave. Written reasons for decisions are rarely provided, even when requested, and VCAT only provides transcripts of hearings where a party **pays around \$300 for the audio recording to be transcribed**, and arrange transcription services independently.

For self-represented renters, the **costs and complexity** of appealing a decision are **prohibitive**. As a result, **renter-initiated appeals are rare**, and the body of judicial review that might otherwise guide and improve decision-making remains extremely limited. This means that **systemic issues can persist unchecked**, inconsistent decision-making is common, and procedural unfairness may never receive external scrutiny.

VCAT's internal complaints process involves preliminary review of complaints by frontline staff. From there some cases are escalated to the Complaints Registrar and Principal Registrar. In practice, the process is slow, **lacks independence**, and offers little transparency about how complaints are assessed or what outcomes are achieved. What we do know is that **the majority of complaints** received by VCAT about its people or processes each year are either **dismissed or not upheld**.

Without regular independent evaluation or an accessible review pathway, both VCAT and RDRV risk becoming **self-referential systems** focused on efficiency rather than genuine continuous improvement.

*“Sometimes it depends on who the member is what the outcome is going to be and this is stressful because you just don't know how they are going to decide things and if they're going to be fair.”*

*“The professional misconduct is deplorable and shocking. The \$300 price to get the transcripts is absolutely ridiculous and why it's near impossible to take a matter further if you feel you have been lied to or about. This whole thing has shown me how corrupt the system is and that people like me just have to put up with it.”*

*“[It would have helped] if the member wasn't so scary and put me at ease more.”*

*“When I spoke the Member was negative and dismissed other major advisory bodies opinions that I presented of what actually constituted a proper claim.”*

*“VCAT lets landlords and agents lie under oath.”*

*“It would be good if VCAT had a way for you to come back to them and tell them if there's any issues after the hearing. It took the landlord a long time to book in the first repairs and they only did it after Anika wrote to them.”*

These limitations mean that **renters who experience unfairness or incorrect decision-making at VCAT often have nowhere to turn**. The result is a **statutory body that largely monitors itself**; publishing insufficient insights and data, with limited external scrutiny that would incentivise it to demonstrate learning or improvement over time.

A similar accountability and transparency gap exists within RDRV. Although RDRV has been in operation for most of 2025, **VCAT is yet to publish any Guidelines or Practice Notes** outlining its procedures, powers, or performance measures.

Publicly, RDRV promises users fair outcomes, while **remaining silent** on how it ensures or measures fairness in practice. Resolution Coordinators are not legally qualified to conduct a merits assessment on the strengths and weaknesses of either party's case, and **settlement agreements are not reviewed** by a legally qualified Member to confirm that the outcome is fair for both sides.

In bond cases where **renters were pressured into settlement** before their rental provider provided any evidence to VCAT, it would be impossible for even a Member to assess whether the outcome was fair. 94% of renters Anika assisted with bond disputes at RDRV fell into this category, and we are profoundly concerned that **a large and growing number of renter who have attended RDRV for bond disputes without legal assistance may already have agreed to give their rental provider an amount of their bond significantly greater than was fair**.

## Recommendations

### Recommendation 1: Improve accessibility through plain-English and human-centred design

VCAT should adopt **plain-English templates** for all correspondence, orders, and forms. Digital platforms and templates must undergo **accessibility testing with renters**, including those with limited English or disability, to ensure equitable participation.

Members and RDRV Resolution Coordinators should receive ongoing training on **cross-cultural communication** and best practice approaches to **working with vulnerable users** in the context of a distinctive power imbalance.

VCAT should **publish Practice Notes and Guidelines** which clearly outline how renters can request a particular **hearing modality**, and how those requests will be determined by VCAT. Similar accessible guides should be provided to self-represented renters outlining the VCAT process, **estimated timelines**, and next steps at the start of all new matters.

In recognition of the comparatively small number of tenancy applications initiated by renters each year, and in line with Consumer Affairs Victoria's Renting Taskforce priority of ensuring rental property compliance with the minimum standards, VCAT should **waive application fees** for renters applying for urgent repairs.

### Recommendation 2: Strengthen procedural fairness and consistency in hearings

VCAT should **require Members** in residential tenancy matters to have **reviewed the evidence** filed by the Parties before a hearing. **Realistic hearing times** should be allocated which take into account whether a renter is self-representing, and all orders should provide parties with a short, plain-English **reasons for decisions**.

VCAT should introduce clear **quality-monitoring mechanisms** which review Member conduct of proceedings and decision quality. Members should receive **trauma-informed training** to ensure respectful communication and fair dealing with renters in crisis.

In the conduct of a hearing and the assessment of evidence, Members should be required to take into consideration the **prevalent power imbalance** between a self-represented renter and a rental provider represented by a professional advocate.

### Recommendation 3: Expand support for self-represented renters at VCAT

The Victorian government should **fund a dedicated self-representation legal support service** in the residential tenancy list for renters. Through this service, renters should have responsive **access to support**, advice and guidance which aims to **increase their confidence**, and enhances their capability to self-represent without the need for legal support in the future.

### Recommendation 4: Introduce proactive case management and enforce procedural orders

VCAT should **actively monitor, enforce, and respond to rental provider non-compliance** with procedural orders within a practical timeframe, where a rental provider is represented by a professional advocate.

VCAT should provide **regular updates** to self-represented renters on the status of their case, including next steps and expected timeframes.

Empower Members to **determine bond disputes in chambers** and make orders for the **full bond to be repaid to the renter**, where a rental provider fails to provide evidence to support their claim in line with the upcoming *Consumer Legislation Amendment Bill 2025* reforms.

**Case management data** which identifies median response times, median time to hearing, adjournment applications disaggregated by party representation status, and non-compliance with procedural orders disaggregated by party representation status, **should be published annually** to identify trends and opportunities for continuous improvement.



### Recommendation 5: Reform RDRV to prioritise fairness, not just efficiency

Publish **clear Guidelines, Rules, and Practice Notes for RDRV** that set out its procedures, powers, quality assurance processes, and performance measures. These should define how RDRV ensures procedural fairness, how the **fairness of outcomes** will be monitored, and what **accountability mechanisms** exist for staff conduct and decision quality.

Require RDRV Resolution Coordinators to be **legally trained** or to work under the supervision of legally qualified staff who can assess the merits of each case. Ensure mediators have access to **tenancy law expertise** and training in supporting vulnerable, self-represented renters.

At the start of every bond dispute, provide renters with a plain-English explanation of the standard and burden of proof, including their **right not to settle**. Require rental providers to **provide their evidence** before any offers of settlement are invited, so that renters can make informed decisions.

Once evidence has been exchanged, require RDRV to **clearly inform renters that they are not obliged to make or accept a settlement offer** and to provide a short, plain-English summary of the **strengths and weaknesses of each party's case**. This summary should be reviewed by a legally trained supervisor before it is provided.

Introduce a **quality-assurance process** that actively monitors whether mediators or Resolution Coordinators apply **undue pressure** to self-represented renters. This process should include routine file reviews, user feedback, and external audits.

Mandate **ongoing training and supervision** for all RDRV staff in **trauma-informed practice**, cultural safety, and managing power imbalances between renters and rental providers.

Commission and publish **independent evaluations** of RDRV's outcomes, settlement rates, renter satisfaction, and fairness metrics at least every two years, to ensure continuous improvement and accountability.

### Recommendation 6: Enhance accountability through transparent performance reporting, effective renter feedback mechanisms, and periodic independent reviews

**Publish annual data** on access, fairness, timeliness and outcomes for both VCAT and RDRV, disaggregated by representation status and type of dispute. Require both bodies to report on actions taken to improve accessibility, procedural fairness and renter satisfaction.

Reform VCAT's complaints process to **ensure independence, timeliness and transparency**. Establish an external oversight mechanism to investigate complaints about procedural fairness, Member conduct, decision-quality and systemic issues. Publish regular summaries of complaint themes and outcomes.

**Introduce an internal appeal or review process** within VCAT's Residential Tenancies Division so renters can challenge decisions without the cost and complexity of appealing to the Supreme Court of Victoria. This would strengthen assurance, consistency, and public confidence in VCAT.

Require VCAT and RDRV to **conduct independent reviews** at least every five years, focusing on fairness and accessibility for self-represented renters. Reviews should include proactive consultation with renters and community legal centres, and findings should be published.



## Why this matters: a better deal for renters and savings for Victoria

A rental system which is fair to renters must possess three important pillars:

1. **Robust protection of their rights in law and policy;**
2. **Effective enforcement by a proactive regulator; and**
3. **Fair, accessible and reliable dispute resolution pathways.**

The Victorian Government has introduced positive reforms over recent years **to advance the protection of renters' rights** under the *Residential Tenancies Act 1997*. In addition, Consumer Affairs Victoria continues to work towards **proactive regulation** of residential tenancies through the Rental Taskforce.

To build on these advances and continue working towards tangible, **fair outcomes for renters**, the Victorian government must ensure that renter confidence in tenancy dispute resolution services increases. **This will only happen when VCAT and RDRV demonstrate a genuine desire to meet renters needs** - including by adopting the recommendations of this report.

The 2025 Consumer Policy Research Centre (CPRC) report, **Renting in Reality**, found that Victorian renters are least confident in “exercising their rights.” Anika’s findings echo this: **70% of renters** did not feel confident preparing VCAT forms and paperwork, and **over 80%** did not feel confident speaking at a VCAT hearing. The most prevalent challenges renters identified when self-representing at VCAT were anxiety about speaking against a real estate agent, and uncertainty about how VCAT processes work.

However, when renters receive **clear guidance**, support and consistent procedural fairness, their **confidence improves dramatically**. During this project, renters who engaged with Anika’s enhanced VCAT support reported significantly **higher legal capability**, improved understanding of their rights, **a better understanding of VCAT and RDRV processes**, and **greater confidence in enforcing their rights**.

These outcomes were not driven by high-cost intervention: they were achieved through clearer information about the dispute resolution pathways available to renters, proactive case management, and practical, accessible guidance.



Implementing **Recommendations 1 and 3** would replicate these benefits system-wide. Simple, renter-centred changes would make VCAT and RDRV information and processes more accessible, affordable, and **navigable for self-represented renters**. This would also support tenancy matters to progress more efficiently through VCAT, **enhancing the successes** of the Backlog Recovery Program.

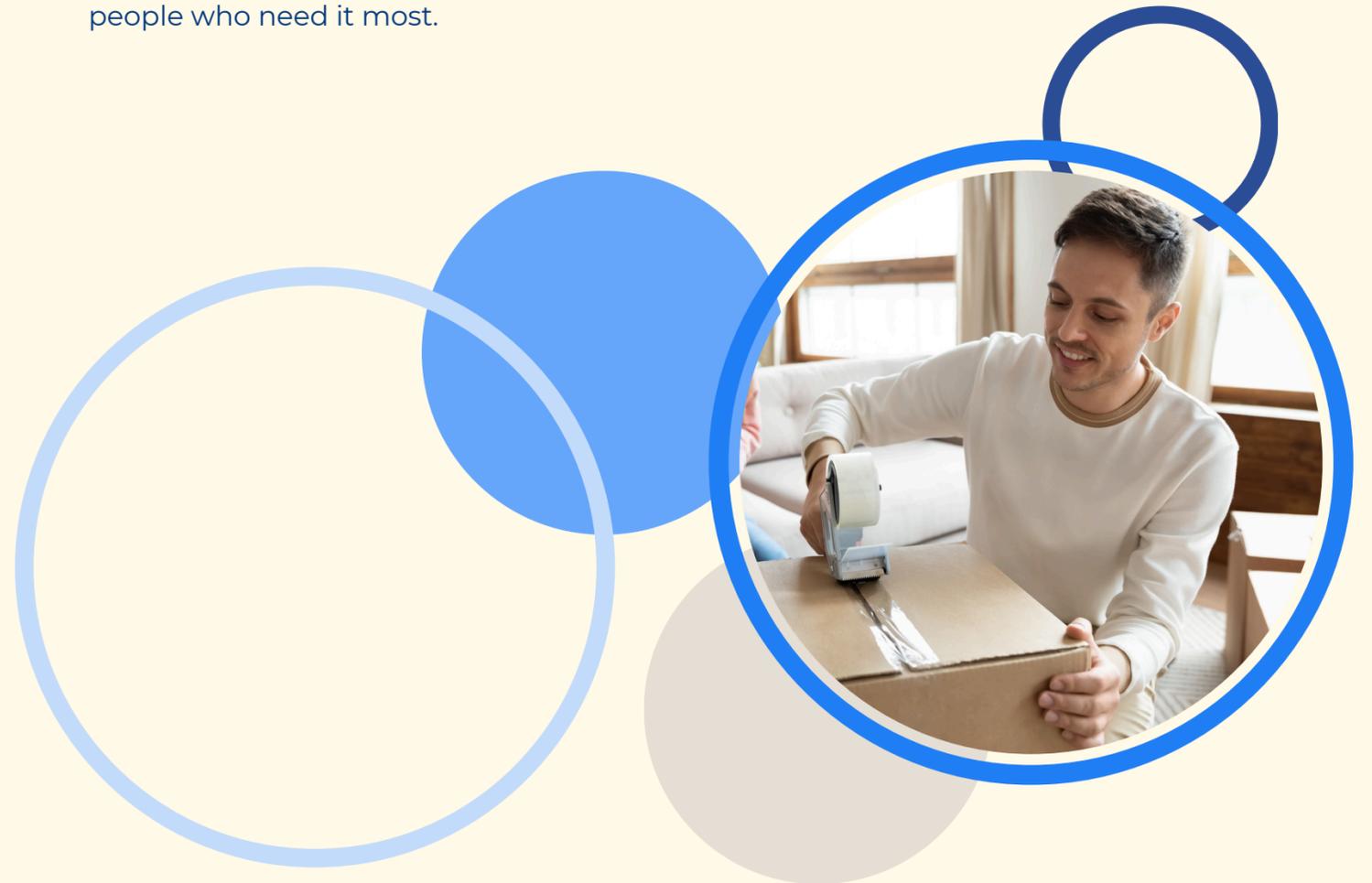
Our data reveals that the current system allows **procedural gamesmanship**. Approximately 60% of renters identified rental providers not complying with VCAT orders as a challenge they encountered while self-representing, and just under 60% identified the rental provider not providing evidence as a challenge. In 86% of bond cases rental providers receive less than what they originally claim and 31% receive nothing at all - suggesting **a high number of matters brought or contested by rental providers should have never ended up at VCAT or RDRV in the first place**. Hassan's case (page 8) illustrates how rental providers can tactically withhold evidence from renters, fail to comply with VCAT rules and orders, and **strategically delay proceedings** with little consequence.

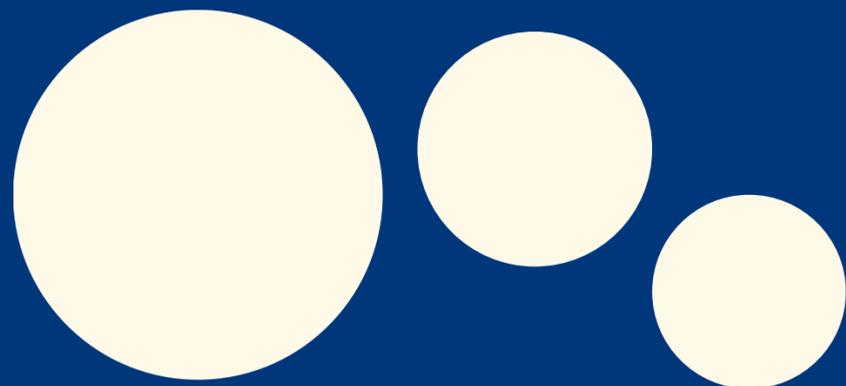
The Residential Tenancies List is **VCAT's highest-volume list**: 64,428 matters were finalised and 51,092 new applications were made in 2023-24, accounting for 60% of all new VCAT applications in that year. Anika's findings indicate that a significant number of these matters are likely to be affected by **avoidable inefficiencies** or tactical delays. Unless addressed, these issues will continue to drain system resources and lead to unfair outcomes which undermine public trust.

Government can strive to **embed a culture of continuous improvement** and transparency at VCAT and RDRV by ensuring both agencies have the resources and capabilities to **properly support renters** and respond to gamesmanship or deliberate misconduct. **Implementing Recommendations 2, 4, 5 and 6** would enable matters move through the system fairly and transparently, while avoiding protracted disputes like Hassan's. This will ultimately **reduce the average cost to government** per matter.

By **adopting the recommendations** of this Report, the Victorian Government can:

- Improve **legal capability, confidence and outcomes** for renters self-representing at VCAT
- **Reduce costs and inefficiencies** in VCAT and RDRV processes
- Strengthen **public trust** in a system that is fair, transparent, and genuinely accessible to the people who need it most.





**Anika Legal**  
so renters thrive

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