

# Minimum Standards Evidence

Residential Tenancies — Residential Tenancies Regula

nder s 65A Residential Tenancies Act 1997 (Vic)

## 1. Address of Rented Premises

|                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Rented premises                                    | (                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Property type (tenancy regime)                     | Residential rented premises let under a <b>residential rental agreement</b> (Part 2, <i>Residential Tenancies Act 1997</i> (Vic)) to a single household. It is <b>not</b> a rooming house: the premises is not let room by room so that four or more persons occupy rooms on payment of rent (definition of 'rooming house', s 3 of the Act). It is not community housing or a specialised housing program. Accordingly the standards in <b>Sch 4</b> apply under reg 29(1); reg 29(2) and Sch 6 do not.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Building classification                            | <b>Class 1a</b> — a single detached dwelling (two-storey house), with an attached non-habitable Class 10a garage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| How the classification is determined (legal basis) | Reg 5 of the Residential Tenancies Regulations 2021 provides that 'Class 1 building' and 'Class 2 building' have 'the same meaning as ... in the Building Code of Australia'. The Building Code of Australia is Volumes One and Two of the National Construction Code (NCC). Under the NCC building classification provisions (NCC 2022 Part A6, cl A6G2; formerly NCC 2019 cl A3.2), a Class 1a building is a single dwelling that is a detached house, or one of a group of attached dwellings separated by fire-resisting walls. A Class 2 building is one containing two or more sole-occupancy units, each a separate dwelling (e.g. apartments). The class of a building is fixed by the relevant building surveyor on the building permit and occupancy permit or certificate of final inspection ( <i>Building Act 1993</i> (Vic)). On inspection, these premises are a free-standing house on its own lot, with no common property and no other dwelling above or below. That is consistent only with Class 1a. <b>Effect:</b> the Class 1 limbs of Sch 4 apply, namely cl 13(1) (BCA 2019 Vol Two ventilation) and cl 14(3) (heating, 1/7/2025–28/2/2027). |
| Configuration                                      | 4 bedrooms, 2 bathrooms (main bathroom and master ensuite) plus separate powder-room toilet, laundry, open-plan kitchen / living / meals, double garage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Residential rental provider                        | &                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Residential rental agreement                       | Fully executed initial agreement recorded in PropertyMe on (entered into before 1 March 2027).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Report date / assessment period                    | Report prepared . Assessment of condition as at the Entry inspection of Thursday commencing 12:00 PM.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Prepared by                                        | , Square Investments Real Estate (Square PM)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

## 2. Evidence Documentation Relied Upon

| Ref    | Document                                                                                      | Issued by / Source               | Date & time                               | Particulars                                                                                                                                                                                                                                                  |
|--------|-----------------------------------------------------------------------------------------------|----------------------------------|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IE-ENT | Entry Condition Report — still photographs and virtual tour (598 media items across 15 areas) | Inspection Exp Admin Portal),    | Thu , 12:00 PM (each in-image time stamp) | Conducted by w by Area / Feature and 13:37 AEDT.                                                                                                                                                                                                             |
| IE-VT  | Tour — ,                                                                                      | Inspection (published )          | 1:44 AM Wed                               | Pre-tenancy 360° capture; relied on for external services (hot water unit) only.                                                                                                                                                                             |
| GL-E   | Electrical Checklist Report (12 pp) — Electrical Report (2026).pdf                            | GasLec / Gaslec S Ltd — Licence  | ; filed                                   | Asset summary: Switchboard, Light Switches, Light Fittings, Power Points, Oven, Rangehood, Air Conditioner, Dishwasher, Hot Water System — all 'No Action Required'. Switchboard: circuit protection (safety switches / circuit breakers) checked compliant. |
| GL-G   | Gas Safety Report — Gas Report (2026).pdf                                                     | GasLec / Gaslec ty Ltd — Licence | ; filed                                   | Asset summary: Gas Fitting Line, Gas Cooktop, Ducted Heater — all 'No Action Required'. 'No further works required'.                                                                                                                                         |
| GL-S   | Smoke Alarm Report — Smoke Report.pdf                                                         | GasLec / Gaslec Safety Pty Ltd   | Filed 09:19                               | Supporting record only (smoke alarm obligations sit outside Sch 4).                                                                                                                                                                                          |
| PM-    | Work Order / 'Gas, Electrical & Smoke alarm                                                   | PropertyMe — Square PM           | Created 09:12                             | Job to which GL-E, GL-G and G hed. Further compliance jobs closed .                                                                                                                                                                                          |

| Ref    | Document                                                                                   | Issued by / Source                                                                                                                                                                                                                                 | Date & time                          | Particulars                                                                                                                                                                            |
|--------|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PRV    | Confirmation of security screen door locking function                                      | , agent for the<br>ovider                                                                                                                                                                                                                          |                                      | Front security screen door is key-operated from outside and openable from inside.                                                                                                      |
| PRD    | Manufacturer / independent product data — Caroma Dorf 'Stayfast' Adjustable Wall Shower    | Caroma (caroma.com.au, product 22165); CHOICE product listing (model 3182.04.5); Bunnings shower-head range                                                                                                                                        | Retrieved                            | WELS 3 Star (Range D), 9.0 L/min; adjustable arm with arm lock; 87 mm head.                                                                                                            |
| SPM-B  | Photograph — council bins at the premises                                                  | Square PM ( )                                                                                                                                                                                                                                      | Supplied                             | Stand-alone photograph of three bins, each marked<br>No in-image time stamp.                                                                                                           |
| VCAT   | Niblett v Broadbent [2023] VCAT 1236; Anderson v Sharpe [2025] VCAT 415                    | Victorian Civil and Administrative Tribunal (AustLII)                                                                                                                                                                                              | Reasons 6/11/2023 and<br>; retrieved | Tribunal authority on when the minimum standards are engaged (s 65A) and on the status of CAV guidance — see Section 5.                                                                |
| CAV    | CAV, 'Rental properties – minimum standards' and 'New minimum energy efficiency standards' | Consumer Affairs Victoria (consumer.vic.gov.au)                                                                                                                                                                                                    | Last upd<br>retrieved 026;           | Reproduced for comparison only in Section 4. Not relied on for any determination.                                                                                                      |
| CW-STD | Commonwealth mandatory safety standards for corded internal window coverings               | Trade Practices (Consumer Product Safety Standard — Corded Internal Window Coverings) Regulations 2010 (Cth) (supply); Competition and Consumer (Corded Internal Window Coverings) Safety Standard 2014 (Cth) (installation); productsafety.gov.au | Retrieved                            | The supply standard regulates the cord-safety components supplied with coverings. The installation standard contains the 220 mm / 1600 mm / 70 N requirements that Sch 4 cl 15 adopts. |
| LEG    | Residential Tenancies Regulations 2021 (Vic), reg 5, reg 23, reg 29 and Sch 4              | Authorised Version No. 009 (incorporating amendments as at 30/06/2026), legislation.vic.gov.au                                                                                                                                                     | Retrieved                            | Statutory text relied upon for each clause and definition.                                                                                                                             |

**Method.** Each Schedule 4 standard was identified, the zone(s) of the premises to which it applies were located in the Entry Condition Report, and the photograph(s) best evidencing the standard were selected. Each photograph is reproduced with its original in-image date and time stamp. Matters that cannot be established by photograph alone (for example product ratings, circuit protection and mechanical test values) are determined by reference to licensed-trade certification where it exists; where it does not, a reasoned professional opinion is given if the photographed installation and published product or standard data support it, and the basis of that opinion is stated. Otherwise the item is marked **Further Evidence Required** rather than assumed. Clauses not yet in force, or not engaged by the date of the agreement, are marked **Not Yet Applicable**.

**Determination summary —** **STANDARD MET:** 36 **FURTHER EVIDENCE REQUIRED:** 1 **NOT YET APPLICABLE:** 4

## 3. Schedule of Compliance Evidence — Clause by Clause

| Legislated Minimum Standard                                                                                                                                                                                                                                                                                                                                                                                         | Room / Zone                                      | Photographic Evidence                                                                                                                                        | Legal & Building Technical Basis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Determination                                                                                                                                                                        | Reference Relied Upon                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| <b>Sch 4 cl 1 — Locks</b><br>External entry doors not able to be secured with a functioning deadlock must be fitted with a lock operated by key from outside and openable from inside with or without a key.<br><br><i>Source: Residential Tenancies Regulations 2021 (Vic), S.R. No. 3/2021 (Authorised Version No. 009), Sch 4 — made under s 65A, Residential Tenancies Act 1997 (Vic), Act No. 109 of 1997.</i> | Front entry: entry door and security screen door | <p>Front entry door — keyed deadlock above lever set. Thu 12:07 pm</p> <p>Front security screen door — key-cylinder lock with lever handle. Thu 12:07 pm</p> | Sch 4 cl 1(1) is engaged only where an external entry door (other than a screen door) is <i>not</i> able to be secured with a functioning deadlock. The front entry door is fitted with a key-cylinder deadbolt above a keyed lever set. In addition, the front security screen door is fitted with a key-cylinder lock and lever (key shown in the cylinder). The agent for the rental provider confirms it is key-operated from outside and openable from inside (PRV). The rear sliding door (Kitchen / Windows, 12:38 pm) and the laundry external door (Laundry / Window locks, 12:15 pm) each have keyed locking devices. | <b>STANDARD MET</b><br><br>Front entry door secured by a functioning keyed deadlock. Security screen door key-lockable. Cl 1 satisfied.                                              | IE-ENT: Front Door / Front door (12:07 pm, two photos); Kitchen / Windows (12:38 pm). PRV. LEG: Sch 4 cl 1. |
| <b>Sch 4 cl 2 — Vermin proof bins</b><br>A rubbish bin and a recycling bin supplied for the renter, provided by the local council or vermin proof and council-compatible.<br><br><i>Source: Residential Tenancies Regulations 2021 (Vic), S.R. No. 3/2021 (Authorised Version No. 009), Sch 4 — made under s 65A, Residential Tenancies Act 1997 (Vic), Act No. 109 of 1997.</i>                                    | Side yard bin storage (beside rear fence line)   | <p>— yellow lid (recycling), green lid (garden organics), red lid (garbage). Supplied</p>                                                                    | Sch 4 cl 2(a): the rubbish and recycling bins are to be <i>provided by the local council</i> . The photograph shows three lidded mobile garbage bins bearing the [REDACTED] crest, each stencilled with the [REDACTED], which identifies them as the council's issue to the premises: a red-lid garbage bin, a yellow-lid recycling bin and a green-lid garden-organics bin. Council-issued hinged-lid mobile bins are vermin proof and compatible with council collection by design.                                                                                                                                           | <b>STANDARD MET</b><br><br>Council-issued rubbish (red lid) and recycling (yellow lid) bins are supplied to the premises, with a garden-organics bin in addition. Cl 2(a) satisfied. | SPM-B (supplied [REDACTED]). LEG: Sch 4 cl 2.                                                               |

Main bathroom — adjustable-arm shower, round rose, 1:23 pm

| Legislated Minimum Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Room / Zone         | Photographic Evidence                                                                                                                                            | Legal & Building Technical Basis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Determination                                                                                                                                                                                              | Reference Relied Upon                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| <p><b>Sch 4 cl 15 — Corded internal window coverings</b></p> <p>From 1 December 2025: no loose cord loop of 220 mm or longer less than 1600 mm above floor. Cord secured by a cord guide (if below 1600 mm, it must withstand 70 N for 10 s and keep the cord tensioned) or by a cleat at or above 1600 mm.</p> <p><i>Source: Residential Tenancies Regulations 2021 (Vic), S.R. No. 3/2021 (Authorised Version No. 009), Sch 4 — made under s 65A, Residential Tenancies Act 1997 (Vic), Act No. 109 of 1997.</i></p> | Laundry             | <p>Laundry — chain-operated roller blind.</p> <p>Laundry — anchor point: cord guide screw-fixed to reveal, chain tensioned. 12:14 pm</p>                         | <p>Sch 4 cl 15(a)(i)(A)–(B) and (b). The blind is operated by a continuous bead chain. The loop is held taut by a proprietary cord guide (chain tensioner), screw-fixed with mechanical fasteners into the timber window reveal, so no free loop of 220 mm or longer can form (cl 15(a)(i)(B), evidenced by photograph). The guide sits below 1600 mm, so it must also remain firmly attached under a 70 N force applied in any direction for 10 seconds (cl 15(a)(i)(A)). <b>Reasoned opinion on cl 15(a)(i)(A):</b> the guide is a purpose-made cord-safety component of the kind regulated by the Commonwealth supply standard. Cl 15 reproduces the installation requirements of the Commonwealth installation standard, including the 70 N criterion (CW-STD). The guide is installed as designed: screw-fixed through its fixing lug into solid timber, aligned with the chain, and holding the chain under tension, with no sign of loosening, distortion or pull-out. In my opinion a guide of this type, fixed in this way, will remain firmly attached under a 70 N load for 10 seconds.</p> | <p><b>STANDARD MET</b></p> <p>Anchor point fitted and the chain tensioned (photographed). In my reasoned opinion the guide meets the 70 N / 10 s retention requirement. Cl 15 satisfied for this room.</p> | IE-ENT: Laundry / Blinds/curtains. CW-STD. LEG: Sch 4 cl 15.             |
| <p><b>Sch 4 cl 15 — Corded internal window coverings</b></p> <p>From 1 December 2025: no loose cord loop of 220 mm or longer less than 1600 mm above floor. Cord secured by a cord guide (if below 1600 mm, it must withstand 70 N for 10 s and keep the cord tensioned) or by a cleat at or above 1600 mm.</p> <p><i>Source: Residential Tenancies Regulations 2021 (Vic), S.R. No. 3/2021 (Authorised Version No. 009), Sch 4 — made under s 65A, Residential Tenancies Act 1997 (Vic), Act No. 109 of 1997.</i></p> | Main living / meals | <p>Main living / meals — chain-operated roller blind.</p> <p>Main living / meals — anchor point: cord guide screw-fixed to reveal, chain tensioned. 12:37 pm</p> | <p>Sch 4 cl 15(a)(i)(A)–(B) and (b). The blind is operated by a continuous bead chain. The loop is held taut by a proprietary cord guide (chain tensioner), screw-fixed with mechanical fasteners into the timber window reveal, so no free loop of 220 mm or longer can form (cl 15(a)(i)(B), evidenced by photograph). The guide sits below 1600 mm, so it must also remain firmly attached under a 70 N force applied in any direction for 10 seconds (cl 15(a)(i)(A)). <b>Reasoned opinion on cl 15(a)(i)(A):</b> the guide is a purpose-made cord-safety component of the kind regulated by the Commonwealth supply standard. Cl 15 reproduces the installation requirements of the Commonwealth installation standard, including the 70 N criterion (CW-STD). The guide is installed as designed: screw-fixed through its fixing lug into solid timber, aligned with the chain, and holding the chain under tension, with no sign of loosening, distortion or pull-out. In my opinion a guide of this type, fixed in this way, will remain firmly attached under a 70 N load for 10 seconds.</p> | <p><b>STANDARD MET</b></p> <p>Anchor point fitted and the chain tensioned (photographed). In my reasoned opinion the guide meets the 70 N / 10 s retention requirement. Cl 15 satisfied for this room.</p> | IE-ENT: Main living / meals / Blinds/curtains. CW-STD. LEG: Sch 4 cl 15. |

#### 4. Legislated Text v Consumer Affairs Victoria Published Wording

This section records the legislated text of each rental minimum standard verbatim, as made in Residential Tenancies Regulations 2021 (Vic), S.R. No. 3/2021, Sch 4 (Authorised Version No. 009, incorporating amendments as at 30 June 2026), made under s 65A of the Residential Tenancies Act 1997 (Vic), Act No. 109 of 1997. Beside it is the corresponding wording published by Consumer Affairs Victoria (CAV), reproduced as published on the date retrieved. CAV material is explanatory guidance only and has no legislative force. Where the two differ, every determination in Section 3 is made against the legislated text. Editorial history notes of the Chief Parliamentary Counsel are omitted from the legislated column.

| Standard                                | Legislated text (verbatim) — S.R. No. 3/2021, Sch 4, Authorised Version 009                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | CAV published wording (verbatim)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Variance — legislation prevails                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Sch 4 cl 1 — Locks</b>               | <p>(1) All external entry doors to the rented premises which are not able to be secured with a functioning deadlock, other than any screen door attached to an external door, must at least be fitted with a locking device that—</p> <p>(a) is operated by a key from the outside; and</p> <p>(b) may be unlocked from the inside with or without a key.</p> <p>(2) Subclause (1) does not apply—</p> <p>(a) to a public lobby door that opens to common property; or</p> <p>(b) if the rented premises is a registered place and a request for a permit to alter the relevant features of the premises to comply with this standard has been refused in accordance with Part 5 of the Heritage Act 2017.</p>                                                                                                                                                                                                                                                                                                                                           | <p>The property's external entry doors must have functioning deadlocks (a 'deadlock' is defined as a deadlatch with at least one cylinder) or be fitted with locks that can be unlocked with a key from the outside but can be unlocked without one from the inside. The only cases where a deadlock doesn't have to be fitted to a door are when: a door cannot be secured with a deadlock - for example, because of its position it is a screen door in the same door frame as an external door a different type of lock or device is required under another Act or law the door is not accessible because there is another type of security barrier. For example, a locked door to an apartment building, or a locked gate the property is registered under the Heritage Act 2017 and has an approved exemption from the standard.</p> <p><i>Source: CAV, 'Rental properties - minimum standards' (consumer.vic.gov.au), last updated 14 October 2026, retrieved</i></p> | <p>CAV states doors 'must have functioning deadlocks', defines a deadlock, and lists exceptions for other Acts and for doors behind another security barrier. Sch 4 cl 1(1) requires a keyed locking device <b>only</b> where a door cannot be secured with a functioning deadlock. Its only exceptions are a public lobby door opening to common property (cl 1(2)(a)) and a refused heritage permit (cl 1(2)(b)). CAV's 'other Act' and 'security barrier' exceptions do not appear in cl 1. Cl 1 is applied as legislated.</p> |
| <b>Sch 4 cl 2 — Vermin proof bins</b>   | <p>A rubbish bin and a recycling bin are to be supplied for use by the renter of the rented premises which are—</p> <p>(a) provided by the local council; or</p> <p>(b) vermin proof and compatible with local council collection.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>Rental providers must supply a rubbish bin and a recycling bin for the renter to use. The bins can be provided by the local council or purchased elsewhere, as long as they are vermin (for example, rats and mice) proof and meet council collection standards.</p> <p><i>Source: CAV, 'Rental properties - minimum standards' (consumer.vic.gov.au), last updated 14 October 2026, retrieved</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>Substantively consistent with cl 2(a)–(b). Cl 2 is applied as legislated.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Sch 4 cl 3 — Toilets</b>             | <p>The rented premises are to contain a toilet that is—</p> <p>(a) in good working order, connected to—</p> <p>(i) a reticulated sewerage system; or</p> <p>(ii) an onsite wastewater management system installed and managed in accordance with the requirements set out in the Guidelines for Onsite Wastewater Effluent Dispersal and Recycling Systems, as published from time to time; or</p> <p>(iii) any other system approved by the local council; and</p> <p>(b) either in—</p> <p>(i) a room that is intended to be used as a toilet area, whether as a separate toilet or bathroom or combined bathroom and laundry; or</p> <p>(ii) a separate enclosed structure that is intended to be used as a toilet area.</p>                                                                                                                                                                                                                                                                                                                          | <p>The property's toilet must be in good working order and connected to either: pipes that carry the sewage to a treatment plant (a reticulated sewerage system) a wastewater treatment system permitted under the Code of practice – Onsite wastewater management at EPA Victoria any other system approved by the local council. The toilet must be in a separate room in the property, either by itself, or in an appropriate room like a bathroom or in a combined bathroom-laundry.</p> <p><i>Source: CAV, 'Rental properties - minimum standards' (consumer.vic.gov.au), last updated 14 October 2026, retrieved</i></p>                                                                                                                                                                                                                                                                                                                                              | <p>CAV refers to the EPA 'Code of practice – Onsite wastewater management'. Cl 3(a)(ii), as substituted by S.R. No. 63/2025, instead refers to the 'Guidelines for Onsite Wastewater Effluent Dispersal and Recycling Systems'. CAV also omits the cl 3(b)(ii) alternative of 'a separate enclosed structure'. The legislated test is applied.</p>                                                                                                                                                                                |
| Standard                                | Legislated text (verbatim) — S.R. No. 3/2021, Sch 4, Authorised Version 009                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | CAV published wording (verbatim)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Variance — legislation prevails                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Sch 4 cl 4 — Bathroom facilities</b> | <p>In relation to bathroom facilities, the following amenities are to be provided in the rented premises—</p> <p>(a) a bathroom connected to a reasonable supply of hot and cold water that contains a washbasin and a shower or bath;</p> <p>(b) for rented premises let under a residential rental agreement entered into or created before 1 March 2027, if a shower is present—</p> <p>(i) a shower head with a 3 star rating in the rating system referred to in regulation 23(1)(a); or</p> <p>(ii) a shower head with a one or 2 star rating if a shower head with a 3 star rating—</p> <p>(A) cannot be installed; or</p> <p>(B) if installed, will not operate effectively due to the age, nature or structure of the plumbing of the premises.</p> <p>(c) for rented premises let under a residential rental agreement entered into or created on or after 1 March 2027, if a water efficient shower head is present—</p> <p>(i) a shower head with a 4 star rating in the efficiency rating system referred to in regulation 23(1)(a); or</p> | <p>A rental property's bathroom must have a washbasin and a shower or bath and be connected to a reasonable supply of hot and cold water. Showers must have a shower head with a 3-star water efficiency rating. If one cannot be installed, for example because of the property's age, then a shower head with a 1- or 2-star rating is acceptable.</p> <p><b>Energy-efficiency page:</b> From 1 March 2027, rental providers must install water-efficient shower heads in all showers. This applies at the start of a new rental agreement, or when an existing agreement converts to a month-to-month agreement. [...] Minimum 4-star WELS (Water Efficiency Labelling and Standards) rating</p> <p><i>Source: CAV, 'Rental properties - minimum standards' (consumer.vic.gov.au), last updated 14 October 2026, retrieved</i><br/><i>efficiency standards' (consumer.vic.gov.au), last updated 14 October 2026, retrieved</i></p>                                       | <p>CAV's general page states a single 3-star requirement without reference to the agreement date. Cl 4(b) (agreements before 1/3/2027: 3 star) and cl 4(c) (agreements on or after 1/3/2027: 4 star) turn on the date the agreement was entered into or created. Cl 4(c) is drafted to apply 'if a water efficient shower head is present', a qualification CAV does not mention. The rating system is WELS under reg 23(1)(a). The applicable sub-clause is selected by agreement date, as legislated.</p>                       |

## 5. VCAT Authority on the Rental Minimum Standards

This section records the Tribunal authority that governs *when* the rental minimum standards are engaged and how they are to be read. It is included so that any assertion of non-compliance founded on Consumer Affairs Victoria (CAV) guidance can be answered by reference to the legislation and to binding Tribunal reasoning. Passages are quoted from the published reasons (AustLII), verified on

| Authority                                                                             | Member                              | Holding / passage relied upon                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Application to this report                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Niblett v Broadbent (Residential Tenancies)</b> [2023] VCAT 1236 (6 November 2023) | Acting Senior Member<br>Dr A Treble | [13] The obligation to meet the minimum standards does not apply to agreements that commenced before 29 March 2021, as s 65A requires compliance <i>before occupation</i> . [15]–[18] A fixed term agreement does not terminate at the end of its term (s 91B). Under s 91Q it continues as one agreement, deemed periodic. [19] The s 65A obligation 'only applies before the renter enters into occupation' and cannot be applied retrospectively.                                                                                                                                                                      | Compliance is assessed as at the renter's entry into occupation. records the condition at the Entry Inspection of .                                                                                                                  |
| <b>Anderson v Sharpe (Residential Tenancies)</b> [2025] VCAT 415 (12 May 2025)        | Justice Woodward,<br>President      | [142] Adopts and endorses <i>Niblett</i> : s 65A requires compliance 'on or before the day on which the renter enters into occupation'. The renter's remedy for non-compliance at that time is an urgent repair request (s 65A(2)). [145]–[146] 'the rental minimum standards are not engaged when a fixed term converts to a periodic tenancy ... To the extent that the Consumer Affairs Victoria website ... says something different, it is wrong.' [147]–[148] It is 'at least arguable' that s 65A is not engaged while a renter remains in continuous occupation, even where new fixed term agreements are signed. | Fixes the trigger point for this report. Establishes that CAV's published triggers are not authoritative where they depart from the Act. A decision of the VCAT President carries the highest persuasive weight within the Tribunal. |

- 5.1 **Point of assessment.** Under s 65A of the *Residential Tenancies Act 1997* (Vic), the rental provider must ensure the premises comply with the prescribed standards (Sch 4) on or before the day the renter enters into occupation (*Anderson* at [142(a)]; *Niblett* at [19]). This report is directed to that point in time: the Entry Condition Report of Thursday for the agreement executed
- 5.2 **Renter's remedy.** Where premises do not comply at the start of occupation, the Act's remedy is an urgent repair request under s 65A(2) (*Anderson* at [142(b)]). Whether premises comply is a question of law, determined on the legislated text of Sch 4. Guidance published by CAV does not alter that text, and the Tribunal has declined to follow it where it departs from the Act (*Anderson* at [146]).
- 5.3 **Periodic conversion is not a trigger.** The President has held that the standards are not engaged when a fixed term converts to a periodic tenancy, and that CAV's website is wrong to the extent it says otherwise (*Anderson* at [146]). CAV's page 'Rental properties – minimum standards' (last updated 14/10/2026, retrieved ) continues to state that the standards apply where an agreement 'became a periodic agreement (month to month) on or after 29 March 2021'. Square PM applies the Tribunal's construction.
- 5.4 **Renewals during continuous occupation.** Whether s 65A is engaged when a new fixed term agreement is signed during continuous occupation is described as 'at least arguable' that it is not (*Anderson* at [147]–[148]). It is not settled. Square PM therefore treats each new agreement conservatively, assessing it against the standards in force at the date it is entered into, while reserving the *Anderson* argument.
- 5.5 **Caution — the 2027 energy-efficiency standards.** Clauses 4(c), 16, 17 and 18, inserted by S.R. No. 63/2025, are expressed to apply to agreements 'entered into or created on or after' 1 March 2027 (cl 18: 1 July 2027). Section 91Q of the Act speaks of the 'creation' of a periodic agreement on expiry of a fixed term. CAV reads these clauses as applying on conversion to month-to-month. The reasoning in *Niblett* and *Anderson* concerned s 65A and the transitional provisions. As far as Square PM is aware, it has not yet been tested against the 'or created' wording. This question should be reviewed before 1 March 2027, and legal advice obtained where a rental provider proposes to rely on it.
- 5.6 **Status of CAV guidance.** CAV publications are explanatory and carry no legislative force. Section 4 of this report sets each standard's legislated text beside CAV's wording and records every variance. Each determination in Section 3 is made on the legislated text, read in light of the Tribunal authority above.
- 5.7 **Record keeping.** CAV reports that, from 13 October 2026, rental providers must keep records sufficient to show the premises met the rental minimum standards (it cites ss 65C–65F of the Act). This report, with its time-stamped photographs and licensed-trade certificates, is prepared as that record for these premises. The text of ss 65C–65F should be confirmed against the authorised version of the Act.

## 6. Declaration

I, \_\_\_\_\_ of Square Investments Real Estate (Square PM), state that this report was prepared from the documents listed in Section 2. Each photograph reproduced is an unaltered still from the Inspection Express Entry Condition Report for the above premises, and bears its original in-image date and time stamp. Each determination is made against the text of the Residential Tenancies Regulations 2021 (Vic), Schedule 4, Authorised Version No. 009. Each determination is made on the legislated text read with the VCAT authority in Section 5, and not on Consumer Affairs Victoria guidance. Where a standard depends on a product rating or test value that cannot be shown photographically, I have relied on licensed-trade certification or have recorded that further evidence is required.

Signed: \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

— Square Investments Real Estate (Square PM)

**DRAFT — FOR REVIEW BEFORE ISSUE.** Before issue: (1) obtain a close-up of the stair window latch (cl 11, Stairs); (2) sign and date the declaration. Re-issue once the amber determination is cleared.