

**DISPUTE RESOLUTION
NON-STRATA TITLED VILLAGES**

OBJECTIVE

To ensure that any complaint or dispute between residents, or residents and Village management, is handled openly and resolved effectively, to the satisfaction of all concerned.

SCOPE

The complaint/dispute resolution scheme applies to both resident complaints about Village management and resident complaints/disputes involving another resident or residents.

Internal Complaint Handling and Dispute Resolution Process

How residents can complain:

- A resident may report a complaint or dispute to the Village Manager, Jo Augstkalns, or the manager's representative, between the hours of 9.00am and 5.00pm, Monday to Friday, at the Village Administration Office. A resident may alternatively report a complaint to the Chairman of the Board of Management, Peter Renner, should they prefer, during these times, who can be contacted at 1607/1 Freshwater Place, Southbank or on mobile 0409 241 149. The complaint/dispute may be lodged verbally or in writing to management.
- A resident may seek assistance from Consumer Affairs Victoria, the Dispute Settlement Centre of Victoria, The Victorian Civil and Administrative Tribunal or any other external dispute resolution body (see details below).

How a complaint about another resident or residents will be handled internally:

- The manager will listen to the complaint/dispute and establish the complainant's desired outcome
- The manager will gather as much information as possible from the resident making the complaint, making notes in writing
- The manager will not take any action in response to the complaint/dispute without the complainant's consent
- The manager will log the complaint/dispute in the Complaints Register
- The resident about whom the complaint has been made will be advised in writing of the nature of the complaint being investigated (if the complainant resident consents to this)
- While the consent of the residents to the dispute, the manager will mediate between the parties in the manner considered most appropriate by the manager. The manager will attempt to resolve the complaint/dispute to the

satisfaction of all concerned. It is recommended that residents attempt to resolve the complaint/dispute calmly and considerately, discussing the nature of the dispute, the perceived repercussions and desired outcomes.

- A resident may be represented by another person in dealing with the complaint/dispute
- The manager will not take any action which duplicates, is inconsistent with or overrides the provisions of a resident's residence contract or any law
- For any complaint/dispute not resolved within 72 hours, a separate record of the complaint/dispute will be kept by the manager
- The manager will keep the residents to the dispute informed as to the progress in the complaint/dispute resolution process
- The resident concerned may choose to have the matter resolved with the assistance of the resident's committee (if established). The resident must notify the manager if the matter has been referred to the committee as the manager must **not** deal with the complaint/dispute if it is being dealt with by the committee
- The residents to the dispute will be notified of the outcome of the complaint/dispute
- If the manager cannot resolve a complaint/dispute, the resident will be advised of this in writing, and will be further advised that the resident may contact Consumer Affairs Victoria for assistance, the Dispute Settlement Centre of Victoria for assistance, or seek independent legal advice
- The outcome of the complaint/dispute and any action taken will be recorded in the Complaint Register

How a Complaint about Village management will be handled internally:

- The manager will listen to the complaint/dispute and establish the complainant's desired outcome
- The manager will gather as much information as possible from the resident making the complaint, making notes in writing
- The manager will not take any action in response to the complaint/dispute with the complainant's consent
- The manager will log the complaint/dispute in the Complaints Register
- In the first instance, the manager will attempt to resolve the matter with the resident at the time the complaint is raised
- If the matter is not resolved by the manager at the time the complaint is made, the resident will be advised in writing that the complaint has been lodged and is being investigated further
- A resident may be represented by another person in dealing with the complaint/dispute
- The manager will not take any action which duplicates, is inconsistent with or overrides the provisions of a resident's residence contract or any law
- For any complaint/dispute not resolved within 72 hours, a separate record of the complaint/dispute will be kept by the manager
- The resident concerned may choose to have the matter resolved with the assistance of the resident's committee (if established). The resident must notify the manager if the matter has been referred to the committee as the manager must **not** deal with the complaint/dispute if it is being dealt with by the committee

- If the matter cannot be resolved by the manager or the residents' committee, then the Chairman of the Committee of Management may be asked to attempt to resolve the matter
- The resident will be notified in writing of the outcome of the complaint/dispute
- If the complaint/dispute remains unresolved, the resident will be advised of this in writing, and will be further advised that the resident may contact Consumer Affairs Victoria for assistance, the Dispute Settlement Centre of Victoria for assistance, or seek independent legal advice
- The outcome of the complaint/dispute and any action taken will be recorded in the Complaint Register

External Dispute Resolution Process

When a complaint or dispute arises that cannot be resolved through the internal dispute process, the resident or manager may refer the matter to one of the following external agencies for resolution:

- Consumer Affairs Victoria – GPO Box 123, Melbourne 3001. Helpline telephone no. 1300 558 181. Consumer Affairs may offer advice on some disputes and conciliate between residents and management. Management must have the agreement of resident or residents, before referring the dispute to Consumer Affairs, or
- Dispute Settlement Centre of Victoria – Telephone 1300 372 888. Email: dscv.vic.gov.au DSCV may offer advice on some disputes and conciliate between residents and management. Management must have the agreement of the resident or residents, before referring a dispute to the Dispute Settlement Centre of Victoria
- Victoria Civil and Administrative tribunal – 308 La Trobe Street Melbourne 3000. GPO Box 5408, Melbourne, 3001. Telephone 1300 018 228 between 9am and 4.30pm Monday-Friday. Email: civil@courts.vic.gov.au
- Another external dispute resolution body.

Complaint/dispute Records

All complaints/disputes will be recorded in a 'Complaints Register', which will include the following:

- Date of complaint
- The parties to the dispute
- The nature of the complaint
- The outcome or action taken

Where a complaint/dispute is not resolved within 72 hours, a separate file will be opened recording the complaint/dispute. The file will be updated until the matter is resolved and will be retained for 7 years from the time the complaint is recorded.

A report on the complaints/disputes will be summarised on an annual basis to be presented to the annual meeting of residents, which will include:

- The number and nature of management complaints and residents' disputes received in the year (number for management complaints and residents' disputes to be reported separately)
- The outcomes of the complaints/disputes and any action to resolve the complaints/disputes
- Actions taken or changes made to address any issues arising from a complaint or dispute, identified during the process

This report will **not** identify the parties to the complaint/dispute. For that reason, the report will be general in nature and will not provide any specifics about the complaint/dispute or the outcome achieved.

Adopted by Committee of Management
30th June 2018