

MiCare Retirement Living Village Complaint/Dispute Procedure

A village dispute means either a management dispute (a dispute between Residents and us) or a resident dispute (a dispute between residents). We will handle your complaint or dispute confidentially, respecting your privacy and legal rights. We will treat all parties fairly, without discrimination or bias. We will only act on your complaint with your consent where consent is required by law

How to give notice of a village dispute:

Notice may be given in any of the following ways:

- (1) **verbally:** by describing the dispute to the relevant contact person in person or by telephone;
- (2) **in writing, by post:** by sending a document describing the dispute by post to the postal address of the relevant contact person;
- (3) **in writing, in person:** by giving a document describing the dispute, in person, to the relevant contact person;
- (4) **in writing, by electronic communication:** by sending a document describing the dispute in accordance with the *Electronic Transactions (Victoria) Act 2000* (for example by email), to the relevant contact person.

We will accept notice given in any of these forms. We will not require a resident to submit a written notice or complete a particular form in order for notice to be valid.

1 Who can resolve complaints against the operator or Proprietor of the Village?

If you have a complaint against the operator or proprietor, you may choose any one of the following procedures to assist you in resolving your complaint:

- 1.1** Use the Village's internal complaint and dispute resolution procedure set out in this document.
- 1.2** Seek advice from Consumer Affairs Victoria ("CAV"). The contact details of CAV are as follows:

City office: 121 Exhibition Street, Melbourne VIC 3000

Postal address: GPO Box 123, Melbourne VIC 3001

Helpline telephone no: 1300 558 181

Website: <http://www.consumer.vic.gov.au>

1.3 Seek assistance from the Victorian Civil and Administrative Tribunal ("VCAT").

contact details of VCAT are as follows:

Street address: 308 La Trobe Street, Melbourne VIC 3000

Postal address: GPO Box 5408, Melbourne VIC 3001

Telephone no: 1300 018 228

Website: <http://www.vcat.vic.gov.au>

1.4 Apply for conciliation through VicAssist Retirement Villages, the retirement villages

conciliation service. The contact details are as follows:

Telephone: 1300 528 994

Website: <https://www.vic.gov.au/retirement-village-dispute-help>

1.5 Seek independent legal advice or use another external service or dispute resolution body.

2 Who can resolve complaints about or disputes with other residents?

If you have a complaint about or a dispute with another resident, you may choose any one of the following procedures to assist you in resolving the complaint or dispute:

2.1 Speak with the other resident and attempt to directly resolve the complaint or dispute.

2.2 Use our internal complaint/dispute resolution scheme which is outlined in this document.

2.3 Seek advice from Consumer Affairs Victoria ("CAV"). The contact details of CAV are as follows:

City office: 121 Exhibition Street, Melbourne VIC 3000

Postal address: GPO Box 123, Melbourne VIC 3001

Helpline telephone no: 1300 558 181

Website: <http://www.consumer.vic.gov.au/>

2.4 Apply for conciliation through VicAssist Retirement Villages, the retirement villages conciliation service. The contact details are as follows: Telephone: 1300 528 994 Website:

<https://www.vic.gov.au/retirement-village-dispute-help>

2.5 Seek independent legal advice or use another external service or dispute resolution body.

Please note that if you choose to use our internal complaint/dispute resolution scheme, the operator cannot take any action to resolve the complaint or dispute if all the relevant parties do not consent to the operator's involvement or if this would duplicate or be inconsistent with or override any other law or the provisions of the residence or management contract entered into by the complainant

3. How will your comment or complaint be handled

3.1 Upon receipt of your comment, we will:

- 3.1.1 consider the comment or suggestion;
- 3.1.2 establish an electronic or physical file relating to the comment;
- 3.1.3 advise you whether we accept your suggestion and any action taken.

3.2 Upon receipt of your complaint, we will:

- 3.2.1 acknowledge receipt of your complaint in writing;
- 3.2.2 record the complaint in the Village complaints register.

3.3 Upon receipt of your complaint we will:

- 3.3.1. acknowledge receipt of your complaint in writing by providing you a written record of your dispute; and
- 3.3.2. record in the complaints register maintained by the Village:

3.4 If your complaint is against Management (“management complaint”), we will:

- 3.4.1. with your consent, investigate the complaint by interviewing any relevant staff and reviewing any documents you have provided to us; and
- 3.4.2. advise you in person and in writing of the outcome of our investigation, and any action which we propose to take so as to address the subject of your complaint.

3.5 If your complaint is against another resident (“resident dispute”), we will:

- 3.5.1. with your consent, advise the other resident of your complaint and request that the resident provide us with their response to your complaint within 7 days;
- 3.5.2. if the other resident agrees to provide a response, we will, with that resident's consent, notify you of their response; Participation by both residents is voluntary.

- 3.5.3. we may facilitate a meeting between you and the other resident to attempt to resolve the dispute, if you both agree to attend the meeting;
- 3.5.4. Where reasonably practicable, we aim to resolve complaints within 10 business days after receiving sufficient information to understand the complaint. Where additional time is required, we will discuss this with you and provide regular progress updates. If we do not believe that the dispute can be resolved through our assistance, we will advise you of this and suggest that you seek external assistance or the assistance of the Village resident's committee.

4. Where possible and reasonable, we will endeavour to resolve complaints and disputes at the community level within 10 working days of receiving your complaint, provided we have sufficient details to understand the nature of the complaint. A resident may agree to a longer time frame to obtain further information or undertake an investigation. If a later time is agreed upon, we will keep you informed of progress on a regular basis.

We will follow a cascading complaint handling procedure which allows complaints to be escalated in a way that seeks to resolve them in a cost effective and efficient manner that is fair and reasonable to all parties. Escalation options may include:

- The Village Manager of the retirement village.
- Chief Financial Officer (or another appropriate Executive Manager) of the company
- An external independent dispute resolution service or mediator
- Where appropriate the Code Administrator
- Consumer Affairs Victoria.

Nothing in this procedure limits a resident's rights under the Retirement Villages Act 1986 (Vic), the Retirement Villages Regulations 2026 (Vic), the Australian Consumer Law or any other applicable legislation. Residents may seek independent advice or refer a dispute to an external body at any stage.