

07

RENT PAYMENT PROTECTION

VIC — VCAT

Residential Tenancies Act 1997 (Vic) — Rent, receipts and arrears (Part 2; s.91ZM)

Your defence against the most dangerous allegation in renting — rent arrears

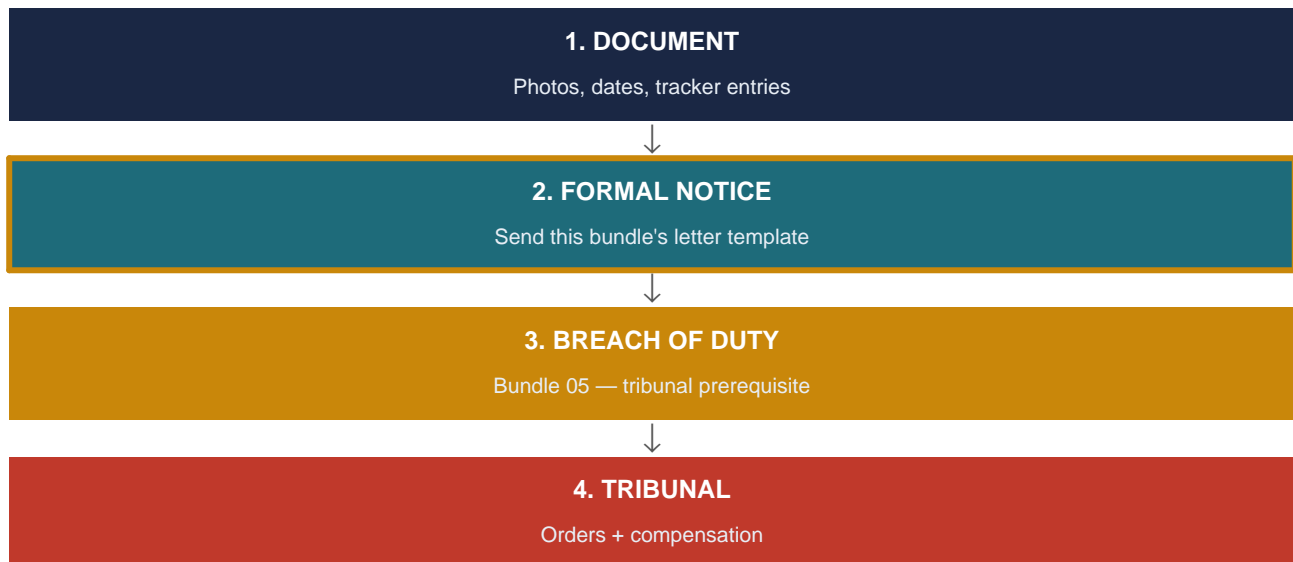
WHEN TO USE THIS BUNDLE

Use this bundle from day one of your tenancy — before any dispute exists. It is insurance: a real-time payment ledger that makes arrears allegations impossible to sustain, and a dispute log for the day an agent's ledger gets it wrong.

KNOW THE LAW — RENT, RECEIPTS AND THE 14-DAY ARREARS RULE

Rent arrears is the fastest path to a Notice to Vacate: a rental provider can issue a 14-day notice once rent is at least 14 days unpaid (s.91ZM). But the law also protects payers: rent paid in person must be receipted, payment records must be made available on request, and — critically — paying the arrears in full before the termination date generally voids an arrears notice ('pay-and-stay'). Your own real-time payment ledger, with bank references, is what makes every one of these protections usable.

HOW THE SYSTEM WORKS — YOUR ESCALATION PATH



The highlighted box shows where this bundle fits in the journey.

01 Log every payment the day you make it

One row per payment in the Rent Payment Log: due date, paid date, amount, method, and the bank reference number. A complete ledger takes seconds per week and ends arguments before they start.

02 Keep independent proof of every transfer

Export or screenshot your bank confirmation monthly. The agent's ledger is their record — misallocated payments and wrong dates are common. Yours is the correction.

03 Never pay cash without a receipt

Rent paid in person must be receipted at the time of payment. Unreceipted cash is the one payment method that can genuinely be 'lost' — avoid it, or demand the receipt on the spot.

04 If arrears are alleged, answer with the ledger

Do not argue from memory. Send your ledger extract and bank references in writing, itemising each payment the agent's records have missed. Log the dispute in the Arrears Dispute Log.

05 If a 14-day arrears notice arrives, know both defences

If the arrears are real: paying in full before the termination date generally voids the notice — pay-and-stay. If the arrears are wrong: dispute in writing immediately and check the notice itself for defects using Bundle 11. Never just move out.

IF YOU NEED TO ESCALATE — WHAT VCAT CAN ORDER

If an arrears dispute reaches VCAT, the renter with a complete payment ledger and bank references almost always wins the factual argument. VCAT can also review whether an arrears notice was valid and whether pay-and-stay applied. Your green-wall payment history is the exhibit that ends the hearing early.

★ GOOD TO KNOW — PAY-AND-STAY — THE ARREARS ESCAPE HATCH

For the first few arrears notices in a 12-month period, paying the overdue rent in full before the termination date renders the notice of no effect. The clock matters: pay immediately, keep the transfer confirmation, and notify the agent in writing that the arrears are cleared.

■ CRITICAL — YOUR LEDGER BEATS THEIR LEDGER — BUT ONLY IF YOU KEEP IT

Agents' trust-account ledgers contain errors more often than renters expect — misallocated payments, wrong dates, missed transfers. The renter who can produce a dated payment log with bank reference numbers wins that argument. The renter who argues from memory does not.

■ CRITICAL — AN ARREARS NOTICE IS NOT AN EVICTION

A 14-day arrears notice can generally be defeated by paying the arrears in full before the termination date (pay-and-stay), and only VCAT can order possession. Never move out on the strength of an arrears notice without advice — and never stop paying rent during a dispute.

TEMPLATE — ARREARS ALLEGATION RESPONSE

Residential Tenancies Act 1997 (Vic) — Rent, receipts and arrears
(Part 2; s.91ZM)

1. COPY

Copy the letter below into a new email

2. FILL

Replace every **[bracketed]** field with your details

3. SEND

Email it — request a read receipt, save a copy

*Use this when an agent alleges rent arrears your records do not show. Fill in every **[bracketed]** field, attach your ledger extract, then send via email — request a read receipt.*

SUBJECT:

FORMAL RESPONSE — DISPUTED RENT ARREARS ALLEGATION: [Insert Property Address]

I refer to your communication of **[Insert Date]** alleging rent arrears of **[\$[Insert Alleged Amount]]**. I dispute this allegation in full. My payment records do not support it.

1. MY PAYMENT RECORD

- Attached is my complete rent payment ledger for the period **[Insert Period]**, including bank transfer reference numbers for every payment.
- Key payments your ledger appears to have missed or misallocated: **[List date, amount, and bank reference for each]**

2. REQUEST FOR YOUR RECORDS

- Please provide a full copy of the rent ledger you hold for my tenancy, itemising each payment received and the date it was applied.
- Please reconcile your ledger against the bank references above and confirm the alleged arrears in writing, or withdraw the allegation, within **[e.g., 7 days]**.

3. MY POSITION

- Rent for this tenancy is paid in full and on time, as my ledger demonstrates.
- I trust this resolves the matter. If a Notice to Vacate is issued on the basis of this allegation, I will challenge it at VCAT, and this correspondence will form part of my evidence.
- I will continue to pay rent in full while this matter is resolved.

Yours sincerely,

[Your Full Name]

[Property Address]

[Date]

[Contact Number / Email]