



Updates to the *Retirement Villages Act 1986 (Vic)* Compliance Checklist

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ADELAIDE Level 9, 63 Pirie Street Adelaide SA 5000 | T: +61 8 8228 1111

SYDNEY Level 2, 50 Pitt Street Sydney NSW 2000 | T: +61 2 8255 6900

cowellclarke.com.au

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Background and Disclaimer

On 1 May 2026, significant reforms to the *Retirement Villages Act 1986* (Vic) (**Act**) and the *Retirement Villages Regulations 2026* (VIC) (**Regulations**) commenced, impacting both residents and operators of retirement villages in Victoria. The updated Act and new Regulations introduce additional requirements which operators in this sector must observe in order to remain compliant.

This Compliance Checklist is intended to provide an overview of the different action items which are required to be implemented by those operating retirement villages in Victoria from 1 May 2026.

The material contained in this Compliance Checklist is dependent on the information released as at the date of this Compliance Checklist.

This document is for general information only and cannot be relied upon as legal advice. Do not act on the basis of this document but seek specific advice from your legal adviser.

Cowell Clarke's dedicated Aged Care and Retirement Living Team continues to work closely with retirement village operators and aged care providers to ensure their best possible outcomes are achieved whilst ensuring compliance.

For further information, please contact our [Aged Care, Retirement Living and Health Team](#).

Compliance Checklist

Task No	Task Description	Completed ✓	Comments
<i>Consumer Affairs Victoria Notification</i>			
1.	Provide updated information to Consumer Affairs Victoria through the myCAV portal.		<p>All operators must notify Consumer Affairs Victoria of prescribed information relevant to their operation of a retirement village.</p> <p>The first notification is due from 1 May 2026 and must be updated at least annually, or earlier if there are changes to the particulars.</p>
<i>Residence and Management Contract</i>			
2.	For operators who have not yet prepared a new Residence and/or Management Contract Template (mandatory from 1 September 2026), review and amend existing Residence and Management Contract Template to include transitional provisions.		<p>Operators may use a transitional Residence and/or Management Contract for incoming residents between 1 May to 31 August 2026 whilst preparing a new Residence and/or Management Contract Template (see Item 3 of this table).</p> <p>Among other things, operators will need to:</p> <ul style="list-style-type: none"> • Amend the cooling off right from 3 days to 7 days. • Amend language to reflect updated terms (for example, entry payment instead of in-going contribution). • Specify the date on which the settling in period commences and the date on which it ends.

			<ul style="list-style-type: none"> Specify the method of calculating any exit entitlement and the time in which it is payable to the resident.
3.	Prepare new Residence and/or Management Contract Template.		The new standard form Residence and/or Management Contract must be used for incoming residents from 1 September 2026.
Premises Condition Report			
4.	Prepare a Premises Condition Report Template (required for non-owner residents).		<p>A Premises Condition Report is used to detail the state of repair and general condition of the premises on a resident's entry and exit from a village.</p> <p>From 1 May 2026, the standard form Premises Condition Report must be used by operators where a resident is a non-owner resident.</p> <p>A Premises Condition Report must be given by the operator:</p> <ul style="list-style-type: none"> To the incoming resident prior to them entering into occupation of the premises. To the outgoing resident within 10 business days of the resident delivering vacant possession.
Information Statement			
5.	Prepare an Information Statement for each retirement village, and publish on the operator's website.		<p>The Information Statement replaces the Disclosure Statement and Factsheet previously used by Victorian retirement villages.</p> <p>The Information Statement must be in the prescribed form, which can be found here.</p>

			The Information Statement must be published on the operator's website from 1 May 2026. If there is a change to a material fact or particular in the Information Statement, it must be updated as soon as possible after the change occurs.
Contract Checks			
6.	Implement internal policies and procedures to ensure that residents (new and existing) are provided with contract checks.		<p>A contract check is an opportunity for residents to understand the financial implications if they were to leave the retirement village. This is a mandatory check-in that must occur at least annually, or earlier at the resident's request.</p> <p>The contract check must be in the prescribed forms (found here), being either a:</p> <ul style="list-style-type: none"> • Written Contract Check; or • Contract Check Meeting Summary (only available if the contract check is on application by the resident (i.e. not an annual check), and the resident has requested a contract check meeting).
Resident Meetings			
7.	Review and update internal policies and procedures to reflect the new requirements for resident meetings.		<p>Among other things, this review and update should consider:</p> <ul style="list-style-type: none"> • Notice requirements for calling resident meetings, including minimum notice periods and information which must be provided. • Quorum of residents at meetings.

			<ul style="list-style-type: none"> Decisions which must be made by special resolution (such as decisions relating to maintenance charges, By-Laws, and the variation of village services or facilities).
8.	Review and update policies and procedures to comply with new annual general meeting requirements.		<p>Operators must now provide the following additional information to residents at the annual meeting:</p> <ul style="list-style-type: none"> A copy of the village Capital Maintenance Plan (see Item 11). A report on the implementation of the Capital Maintenance Plan during the previous financial year. Details of payments into and payments out of the village Capital Maintenance Fund (if any).
Village By-Laws			
9.	Review and, if necessary, amend village By-Laws to reflect new restrictions.		<p>A review of By-Laws should, among other things, consider:</p> <ul style="list-style-type: none"> The By-Law's general compliance with the Act and Regulations (as they cannot be inconsistent). The prohibition on unreasonably limiting a resident from keeping a pet on their premises. That any discretion granted to an operator under the By-Laws must be subject to the requirement to act reasonably.

Modification of Fixtures and Fittings			
10.	Update internal policies and procedures to comply with new requirements regarding modification of fixtures and fittings.		<p>A non-owner resident may make a request to add, remove or alter any fixtures or fittings on the non-owner resident's premises.</p> <p>The operator must give the resident written notice of their consent or refusal within 14 days after the request. Importantly, the operator cannot unreasonably refuse to consent to the request.</p> <p>There are a number of prescribed fixtures and fittings that residents may modify without the operator's consent (such as picture hooks, window dressings, reasonable security systems, etc.).</p>
Responsibilities for Maintenance and Repairs			
11.	Prepare and implement a Capital Maintenance Plan.		<p>A Capital Maintenance Plan is a written strategy for the items of capital in the village which the operator is responsible for maintaining (for example, buildings, plant and machinery, etc.).</p> <p>Among other things, the Capital Maintenance Plan must set out:</p> <ul style="list-style-type: none"> • The items of capital that are anticipated to require capital maintenance or replacement within the next 10 years. • The present conditions or state of repair of the items of capital. • When items of capital will need to be repaired or replaced, including estimated costs and expected life once repaired or replaced.

			Capital Maintenance Plans are mandatory, unless the village land is subject to an owners corporation, which has a maintenance plan and maintenance fund in place.
12.	Establish and maintain a Capital Maintenance Fund (if applicable).		<p>Capital Maintenance Funds are required if:</p> <ul style="list-style-type: none"> • The operator sets aside any maintenance charges for the purpose of funding capital maintenance or replacement at the village after the financial year in which the maintenance charges are collected; and • The land is not subject to an owners corporation, which has a maintenance plan and maintenance fund in place.
Exiting a Village			
13.	Update policies and procedures to comply with new requirements regarding resident termination.		Operators seeking to terminate a resident's Residence Contract for breach of contract or health and safety reasons must comply with new requirement, including new prescribed notice forms.
14.	Update policies and procedures to comply with new requirements regarding exit calculations.		<p>Key changes include:</p> <ul style="list-style-type: none"> • A deferred management fee for residents entering a village post 1 May 2026 must be calculated: <ul style="list-style-type: none"> o As a percentage of the resident's entry payment. o By reference to the length of time the resident lives in the village. o On a daily basis.

			<ul style="list-style-type: none"> Residents entering a village post 1 May 2026 must not be apportioned a higher amount of capital loss than capital gain under their exit entitlement calculation.
Dispute Resolution Procedure			
15.	Review and amend the village Dispute Resolution Procedure to comply with new requirements and publish it on the operator's website.		<p>Among other things, the Dispute Resolution Procedure must now address:</p> <ul style="list-style-type: none"> Contact details for a primary and alternative contact person at each village. New record keeping requirements. <p>The Dispute Resolution Procedure must be published on the operator's website and provided to residents upon their request.</p>
Emergency Planning			
16.	Prepare and maintain an emergency plan for the village and implement practices to ensure residents and staff are familiar with the plan.		<p>An emergency plan must provide for certain emergency procedures (i.e. evacuation procedures, notification and communication with authorities and residents, and medical treatment and assistance).</p> <p>In preparing and maintaining an emergency plan, regard must be had to all relevant matters, including:</p> <ul style="list-style-type: none"> The nature of the hazards in the village. The size, location and layout of the village. The number of residents residing at the village. Arrangements required for residents with impairments.

17.	Display key safety information in communal areas throughout the village, and provide a copy of the key safety information to each resident in relation to their residence.		<p>Key safety information includes:</p> <ul style="list-style-type: none"> • A map of assembly areas, exits, fire extinguishers and other emergency equipment for the communal areas and premises. • Evacuation instructions for the communal areas and premises.
18.	<p>Take reasonable steps to ensure that vehicular access is available at any time at the village for:</p> <ul style="list-style-type: none"> • Emergency workers. • Home care providers. • NDIS providers. 		<p>This may be undertaken as part of the preparation of an emergency plan for the village (see Item 16).</p>
19.	Undertake annual safety procedures at the village.		<p>Operators must, at least annually, undertake:</p> <ul style="list-style-type: none"> • An emergency evacuation exercise for residents. • A safety inspection of the village, which includes the preparation of a report on the findings. <p>Residents must be notified of an upcoming safety inspection and given access to the findings report, if requested.</p>