

Fact sheet



Information on renting rooming accommodation

Dispute Resolution Services

Residents and providers can sometimes disagree about something in their *Rooming Accommodation Agreement* (Form R18). Under the *Residential Tenancies and Rooming Accommodation Act 2008* (the Act), the Residential Tenancies Authority (RTA) provides a Dispute Resolution Service to help resolve disputes about agreements in rooming style accommodation in Queensland.

The RTA encourages residents and providers to try to solve their problems by talking to each other and by finding out about their rights and responsibilities. If the resident and provider cannot sort out the dispute by speaking with each other, the RTA's Dispute Resolution Service offers a free conciliation service that can help parties resolve a dispute without the need for legal action.

If the Dispute Resolution Service is unable to assist the parties to reach a resolution, they may apply to the Tribunal for a decision.

To find out more about applications to the Tribunal, read the information at the end of this Fact Sheet or contact the RTA.

How to use the RTA's Dispute Resolution Service

Residents and providers can use the Dispute Resolution Service by filling out and lodging a *Dispute Resolution Request* (Form R16) with the RTA's Dispute Resolution Service. The form can be mailed or faxed to the RTA or you can drop the form into the RTA's office at 33 Herschel Street, Brisbane. A conciliator will then contact you about the dispute.

Who is involved in dispute resolution?

The RTA conciliator will usually talk directly with the resident and provider. In special circumstances the conciliator can approve someone else to participate in dispute resolution. This might include a support person or an advocate speaking on behalf of a resident who has a disability and would like someone to speak on his or her behalf.

What happens if the dispute is resolved?

If the dispute is resolved, the conciliator can help residents and providers to enter a written agreement. This agreement becomes part of the *Rooming Accommodation Agreement* (Form R18) and must be consistent with the *Residential Tenancies and Rooming Accommodation Act 2008*.

If the resident and provider reach an agreement about the distribution of a bond, the conciliator will get all the relevant parties to the bond to sign a *Refund of Rental Bond* (Form R4). The RTA can then pay out the bond money according to the agreement.

What happens if the dispute is not resolved?

If the parties are not able to resolve the dispute, the RTA will issue a *Notice of Unresolved Dispute* which will allow the parties to apply to the Tribunal for a decision.

Applications to the Tribunal

There are two types of applications to the Tribunal:

Non-urgent

Under the Act, a non-urgent application must first go through the RTA's Dispute Resolution Service before an application to the Tribunal can be made. An application is considered non-urgent if it is:

- a dispute about a rental bond
- a general dispute between parties, or
- a breach of a conciliation agreement.

Urgent Applications

'Urgent applications' are able to be made directly to the Tribunal without having to go through Dispute Resolution first. 'Urgent applications' may be made because:

- a resident has not left by the date written on a *Notice to Leave* (Form R12) or *Resident Leaving Form* (Form R13)
- the resident is experiencing excessive hardship (like money problems or a job transfer) and they want to end the agreement before the end date in the agreement, or

- the provider or the resident needs an order to stop a person from causing damage or injury to themselves or the premises.

For a complete list of urgent applications, refer to our website, contact the RTA, or contact the Tribunal or your local Magistrates Court.

For help applying to the Tribunal, contact your local Tenant Advice and Advocacy Service (Qld) office (look under 'T' in the White Pages).

Further information

For more information on applying to the Tribunal, contact the RTA for a copy of the *Handling Tenancy Disputes in the Small Claims Tribunal* booklet.

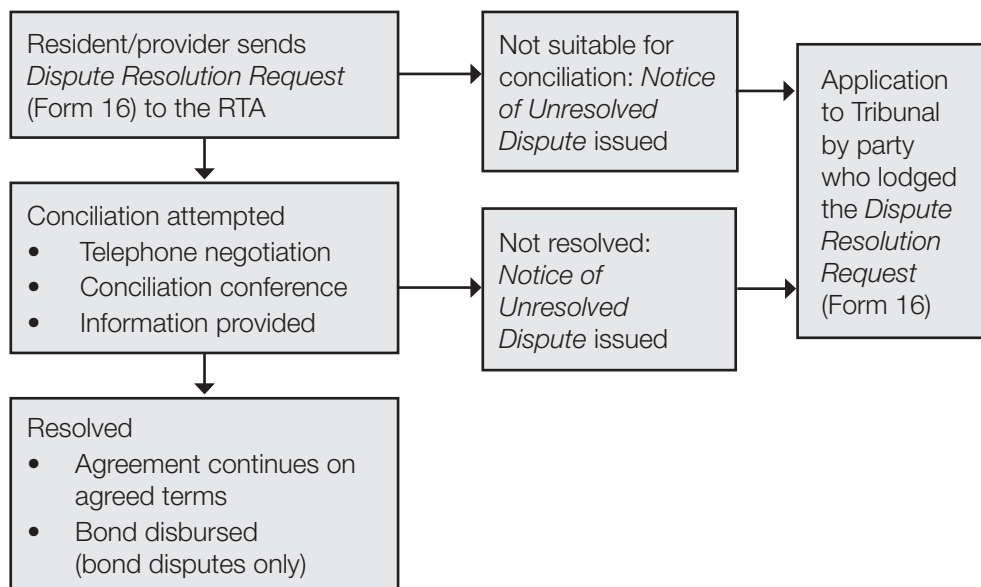
Accessing RTA forms

The RTA's approved forms can be obtained by:

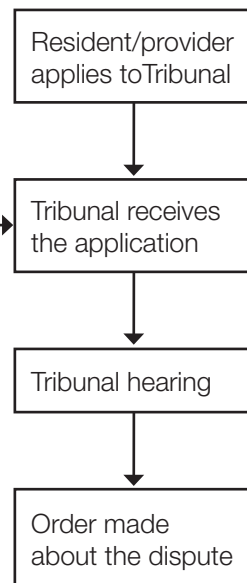
- visiting the RTA website at www.rta.qld.gov.au
- calling the RTA on 1300 366 311
- visiting the RTA offices at 33 Herschel St, Brisbane
- faxing a *Request for Forms* to 3216 2258
- calling the RTA's Forms Distribution Service on 1300 136 939
- posting a *Request for Forms* to the Forms Distributor: Post Logistics, 52-54 Qantas Dr, Eagle Farm 4009.

A selection of the most commonly used forms are also available at Australia Post outlets around Queensland.

Non-Urgent Application



Urgent Application



If you need interpreting assistance to help you understand this information, contact TIS on 13 14 50 (for the cost of a local call) and ask to speak to the Residential Tenancies Authority (RTA).

Disclaimer

This Fact Sheet is prepared for information only. The Residential Tenancies and Rooming Accommodation Act 2008 is the primary source on the law and takes precedence over this information should there be any inconsistency between the Act and this Fact Sheet.

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