

## Frequently Asked Questions

If your question hasn't been answered, you may find the information below in the Frequently Asked Questions.

### Whose side is the RTA on?

- The RTA is a regulator and is therefore committed to conducting investigations in a way that is fair and equitable to both parties. The RTA does not take sides.

### Can an investigation get my bond money back?

- Compliance Officers are unable to recover bond money. If you are trying to recover money owed, you will need to lodge a [Dispute resolution request](#). If the dispute resolution process is unsuccessful the matter may be taken to the [Queensland Civil and Administrative Tribunal \(QCAT\)](#) for a decision to be made.

### What action or punishment will the RTA take against the other party in my case?

- Each case is different and assessed on its merits. While the circumstances of your case may have been difficult, the aim of an investigation is to uphold and enforce compliance with the *Residential Tenancies and Rooming Accommodation Act 2008* (the Act), as opposed to retaliation.

### How long will the investigation take?

- An investigation may take from a few weeks to several months, depending on the complexity and seriousness of the case. Timeframes may be longer during peak periods. The Compliance Officer will discuss individual case length with each customer.
- Investigations that proceed to prosecution may take over a year to finalise at court.

### What is the difference between an investigation and dispute resolution matter?

- An investigation is a process where the RTA as a regulator determines if a breach of the Act has occurred. The RTA can only investigate sections of the Act that are an offence to breach. For a section of the Act to be an offence, it must have penalty units attached. An investigation may be initiated via a request from a customer or as a proactive program of work.
- Dispute resolution provides free conciliation to help people resolve tenancy disputes. The conciliation process is voluntary and confidential. The conciliator does not provide the information shared in the process if the matter later forms part of an investigation.

### I just received an allegation letter from the RTA. What happens now?

- It is alleged that you committed an offence under the Act. As a regulator, the RTA will send you an allegation letter which provides you with your options to respond to the allegation.

### Can I make an anonymous investigation request to the RTA?

- The RTA can receive anonymous investigation requests however if an offence is identified, the other party involved will be notified in writing. The letter outlines the allegations made, including the name of the customer and the relevant section/s of the Act.

### I am being evicted on unfair grounds. Can an investigation stop the eviction?

- If you have been issued a Notice to Leave you have 4 weeks to apply to QCAT to contest the Notice. Information is available on [retaliatory evictions webpage](#).
- An investigation will not prevent an eviction from happening.

### Should my complaint be investigated by the RTA or by the Office of Fair Trading (OFT)?

- Customers can make an investigation request to the OFT about licensed property managers who have:
  - used rent money for another purpose within the tenancy (e.g. to cover a water bill or to pay for repairs)
  - failed to lodge a bond with the RTA.

However, if the investigation request involves another matter in addition to the offences mentioned above (e.g. unlawful entry), the request should be made in full to the RTA. The RTA also retains all other investigation requests under the Act, including all investigations into alleged offences committed by a property manager/owner or tenant.

## Accessing RTA forms

The RTA's forms can be obtained electronically or in person via:

- [rta.qld.gov.au](http://rta.qld.gov.au)
- 1300 366 311 (Mon – Fri: 8.30am – 5.00pm)
- Level 11, Midtown Centre, 150 Mary Street, Brisbane



**Other languages:** You can access a free interpreter service by calling the RTA on 1300 366 311 (Monday to Friday, 8.30am to 5.00pm).

### Further information

For more information contact the Residential Tenancies Authority.



[rta.qld.gov.au](http://rta.qld.gov.au)



1300 366 311



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#### 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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