

Fact sheet

Bond refunds for persons experiencing domestic and family violence

For simplicity and ease of reading, both tenants and residents will be referred to as tenants. The phrase tenancy will cover tenancies and residencies, and managing parties will refer to all property managers/owners, agents and managers/providers.

When a tenant ends their interest in their tenancy on the grounds of experiencing domestic and family violence and vacates the property, the vacating tenant or the managing party can lodge a bond refund and must use the [Bond refund for persons experiencing domestic and family violence \(Form 4a\)](#). **This is a paper form only and can be lodged via email. It is not available via RTA Web Services.**

The RTA can only process a rental bond refund **after** the tenant has vacated the property and their interest in the residential tenancy agreement has ended.

Important: To ensure the safety and privacy of the person experiencing domestic and family violence, the RTA will only correspond with the tenant and the managing party in the refund process and **NOT** any remaining tenants or co-contributors to the bond.

How is a bond refunded when a tenant ends their interest in a tenancy due to experiencing domestic and family violence?

The vacating tenant must first end their interest in their tenancy on the grounds of experiencing domestic and family violence by providing a [Notice ending tenancy interest \(domestic and family violence\) \(Form 20\)](#), supported by relevant evidence to their managing party.

Once the vacating tenant's interest in the tenancy has ended, a tenant or the managing party can request the vacating tenant's bond contribution to be refunded by completing the [Bond refund for persons experiencing domestic and family violence \(Form 4a\)](#). **This is a paper form only and can be lodged via email. This form is not available via RTA Web Services.**

When a tenant ends their interest in an agreement using a Notice ending tenancy interest, they:

- **are not responsible** for costs associated with ending their interest in the agreement, goods left behind at the property or reletting costs
- **are not required** to repair or compensate the property manager or owner for damage to the property or inclusions caused by an act of domestic and family violence they have experienced
- **are still responsible** for other costs associated with breaching terms of the agreement (for example, rent arrears).

When there is agreement on how a tenant's bond contribution is to be refunded

The bond contribution can be refunded quickly if:

- the total refund amount on the form equals the vacating tenant's bond contribution amount in the tenancy agreement, and
- the vacating tenant and the managing party both sign the refund form.

Important: any remaining bond contributors are not required to sign the refund form.

When there is no agreement on how a bond is to be refunded

This refers to when the vacating tenant and managing party have not agreed about how the bond should be paid and/or only one of them has signed the refund form.

If the vacating tenant and the managing party can agree to a portion of the refund, the RTA will release any undisputed bond amount/s and hold any disputed bond amount/s.

- **If only the vacating tenant signs the refund form**
The RTA will send a Notice of claim to the managing party and they will have 14 days to dispute the bond claim. If agreement cannot be reached, the RTA's free dispute resolution service may be able to assist.
- **If only the managing party signs the refund form**
The RTA sends a Notice of claim to the vacating tenant and they will have 14 days to dispute the bond claim. If agreement cannot be reached, the RTA's free dispute resolution service may be able to assist.

Remember: if the party receiving the Notice of claim takes no action before the 14-day notice period expires, the RTA will automatically pay the bond refund or contribution as per the original refund request.

What happens if the bond refund is disputed?

If the tenant and managing party are unable to resolve a dispute, they can request to have free dispute resolution through the RTA by submitting a Dispute resolution request form (Form 16). A conciliator will contact the parties and help them come to an agreement. If no agreement is reached, the conciliator will issue a *Notice of unresolved dispute*, allowing the disputing party to apply to the Queensland Civil and Administrative Tribunal (QCAT) for a decision.

If you are a managing party and wish to dispute the refund of a vacating tenant's bond contribution, **it is important to remember:**

- the vacating tenant is not responsible for certain costs (see more information above)
- you are required to follow the bond dispute process even if you have made another application to QCAT (such as an application to set aside the Notice ending tenancy interest).

If you receive a Notice of claim and do not submit a dispute resolution request within the specified timeframe, the bond will be paid in accordance with the refund form.

What if the bond involves a bond loan?

If your bond involves an outstanding amount on a bond loan with the Department of Communities, Housing and Digital Economy (DCHDE), please contact DCHDE directly using the contact details below.

- call 1800 501 702
- email HSHLArrearsBondLoans@chde.qld.gov.au
- visit chde.qld.gov.au

Further information

For more information contact the Residential Tenancies Authority on 1300 366 311.

Accessing RTA forms

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

- rta.qld.gov.au
- 1300 366 311
- Level 11, Midtown Centre, 150 Mary Street, Brisbane.



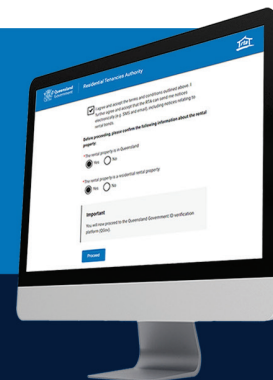
If you need interpreting assistance to help you understand this information, contact TIS on 13 14 50 (for the cost of a local call) and ask to speak to the Residential Tenancies Authority (RTA).

228 – v1 Nov21

Use RTA Web Services to lodge or refund a bond, change bond contributors, update your details and more.

rta.qld.gov.au/webservices

Renting that works
for everyone



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.