

Rental application process – Tenants and residents

The *Residential Tenancies and Rooming Accommodation Act 2008* (the Act) is the law that governs renting a residential property in Queensland. This fact sheet contains information and a summary of how the Act applies to residential tenancy agreements in Queensland but should not be relied on as legal advice for specific residential tenancies.

For ease of reading, tenants and residents will be referred to as tenants in this fact sheet. The term residential tenancy agreement refers to all tenancies including general tenancies, rooming accommodation and moveable dwelling agreements. The term property managers/owners includes managing parties, lessors, lessor's agents, and accommodation providers.

Overview

An applicant must apply for a residential tenancy using an approved application form that complies with the RTA's Rental application forms (Form 22/R22). This form is designed to ensure a standardised and fair application process. The application form must not ask for any information beyond what is contained in the RTA's Rental application forms (Form 22/R22).

Additionally, the Act specifically addresses the collection, storage, and destruction of [personal information](#) for applicants and successful tenants. It is an offence under the Act to not comply with application process requirements, including using a non-compliant application form, not providing two different methods for applications to be submitted, requesting more personal information or documentation than is allowed, and not complying with requirements related to personal information collection, storage and destruction. The RTA cannot provide information on privacy laws that fall outside the scope of the Act.

Application form

A rental application for a residential tenancy agreement must be completed using a standardised tenancy application form. The [Rental application \(Form 22\)](#) is for general tenancy and moveable dwelling agreements, while the [Rental application \(Form R22\)](#) is for rooming accommodation agreements. These forms are prescribed under the *Residential Tenancies and Rooming Accommodation Act 2008* (the Act) and the [Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Regulation 2025](#).

Exemptions

Application form requirements for residential tenancies do not apply to relevant lessors for general tenancy agreements only. The Act outlines who qualifies as a relevant lessor.

Application submission - ensuring non-restrictive ways for tenants

The Act requires that property managers/owners provide at least two different methods for applicants to submit their applications. One method must not be restrictive. A restrictive way is defined as any process where an applicant is required to submit their personal information through an online platform or to a third party who is not a real estate agent collecting the information on behalf of the property manager/owner. It also includes methods that incur a cost for the applicant, such as application fees or background check fees.

The application form outlines the types of information and documentation that can be requested from an applicant. Additionally, the Act specifies the documents that can be requested. The following categories limit the information requested to a maximum of two documents each:

1. Documents verifying the identity of the applicant.
2. Documents verifying the applicant's financial ability to pay rent.
3. Documents regarding the suitability of the applicant for the tenancy.

Applicants may offer to provide more than two documents in the above categories to support their application. Property managers/owners may accept additional documents offered by applicants so long as they have not been requested, encouraged or solicited by the property manager/owner.

Prohibited information for application

Property managers/owners must not request the following information from an applicant:

- Legal action taken by the applicant, including dispute resolution or matters considered by the [Queensland Civil and Administrative Tribunal \(QCAT\)](#).
- Notices to remedy a breach, either given to or by the applicant.
- Rental bond history, including any claims on a rental bond.
- Statements of credit accounts or bank transactions details.

Applicants may choose to provide additional information to support their application beyond what can be requested by a property manager/owner. Property managers/owners are not in breach of the Act if they accept additional information documents provided voluntarily by an applicant. However, applicants are not obligated to submit any extra information beyond the required documentation, including personal information.

Identity verification during the application process

The Act allows an applicant to verify their identity by providing a copy of an original identity document or by allowing the property manager/owner to sight the original document in person. However, property managers/owners are not allowed to keep a copy or record the details of any identity document sighted in person without the applicant's consent.

Property managers/owners may request a copy of up to two types of documents to verify the applicant's identity. Additionally, documents related to the applicant's financial ability and suitability for the tenancy may also be requested, with no more than two documents from each category. These requests may be made as part of the standard application process and for business purposes.

Collection, retention, storage, access and destruction of personal information

Personal information is defined as information or opinion about a specific person, or someone who can be reasonably identified, whether the information is true or not. It includes whether the information is recorded in a material form or not and also covers photographs or images of someone's personal possessions or standard of living.

Personal information may only be collected for the purpose of assessing the suitability of the applicant as a tenant, and for the purpose of managing the rental property.

The property manager/owner must ensure that personal information is:

- Stored securely,
- Accessed only by authorised persons for the purpose of rental application assessment or managing the rental property, and
- Destroyed securely within the required timeframes.

Personal information collected from applicants during the application process, who do not become tenants, must be destroyed within three months of the commencement of the successful tenant's residential tenancy agreement.

Personal information collected during the tenancy for property management purposes must be destroyed within seven years after the end of the residential tenancy agreement.

Misuse of personal information

If a tenant or applicant is concerned that a property manager/owner is misusing personal information, the tenant or applicant can contact the relevant regulatory body to file a complaint.

Additionally, property managers/owners must also comply with Federal, and in some instances, state legislation that relates to the collection, storage and destruction of personal information. The State Act may apply only when the State manages the rental property.

For more information:

- [Information Privacy Act 2009 \(Qld\)](#)
- [Queensland Office of the Information Commissioner](#)
- [Office of the Australian Information Commissioner](#)
- [Privacy Act 1988 \(Cth\)](#).

Accessing RTA forms

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

- rta.qld.gov.au • 1300 366 311 (Mon to Fri, 8:30am to 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



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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