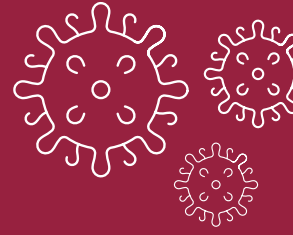




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COVID-19 – If both the tenant and the landlord can't agree – conciliation and applying to QCAT



This infosheet helps tenants understand the steps they can take to reach an agreement with their landlord.

This infosheet has some hard words. The first time we write a hard word it will be in **bold** and we will write what this word means. You can also find a list of these words and what they mean in the 'Glossary of Terms'.

The Residential Tenancies Authority (RTA) have a free service to help you and your landlord or property manager work together to find a way to agree about how to fix any problems you may have.

Up until 30 September 2020 this process was mandatory (you had to do it). Now it is voluntary (you don't have to, but its a good idea).

The RTA can help you with:



talking about your rent



changes to your tenancy agreements



other things related to your tenancy like entry to your home or repairs and maintenance.



How will the RTA help if the landlord and I can't agree?



The RTA Dispute Resolution service is free. They have workers who are called conciliators. They are independent and they don't take sides.

They have lots of experience. They aim to help you, and the other person to make decisions and reach an outcome that is okay for both of you. They will help you think about all the possible ways to agree.



I asked for help from the RTA using the COVID-19 dispute resolution Form 16a in August and I'm still waiting for them to get back to me. What happens now?



30 September 2020

If you have put the form in before 30 September 2020, the process will continue under the protections that were in place.



It is important that tenants know that at any time, the landlord may apply to the Queensland Civil and Administrative Tribunal (QCAT) to get a termination order if you have been asked to leave and you aren't leaving.



I am having a hard time with my tenancy. The landlord and I can't agree. What can I do?



Talk to the landlord or property manager

Have a conversation with your property manager or landlord as the first step if you are having trouble paying your rent, need to end your tenancy early, or have any other issues with the property.



You can also go to the Residential Tenancies Authority (RTA) if you need help to work through these issues.

The RTA doesn't take sides and can help you work through a disagreement. The RTA can help you and your landlord or property manager work out a solution and come to an agreement that everyone is willing to accept.

You can contact the RTA on **1300 366 311**.



It is important to know that it can take several weeks or even months to finalise things.

As a final step you can

Go to Queensland Civil and Administration Tribunal (QCAT)

QCAT is the Queensland Civil and Administration Tribunal. QCAT can make a decision for you and the landlord when you cannot agree on things together.

They will make their decision based on the information you and the landlord or property manager give to them.

If the dispute is urgent (for example its about Domestic and Family Violence issues) you can go straight to QCAT to help you sort out the issue. You don't have to go through the RTA first.



How do I access the RTA Dispute Resolution service?

Before you start:

Get your papers and documents ready to prove what has happened to you. If you lost your job, you might have a letter from Centrelink because you are receiving help from them.

You can ask for help with this process from **QSTARS (1300 744 263)**. They can tell you what your rights are and can help you with your paperwork.



Step 1: Complete the form

Fill out the [form](#) and send it to the RTA.



Step 2: Talk to the RTA

The RTA will get back to you. This might take a little while if they are busy. They will tell you if they can help and what will happen next and when.



Step 3: Dispute Resolution

The RTA will contact you and your landlord or property manager, this could be at the same time or one at a time. They will try to help you agree on what will happen with your tenancy.

If you need help, find someone who can support you during the conciliation process – this could be family, a friend or a support worker.



Click here or download the form and email a scanned version to bonds@rta.qld.gov.au or post it to RTA, GPO Box 390, Brisbane Queensland 4001.



Agree: If you agree, you will sign a document which covers what you've agreed on.



Don't agree: If you don't agree, you or your landlord or property manager can ask for help from QCAT.



How do I apply to Queensland Civil and Administrative Tribunal (QCAT)?



QCAT can make decisions about your tenancy when you have gone through the steps, and you and your landlord or property manager still can't agree.

Is my dispute urgent or non-urgent?

Most disputes are non-urgent.

Some disputes are urgent, like disagreements about domestic violence issues.



If the dispute is urgent you can go straight to QCAT to help you sort out the issue. You don't have to go through the RTA first. To check if your dispute would be classed as urgent you can check on the QCAT website [here](#).



If your dispute isn't urgent, you can only apply to QCAT when:

1. You have tried to talk to your landlord or property manager first. You can do this by calling them, meeting them face to face or writing to them. and
2. You have used the RTA Dispute Resolution service, but you and your landlord or property manager still can't agree.

If you have tried conciliation, but still can't agree, the RTA will send a **Notice of unresolved dispute**.

A Notice of unresolved dispute is a form that the RTA will send to the person who asked for conciliation from the RTA.

If your dispute is non-urgent, then you or your landlord have to get this form to be able to go to QCAT for help.



How to apply directly to QCAT?

Click here to [Apply to QCAT](#) to resolve your dispute.

For support with tenancy issues contact:



Queensland Statewide Tenancy Advice and Referral Service (QSTARS)
1300 744 263



Residential Tenancies Authority (RTA)
1300 366 311