

## Domestic and family violence – information for residents

On 20 October 2021, the *Residential Tenancies and Rooming Accommodation Act 2008* (the Act) was amended to provide options for people experiencing domestic and family violence to leave a residency.

These changes, coupled with existing protections in the Act, support residents experiencing domestic and family violence to end a residency quickly, or if they choose, to remain in the rental property safely.

A person who experiences domestic and family violence in a rental premises has rights under the Act, even if they are not named on the rooming accommodation agreement.

### What is domestic and family violence?

Under the Act, domestic violence has the meaning given by the *Domestic and Family Violence Protection Act 2012*.

Domestic and family violence occurs when one person in an intimate personal, family or informal carer relationship behaves towards the other person in the relationship in a way that is:

- physically or sexually abusive
- verbally abusive
- emotionally or psychologically abusive
- economically abusive
- threatening
- coercive
- in any other way controlling or dominating the second person and causes them to fear for their safety or wellbeing or that of someone else.

Domestic and family violence covers a wide range of behaviours (for further information refer to the *Domestic and Family Violence Protection Act 2012* section 8), including damaging a person's property or threatening to do so.

### What can I do if I am experiencing domestic and family violence?

Every person has a right to feel safe and live free from violence.

If you have been harmed, involved in a violent incident or are in imminent danger, phone 000 (triple zero) for emergency assistance.

If you are experiencing domestic and family violence, a domestic violence order (DVO) may be able to help keep you safe. A DVO is a protection order made by the court to stop threats or acts of domestic and family violence against you and can be in the form of a protection order or a temporary protection order.

You can apply for a protection order at a Magistrates Court, or get a police officer, solicitor or someone else you authorise to apply for you.

For more information about protection orders, visit the Queensland Courts website [courts.qld.gov.au](https://courts.qld.gov.au) or contact DVConnect or other support services listed at the end of this fact sheet.

### What can I do if I'm renting a premises and I believe I can no longer safely continue to occupy the premises because of domestic and family violence?

If you believe you can no longer continue to safely occupy the premises due to domestic and family violence, you can vacate immediately providing you give seven days' notice to end your interest in the rooming accommodation agreement.

You can do this by giving your provider a [Notice ending residency interest \(domestic and family violence\)](#) (Form R20) including any relevant evidence.

You also have the option to provide this evidence in person to your provider to read or view, if preferred.

If there are any other residents for the same agreement, the agreement will continue on the same terms for them after your interest ends.

If you end your interest in a rooming accommodation agreement using a Notice ending residency interest, you:

- **can vacate immediately**, but must provide seven days' notice and pay rent until the end of the seven-day notice period
- **are not responsible** for costs associated with ending the agreement or interest, goods left behind at the premises or reletting costs
- **are not required** to repair or compensate the provider for damage to the premises or inclusions caused by an act of domestic and family violence you have experienced
- **are still responsible** for other costs associated with breaching terms of an agreement (e.g. rent arrears)
- **can request** your bond contribution be refunded by completing a [Bond refund for persons experiencing domestic and family violence](#) (Form 4a). Providers can also request a rental bond refund for a resident's bond contribution where a resident has vacated due to domestic and family violence by completing this form.

Where the provider believes a notice and supporting evidence does not comply with the Act, they may apply to the [Queensland Civil and Administrative Tribunal](#) (QCAT) for an order to have the notice set aside. The provider must inform you whether they intend to apply to QCAT within seven days of receiving the notice.

In making their decision, QCAT will only examine whether the notice and the supporting evidence you have provided meet the requirements of the Act. QCAT **will not examine**:

- whether you have experienced domestic violence; or
- your belief as to whether you could safely continue to occupy the premises.

## Is the information I share with the provider confidential?

After you give the provider a [Notice ending residency interest \(domestic and family violence\)](#) (Form R20), supported by relevant evidence, the provider:

- **must not** disclose any relevant information supporting your Notice ending residency interest to anyone except in specific permitted circumstances outlined in the Act (section 308I or 381I). **Penalties apply** to anyone who does not follow these requirements
- **cannot** require you to provide your forwarding address.

**If there is more than one resident for the residency**, the provider:

- is required to inform you within seven days of receiving the notice **when** any remaining residents will be informed that you have ended your interest in the residency
- **must** give each remaining resident a [Continuing interest notice](#) between 7–14 days **after** your interest in the residency ends (this is when your seven-day notice period expires AND you have vacated the premises)
  - if the person remaining is the person who committed an act of domestic and family violence against you, they will also receive a Continuing interest notice.
- the [Continuing interest notice](#) will only inform remaining residents that:
  - your interest in the agreement has ended
  - the agreement continues on the same terms for the remaining residents
  - if the remaining residents are required to top up the rental bond, the amount they are required to pay and the day by which the top up must be made.

**1 June**

Notice ending residency interest (Form R20) given to manager/provider.

**2–8 June**

Manager/provider to tell vacating resident:

1. if the manager/provider intends to apply to QCAT to have the notice set aside
2. **when** the manager/provider is telling any remaining residents the vacating resident has ended their interest.

**8 June midnight**

Vacating resident's interest in the residency ends if vacating resident has vacated.

JUNE						
SUN	MON	TUES	WED	THUR	FRI	SAT
	1	2	3	4	5	6
		Day 1	Day 2	Day 3	Day 4	Day 5
7	8	9	10	11	12	13
Day 6	Day 7	Day 1	Day 2	Day 3	Day 4	Day 5
14	15	16	17	18	19	20
Day 6	Day 7	Day 8	Day 9	Day 10	Day 11	Day 12
21	22	23	24	25	26	27
Day 13	Day 14					
28	29	30				

**9–15 June**

Manager/provider **must wait at least 7 days** before issuing a *Continuing interest notice*.

**16–22 June**

A *Continuing interest notice* must be provided by the manager/provider to any remaining residents during this time.

*Note: When you calculate dates for notices, where the notice period is in days, weeks or months, you must not count the day the notice is given. If the time period allowed under the legislation for a party to do anything or ends on a weekend or public holiday, then the end of the time period will be on the next business day.*

## Changing the locks

The Act gives you the right to request the provider to change or repair a lock that secures entry to your room if you reasonably believe that there is the likelihood of risk to your safety, or theft of or damage to your belongings.

If your request states that it is made for the purpose of protecting you from domestic and family violence, the provider must change or repair the lock and must not give a key for the changed lock to any other person without your agreement or a reasonable excuse.

**Penalties apply** to providers who do not comply with this section of the Act.

## Where can I get more help or information?

Everyone deserves to feel safe at home—domestic and family violence is never acceptable.

**Related resources:** [Help and support is available](#) for Queenslanders affected by domestic and family violence.

Organisation	Contact details
Emergency response	000 / triple zero (24 hours a day, 7 days a week) Call for police, ambulance or fire services if you are in imminent danger, have been harmed or involved in a violent incident
<a href="#">Queensland Indigenous Family Violence Legal Service (QIFVLS) Aboriginal Corporation</a>	1800 88 77 00
<a href="#">First Nations Women's Legal Services Qld</a>	07 3720 9089
<a href="#">DVConnect Womensline</a>	1800 811 811 (24 hours a day, 7 days a week) Assists women and their children obtain safe refuge accommodation, counselling and referral to other support services

DVConnect Mensline	1800 600 636 (9am to 12 midnight, 7 days a week) Provides counselling, information and referral to men affected by domestic and family violence. Assists men experiencing domestic and family violence and men looking for help to stop their abusive behaviour
Legal Aid Queensland	1300 651 188
Women's Legal Service	07 3392 0670 or areas outside Brisbane 1800 677 278
Immigrant Women's Support Service	07 3846 3490
Brisbane Domestic Violence Service	07 3217 2544
Disability Support Services	Contact your local service centre or call 13 QGOV (13 74 68)
Elder Abuse Prevention Unit	1300 651 192 (9am to 5pm, Monday to Friday) Provides information and support to older people who experience elder abuse
Tenants Queensland	1300 744 263
Department of Justice and Attorney-General	13 74 68
1800RESPECT	1800 737 732 (24 hours a day, 7 days a week) National service providing crisis and trauma counselling to people affected by domestic, family and sexual violence
Lifeline	13 11 14 (24 hours a day, 7 days a week) National service providing access to crisis support and suicide prevention services
Policelink	131 444 (24 hours a day, 7 days a week) Can be used to report crimes or if you feel threatened or in danger

## 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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