

<p>Regulator model practices and supporting principles</p>	<p>Queensland Government regulators whose regulatory activities impact business are required to publicly report annually on their regulatory performance, including demonstrating the extent to which they are translating the model practices into business practices and outlining plans for future improvements.</p> <p>This report outlines the Residential Tenancies Authority’s (RTA) actions undertaken in 2023–24 to improve regulatory activities and business practices to reflect the regulator model practices.</p>
<p><b>1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden</b></p> <ul style="list-style-type: none"> <li>• A proportionate approach is applied to compliance activities, engagement and regulatory enforcement actions.</li> <li>• Regulations do not unnecessarily impose on regulated entities.</li> <li>• Regulatory approaches are updated and informed by intelligence gathering so that effort is focused towards risk.</li> </ul>	<p>In 2023–24, the RTA’s regulatory activities maintained alignment with:</p> <ul style="list-style-type: none"> <li>• the RTA Strategic Plan 2022–26</li> <li>• the RTA Compliance and Enforcement Action Plan 2024</li> <li>• Queensland Audit Office regulatory recommendations</li> <li>• the Queensland Government Regulator Performance Framework.</li> </ul> <p>The RTA continued to use a combination of risk-based and outcome-focused approaches to address regulatory priorities and ensure a proportionate approach is applied to compliance and enforcement activities and outcomes, such as:</p> <ul style="list-style-type: none"> <li>• Risk-based approach – undertook an initial risk rating that considered various factors including the seriousness of a potential offence/s, the harm caused, previous non-compliance, vulnerability of affected party etc.</li> <li>• Outcome-focused approach – used in the design of proactive activities to achieve specific outcomes, such as using targeted customer engagement to inform parties about the requirements of the <i>Residential Tenancies and Rooming Accommodation Act 2008</i> (RTRA Act).</li> </ul> <p>A risk matrix tool is used during case assessment as a consistent platform to guide investigators in determining the risk categorisation of a case. The matrix is used in conjunction with the judgement of an officer in consultation with their leader.</p> <p>An initial investigation assessment is undertaken to determine the scope of the investigation, whilst documenting endorsement and approvals to ensure proportionate use of regulatory powers.</p> <p>The RTA’s intelligence-led proactive compliance activities ensure resources are directed to the areas identified as greater risk and in the public interest.</p>

**2. Consult and engage meaningfully with stakeholders**

- Formal and informal consultation mechanisms are in place to allow for the full range of stakeholder input and Government decision making circumstances.
- Engagement is undertaken in ways that help regulators develop a genuine understanding of the operating environment of regulated entities.
- Cooperative and collaborative relationships are established with stakeholders, including other regulators, to promote trust and improve the efficiency and effectiveness of the regulatory framework.

In 2023–24, the RTA continued to administer the Queensland Rental Accommodation Regulators Group (QRARG), bringing together key regulatory stakeholders within the residential rental sector each quarter to work towards achieving consistent approaches to compliance.

The RTA worked with individual regulators, as appropriate and in accordance with legislative constraints, as well as relevant stakeholders, including peak bodies, to identify trends and collaboration opportunities to drive compliance across Queensland’s residential rental sector.

The RTA undertook the following activities to increase stakeholder and customer awareness of their rights, responsibilities and obligations under the RTRA Act and obtain timely sector intelligence on emerging trends and issues:

- worked closely with the sector including participating in 26 stakeholder-hosted online and face-to-face presentations and interactive workshops which included extensive information on rental law changes.
- hosted 3 RTA stakeholder forums and 7 stakeholder working groups for members to raise and discuss issues and trends affecting the sector which provided an opportunity to seek feedback on the RTA’s Compliance and Enforcement Action Plan 2024 and dedicated compliance and enforcement customer resources
- participated in 116 community education and stakeholder engagement activities.
- hosted 54 dedicated face-to-face and digital information sessions for communities across Queensland
- established quarterly meetings with Tenants Queensland, focused on compliance and enforcement
- invested in a project with internal and external stakeholders to understand engagement expectations and opportunities.

**3. Provide appropriate information and support to assist compliance**

- Clear and timely guidance and support is accessible to stakeholders and is tailored to meet the needs of the target audience.
- Advice is consistent and, where appropriate, decisions are communicated in a manner that clearly articulates what is required to achieve compliance.
- Where appropriate, regulatory approaches are tailored to ensure compliance activities do not disproportionately burden particular stakeholders (e.g. small business) or require specialist advice.

The RTA continued to provide guidance and support to customers about their rights, responsibilities and obligations under the RTRA Act through its contact centre, front counter, free dispute-resolution service, podcasts and website with 310,076 phone enquiries, 4,900 front-counter enquiries, and 22,765 conciliated disputes.

The RTA also provided Queenslanders with targeted information to help them prepare for and understand rental law changes under the *Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Act 2024* resulting in a 15.3% increase in RTA website visits, reaching a record 4.3 million visits in 2023–24.

The RTA expanded its compliance-monitoring activities to include a combination of intelligence-led and targeted external scanning to identify and track instances of potential non-compliance with offences prioritised for investigation. These expanded activities saw the RTA commence 191 proactive investigations.

The RTA also introduced a channel for Queenslanders to anonymously report advertised rental properties that did not appear to meet minimum housing standards and undertook daily media and social media monitoring in this space. Where appropriate, the RTA issued letters to advise property managers/owners of their obligations and requested they act to ensure compliance with minimum housing standards.

Following the success of proactive monitoring activities, the RTA will continue to drive this program to uphold and enforce compliance with Queensland's residential rental laws.

**4. Commit to continuous improvement**

- Regular review of the approach to regulatory activities, collaboration with stakeholders and other regulators to ensure it is appropriately risk based, leverages technological innovation and remains the best approach to achieving outcomes.
- To the extent possible, reform of regulatory activities is prioritised on the basis of impact on stakeholders and the community.
- Staff have the necessary training and support to effectively, efficiently and consistently perform their duties.

In November 2023, the RTA discontinued education as an enforcement outcome. Reduced tolerances are consistently being applied where there is demonstrated repeat and opportunistic conduct, and the risk of re-offending is high.

In December 2023, the RTA published its Compliance and Enforcement Action Plan 2024, which outlines new, and trending offences prioritised for investigation and key actions to monitor and target conduct that does not meet community expectations.

The action plan outlines 7 new and trending offences the RTA prioritised which are:

- rent increases within a 12-month period
- repair orders
- unlawful entry
- agreement terms breached
- providing false or misleading information
- rent not offered at a fixed amount
- non-lodgement of bond.

The action plan also includes 8 actions that have been gradually implemented to support increased accessibility, sector engagement and case management efficiencies including targeting conduct that does not meet community expectations.

In response to stakeholder feedback to ensure customer resources are easily accessible, a review of the RTA's compliance and enforcement website content and resources commenced.

The RTA remains committed to ensuring staff have the necessary training and support to efficiently and consistently perform their duties and as result in 2023–24 the RTA:

- provided 945 hours of staff training
- performed 4,288 quality checks to identify opportunities for improvement
- ensured 90% of staff were cross-skilled to enhance workforce agility.

**5. Be transparent and accountable in actions**

- Where appropriate, regulatory frameworks and timeframes for making regulatory decisions are published to provide certainty to stakeholders.
- Decisions are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions.
- Indicators of regulator performance are publicly available.

The RTA publishes details of its regulatory performance, including the number and nature of alleged offences investigated and case outcomes, in its Annual Report, which is hosted on the RTA website.

The RTA website includes dedicated compliance and enforcement pages with information about the lifecycle of an investigation, anticipated timeframes of an investigation, and prosecution outcomes in addition to the RTA's *Compliance and Enforcement Action Plan 2024*.

The RTA maintains communication with customers, including advising anticipated timeframes throughout each investigation, to manage expectations. The outcomes and reasons for decisions are provided to customers as soon as practicable after each investigation. Where a customer is not satisfied with an investigation outcome, review processes are in place either directly through the RTA or the Queensland Ombudsman.