

Thank you for your enquiry about how to report a possible offence under Queensland tenancy law.

Making a complaint

1. Complete the attached form

Include copies of any documents that support your allegations. Do not send originals. If you don't have copies, simply list the documents on the form.

Warning: You must not provide false or misleading information to the RTA.

2. Send the form to:

Email: investigations@rta.qld.gov.au

Post: Investigations
Residential Tenancies Authority
Reply Paid 390
Brisbane Q 4001

In person: Level 23, 179 Turbot Street, Brisbane Q 4000

3. An investigations officer will be allocated to your case within 3 weeks of the RTA receiving your complaint.

For more information please refer to the enclosed *Guide to investigation* or go to rta.qld.gov.au or call 3046 5506.

Regards

Investigations team

Please complete BOTH sides of the form

Failure to provide supporting documentation will delay the investigation

Investigation no. (OFFICE USE ONLY)

IN

To support your complaint, please include relevant documentary evidence such as:

- a copy of your tenancy agreement
- copies of receipts (bond and/or rent), other notices or forms relating to your complaint
- any email, text messages or other correspondence relating to your complaint
- names and contact details of any witnesses
- other evidence that will support your allegation/s (remember to provide copies only – please keep hold of the original documents)

Please keep all original documents safe. Try to remember exact dates, times, names and other details so you have them ready when we contact you.

If necessary, the RTA can assist you with the following services (mark all that apply):

Writing/reading help Auslan or signed English Interpreter service. Language:

1 Address of the rental property the complaint is about

Postcode

2 Details of the person submitting this form

You are (e.g. property owner, property manager, tenant)

RTA ID (if known) Bond number (if known)

Full name Mr Mrs Miss Ms

Date of birth

Address

Postcode

Phone 1. 2.

Email

Preferred method of contact Phone 1 Phone 2 Email Mail

3 What date did the tenant move in to the property?

4 Does the tenancy relate to 'room only' No Yes If yes, how many bedrooms are in the property?

5 If you are the tenant, did the property owner/manager live in the property during your tenancy? No Yes

6 Details of who the complaint is about

They are (e.g. property owner, property manager, tenant)

Full name Mr Mrs Miss Ms

Address

Postcode

Phone Email

7 Your complaint is about

- rent
- receipts
- ending agreement
- forwarding address
- other documents

non-lodgement of bond

Total amount of bond paid \$

Date/s when the rental bond was paid

How was the bond paid? *Please provide copies of cheque/credit card/bank statement/payment book receipts*

Cash EFTPOS Payment book supplied by lessor/agent Bank transfer

Cheque Credit Card Other

Did the person receiving the bond give you a receipt?

Yes No *If yes, please attach a copy of all receipts*

Has an RTA *Dispute resolution request* (Form 16) been lodged?

Yes No *If yes, provide Reference number (if known)*

entry

Name of the person/s who entered?

When did they enter?

	Date	Time	Date	Time
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Why did they enter?

Did you receive an RTA *Entry notice* (Form 9)? Yes No *If yes, please provide a copy with your complaint*

Did you allow the entry? Yes No

other

8 Provide a summary of your complaint *Attach additional pages if required*

9 Signature

The information I have provided is true and correct to the best of my knowledge. I understand that providing false or misleading information may be an offence.

Date

The Residential Tenancies Authority (RTA) investigates alleged offences under the *Residential Tenancies and Rooming Accommodation Act 2008* (the Act).

The RTA's compliance function promotes compliance with the law and discourages future offending through education and enforcement action.

Offences

Some of the offences the RTA can investigate include:

- failure to lodge a bond with the RTA within 10 days of receiving the bond
- failure to provide a written tenancy agreement
- entry by a property manager/owner without proper notice or consent
- imposing special terms in tenancy agreements that contravene the Act
- providing false or misleading documents to the RTA
- failure to provide a forwarding address if asked in writing at the end of a tenancy
- ending a tenancy in an unauthorised way (e.g. forcefully evicting a tenant)

What happens in an investigation?

An investigation is an impartial fact-gathering process.

Anyone involved in an investigation should provide as much relevant information and documentation to the RTA as possible, allowing all evidence to be considered.

Responding to allegations

If an offence is identified, the parties involved will be given a chance to respond and provide information.

Anyone responding to allegations are encouraged to first seek independent legal advice. There is no obligation to participate in the investigation process. Any information provided will be considered when making a decision about what action to take, and may be used as evidence in court.

Enforcement action

If an offence is identified, action will be taken to stop the offence happening again. In most cases, engaging with the offender, and notifying them of their obligations, is enough to stop further offending. However, the RTA may consider issuing a penalty infringement notice or prosecution when:

- these strategies have failed or they do not address the serious nature of the complaint
- there is ongoing and systemic non-compliance
- significant detriment has been caused
- conduct involves deceit, dishonesty or was unconscionable
- it is in the public interest

For a prosecution to commence, there must be sufficient evidence, and it must be in the public interest to proceed. Each offence must be proven beyond reasonable doubt, which may require the person making the complaint to appear in court as a witness.

Once the investigation is finalised, the person who made the complaint, and the person who the complaint is about, will be advised of the decision, including any enforcement action to be taken.

Enforcement action may be published on the RTA's website.

RTA investigators

Investigators are 'authorised persons' and have powers under the legislation to enter and search a property, seize documents and require individuals and/or organisations to disclose information in certain circumstances. Obstruction of an authorised person, or providing false or misleading information, is an offence.

Timeframe

As the RTA receives a large number of investigation requests, it may take up to 21 days before an investigation into a complaint can begin.

Most investigations are finalised within 6 months.

The RTA cannot investigate an offence that occurred more than 2 years ago.

Recovering money

If you are trying to recover money owed, you will need to lodge a *Dispute resolution request* or call 1300 366 311 for help. If the dispute resolution process is unsuccessful, the matter may be taken to the Queensland Civil and Administrative Tribunal (QCAT).

Making a complaint

Contact us on 1300 366 311 to obtain an *Investigation request* form to submit your complaint to the RTA.

About the RTA

The RTA is the Queensland Government statutory body that administers the *Residential Tenancies and Rooming Accommodation Act 2008*.

The RTA provides tenancy information, bond management, dispute resolution, investigation, and policy and education services to the residential rental sector.

Visit rta.qld.gov.au

Call 1300 366 311

Mon–Fri 8.30am – 5pm