

# Repairs & Maintenance

The term social housing tenant refers to both public and community housing tenants. You are a social housing tenant if your lessor is a community housing or affordable housing provider or the Department of Communities (Housing and Homelessness Services) ('the Department'). If this is the case, then this fact sheet applies to you.

The Tenants' Union also produces a series of fact sheets relevant to all tenants covered under the Residential Tenancies and Rooming Accommodation Act 2008, including social housing tenants. Please be aware this social housing-specific fact sheet is supplementary to a tenancy fact sheet entitled Repairs and Maintenance which covers repairs and maintenance processes contained in tenancy law in greater detail.

## What the law says about repairs

Your lessor is responsible for repairs and maintenance to your rental premises. This includes maintenance needed due to normal wear and tear on the place e.g. fixing dripping taps. Provided that you or your guests have not caused the damage, the lessor will be responsible for organising and paying for repairs to the premises and its inclusions (such as any furniture which is provided as part of the tenancy agreement). A lessor may not be responsible for repair/ maintenance of "non-standard items" if your lessor is the Department of Communities (Housing and Homelessness Services) ('the Department'). If you are unsure who is responsible for the repair of any items in your property, you should contact your closest tenant advice service for help.

### Notifying your lessor of a repair issue

It is your responsibility to notify your lessor of a repair/ maintenance problem or damage straight away. You should do this in writing and keep a copy for your records. You can use a Residential Tenancies Authority ('RTA') *Form 11 Notice to Remedy Breach* to notify your lessor about a repair problem, giving them a minimum of seven days to carry out the work required. This form is available on the RTA's website or at your local post office.

It's a good idea to keep a special folder for all the documents relating to your tenancy. That way when you make a copy of a letter/ form that you give the lessor you will always know where to find it, you might want this for evidence later.

### What if my lessor doesn't do the repairs?

If your lessor fails to carry out the repairs/ maintenance by the date stated on your *Form 11 Notice to Remedy Breach*, you can apply for help from the RTA's free dispute resolution service by sending a *Form 16 Dispute Resolution Request* to the RTA. This form is available on the RTA website or at your local post office. If the dispute cannot be resolved via dispute resolution, you will need a *Notice of Unresolved Dispute*, issued by the RTA's dispute resolution service, before you can apply to the Queensland Civil and Administrative Tribunal ('the Tribunal') to get an order about the repairs.

## Is it different for emergency repairs?

Emergency repairs are defined in the *Residential Tenancies and Rooming Accommodation Act 2008* ('the Act') and the provisions relating to them allow for much quicker action than routine repairs. If you have notified your lessor of an emergency repair, verbally or in writing, and nothing has been done within a reasonable time, you can either make an urgent application to the Tribunal or you can arrange to have the repairs done yourself by a suitably qualified tradesperson. If you want your lessor to reimburse you for the costs of rectifying an emergency repair, your claim will be limited to an amount equivalent to two weeks' rent. You should get more than one quote before engaging a person to rectify the problem.



## Where do my lessor’s own repair and maintenance policies fit in?

In addition to the repairs and maintenance provisions under the Act, the Department and most community and affordable housing providers have their own repair and maintenance policies. These policies may differ depending on who your lessor is. Remember though, if these policies exist they are in addition to the provisions of the Act. If you prefer, you can utilise the process set out in the Act, even if you are not successful following your provider’s policies.

### Repair and maintenance policies for public housing tenants

If you are a public housing tenant, the Department asks that you use the following process:

- Call the maintenance number for your Housing Service Centre OR if it is between 6pm and 6am and the maintenance required is an emergency, call 1800 808 107.
- Your request will be logged and you should be given a receipt number for the call. You should record this number, and also note the date you called. You will be told how soon to expect the maintenance to be carried out. The response time will be based on a list of maintenance requests that the Department has put together, which categorises types of maintenance jobs and how urgently the Department believes they need to be addressed. The response times will vary. For example, the Department may allocate a 1 hour response time for burst water pipes, but allocate 14 days to address dripping taps.
- If the work is not completed within the response time, the Department recommends that tenants call to log their maintenance request for a second time... and keep doing this for as long as the maintenance remains uncompleted. You should keep a good record of the dates that you call and all receipt numbers.

If you notify your lessor/agent about a maintenance/repair issue and the issue remains outstanding, you could issue a *Form 11 Notice to Remedy Breach* (see pervious section) and/or make a formal complaint to the Department.

The Act provides a minimum 7 day period for the lessor to rectify the repair/ maintenance issue after a *Form 11 Notice to Remedy Breach* had been issued by a tenant. Therefore, you may like to use that process in the first instance, rather than following the Department’s repairs policy. Refer to the Tenants’ Union’s tenancy fact sheet *Repairs and Maintenance* for further information on the Act’s repair maintenance processes.

Below are the maintenance numbers for public housing tenants.

Housing Service Centre/region	Maintenance number
Capalaba & Wynnum	07 3362 9109
Fortitude Valley	07 3872 0303
Chermside	07 3896 9973
Buranda	07 3405 5322
Inala	07 3362 9230
Robina	1300 650 917
Inala	07 3884 9840
Caboolture & Redcliffe	07 3480 1580
Sunshine Coast - Coolum Beach and south	1300 650 916
Sunshine Coast - Peregian Beach and north	1300 137 687
Ipswich & Riverview	07 3280 1778
Toowoomba	1300 650 915
Far North Queensland & Torres Strait	1300 650 910
Townsville	1300 650 913
Mt Isa	1300 650 912
Mackay/Whitsunday	1300 650 914
Rockhampton (country)	07 4938 4085 1800 817 029
Emerald (country)	07 4982 3090 1800 817 029
Gladstone	07 4979 4960
Bundaberg	1800 633 949
Maryborough	1300 137 687
<b>State-wide after hours emergency maintenance</b>	<b>1800 808 107</b>



## Community Housing Tenants

If you are a community housing tenant, your lessor (housing provider) may have its own repair/maintenance process. If they do, it's a good idea to ask them for a copy of the policy. If not, you should notify your lessor about any damage to the premises or repair and maintenance issues as soon as possible. Use the repair/maintenance sections of the Act (e.g. doing a Form 11 *Notice to Remedy Breach*, that was previously mentioned) if the problem remains outstanding.

## When you or your guests cause damage to the premises

You need to notify your lessor as soon as you become aware of any damage to the property. You may need to pay for or compensate your lessor for damage caused by you or your guests which is not caused by fair wear and tear. You are not allowed to maliciously damage the property or allow someone else to.

## For free tenancy advice & further information call:

**Tenants' Union of Queensland (TUQ)**

**1300 744 263 – Statewide advice line**

9am-4pm Mon – Fri and til 7pm Tue and Wed

[www.tuq.org.au](http://www.tuq.org.au)

**Tenant Advice and Advocacy Services (TAAS)**

Look under "T" for tenancy advice in the telephone directory for a local TAAS.

## Further information:

**Residential Tenancies Authority (RTA)**

**1300 366 311**

[www.rta.qld.gov.au](http://www.rta.qld.gov.au)

*The Tenant Advice and Advocacy Service (Queensland) is administered by the Queensland Department of Communities (Housing and Homelessness Services) funded by both the Residential Tenancies Authority from interest earned on bond lodged with the Authority, and by the Department of Communities (Housing and Homelessness Services).*

Please contact the TUQ if you would like to receive our free bi-monthly publication *Communiqué: an update for public and community housing tenants*.