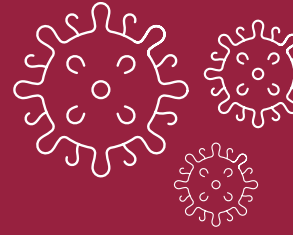




COVID-19 – Ending Residential Tenancies



This information is for tenants about what has changed and what is still in place after 29 September 2020 for ending residential tenancies.

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’.



What changed on 29 September 2020?



The freeze on **evictions** if you cannot pay your rent because of COVID-19 has finished. There are still some things you can do to get help. An eviction means being asked to leave a property or room that you rent.



The temporary approved reasons for why a landlord could end your lease have finished. For example, if they need to move into the property or sell the property.



What is still in place for tenants until 31 December 2020?



If you are experiencing domestic and family violence and you need to move quickly there are rules in place to protect you.



If you are a COVID-19 impacted tenant and can't pay your rent, you won't get listed on a **tenancy database**. You can read the rules around who is ‘COVID-19 impacted’ below on page 4 of this infosheet.

A tenancy database is a list where landlords and property managers record information about tenants who have had problems with their tenancies.




1 week

If you meet special conditions, 1 week is the most that you will pay in **break lease fees**. There could still be fees for cleaning or damages at the end.




Break lease fees are the money a tenant might have to pay to the landlord for losses or expenses because the tenant moved out before the end of a lease.

This information is for tenants

Here are some examples and answers to questions you might have about ending your tenancy at this time.



I am having challenges in my life at the moment and it's not because of COVID-19. I am having trouble with making payments and I need to end my lease. What can I do?

If you need to end your lease there are a few things you can do:

- Talk or write to your landlord or property manager and see if they will agree to let you end your lease early, and without having to pay break lease costs. It is best to try this first before anything else.

- Give your landlord or property manager a **'Notice of intention to leave'** form and leave the property. If you do this you will have to pay some money to the landlord or property manager to cover the costs of getting another tenant into the property.
A notice of intention to leave is a form you give to your landlord or property manager when you want to move out of the place you live. You can get this form on the RTA website, or give the RTA a call.

- You can make an urgent application to the Queensland Civil and Administrative Tribunal (QCAT) if you are experiencing 'excessive hardship' and need to end your tenancy quickly. QCAT will decide if you can break your lease.



I need to break my lease because I have been affected by COVID-19? What conditions do I have to meet to have the break lease fees capped at one week?



For your household – must be able to show that you have lost 75% or more of your income

AND

Have less than \$5000 in savings.



I have had trouble paying my rent. I don't want to be listed on a tenancy database because it makes it too hard to get a new place. Someone said I can say that I have been COVID impacted. What does that mean?



My landlord and I can agree that I have been affected by COVID-19 but they won't let me break the lease and only pay one week's rent as my break lease fee. What do I do?



Your name can not go on a tenancy database if you could not pay your rent and you:

- Meet COVID-19 impacted rules
- Were impacted during the COVID-19 emergency period which started on 24 April 2020
- Show proof that you have been COVID-19 impacted.



You or the landlord can ask to go to the Residential Tenancies Authority for help to reach agreement (its called conciliation). (See Infosheet 5).

Rules around who is ‘COVID-19 impacted’:

The following must apply to you during the COVID-19 emergency period:

A

- You or someone you care for contracts COVID-19
- You are told to be in quarantine
- A public health direction affects your employment, for example:
 - closes your employer’s business
 - reduces your employer’s trade or business
 - closes a major supplier or customer of your employer.
- You are self-isolating because you or someone you live with or look after is a **vulnerable person**.
A vulnerable person is someone who is at high risk of COVID-19.
- You cannot work because a public health directed travel restriction stops you from working or returning home
- You have been stopped from leaving or returning to Australia

AND one of the points from B:

B

- You have lost 25% (a quarter) of your income
- OR**
- Your rent is more than 30% (one third) of your income

This proof could be:

- A copy of an **employment separation certificate**.
An employment separation certificate is a form your employer fills out when you lose your job, you are given less hours or you change from full time to casual work.
- Letters from Centrelink
- A medical certificate
- Other information about your income (e.g. payslips, other financial information)



What are some other things I can do if I am having trouble paying rent because of COVID-19?



See if you are able to access income support.



Let your landlord or property manager know as soon as possible about your situation.

You can ask them if they are willing to make a rent reduction.



Collect documents that show that your situation has changed like an employment separation certificate, information from Centrelink, medical certificate.



Record any agreement you reach in writing and keep a copy and if you can't agree, think about applying for free conciliation through the RTA.

For support with tenancy issues contact:



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



Residential Tenancies Authority (RTA)
1300 366 311