



ABANDONED PROPERTIES POLICY SPO23

Responsible Manager: Executive Manager Housing Services

Heads of power: *Residential Tenancies and Rooming Accommodation Act 2008 (Qld)*
Department of Housing and Public Works'
Community Housing Rent Policy for Indigenous Councils
Social Housing Policy PO12

Authorised by: Council

Authorised on: November 2017

Implemented from: November 2017

Last reviewed: N/A

Review history: N/A

To be reviewed on: June 2019

Corporate Plan: Environment

1. POLICY STATEMENT

- a) As a social housing provider under the *Residential Tenancies and Rooming Accommodation Act 2008*, Torres Strait Island Regional Council (Council) is committed to providing a supportive tenancy management service to assist tenants to successfully sustain their tenancies.
- b) Council is pro-active in its responses to tenancy management to support tenants but also to ensure compliance with the Act.

When a property is suspected of being abandoned, Council will attempt to make contact with the tenant to determine if the tenant:

- i. is not absent; or
 - ii. requests a temporary absence; or
 - iii. requests the tenancy to be terminated
- c) If the tenant does not provide Council with any information as to their future plan for the tenancy or is unable to be contacted, Council will follow the abandonment process as prescribed by the Residential Tenancies Authority (RTA):
 - i. issue an Entry notice (Form 9) and affix the notice to the house; and
 - ii. if the tenant has a forwarding address, send the document to tenant; and
 - iii. 24 hours after entry notice is served, Council assesses whether abandonment has occurred; and
 - iv. If abandonment has occurred, issue an Abandonment termination notice (Form 15) and affix the notice to the house; and
 - v. If the tenant has a forwarding address, send the document to tenant.
 - d) If the tenant does not contact Council within seven days of the notice, the tenant is assumed to have abandoned the property and the tenancy agreement automatically terminates. Once the tenancy is terminated Council will cease rent charges.
 - e) If the tenant disputes the abandonment notice, the tenant can lodge an application to the Queensland Civil and Administrative Tribunal.
 - f) In circumstances where there are goods left behind in the house, Council will manage the disposal of goods as prescribed by the RTA.

Following termination of the tenancy, Council will allocate a new tenant in accordance with SPO11, Allocation of Housing Policy.

2. SCOPE

This policy applies to all Council housing tenants, including employees, Councillors, contractors, agents and assigns of Council.

3. PROCEDURE

This policy is to be applied in conjunction with Abandoned Properties Procedure SPO23-PR1.

4. **AUTHORISATION**

This policy was duly authorised by Council as Torres Strait Island Regional Council Abandoned Properties Policy on 21 November 2017 and shall hereby supersede any previous policies of the same intent.



Bruce Ranga
Chief Executive Officer

Date: 21 / 11 / 2017